



Subject 2017 Architects Code of Conduct review
Purpose For Note
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1. Summary

To note any issues arising from the introduction of a new Architects Code of Conduct in 2017. The Board has a policy of reviewing the relative success of decisions made some 12 months after the event.

2. Open Session

3. Contribution to the Board's Purpose and Objectives

In delivering the Act, ARB's objectives are:

Protect the users and potential users of architects' services by providing a clear code setting out what they can expect of an architect, thereby generating confidence in the profession.

Support architects through regulation by providing a clear framework of expected standards of conduct and competence in their professional lives.

4. Key Points

- i. Under Section 13 Architects Act 1997 the Board must issue and keep under review a code laying down standards of professional conduct and practice expected of architects, and vary its provisions when appropriate.
- ii. In 2016 ARB undertook a review of the Architects Code of Conduct and Practice, which had last been published in 2010. Following two periods of consultation the Board decided to issue a new, revised Code, and review its impact after 12 months. That Code came into force on 1 January 2017.
- iii. While the Board found that the 2010 Code had largely been fit for purpose, it decided that improvements could be made in terms of the clarity and economy of language, and the removal of 'obligations' as opposed to 'expectations'.
- iv. There were further additions relating to a prohibition of settlements which would prevent a complaint being raised with ARB, and extra responsibilities regarding notifications that ought to be made when an architect becomes insolvent.

Publication

- v. The Code was published and sent to all architects on the Register for whom we have email addresses (some 96%). A link to the document was posted on the home page of the www.arb.org.uk website, and a card setting out the 12 Standards of the Code was included in the 2017 retention fee reminder mailing sent to all registrants.
- vi. Articles about the content and impact of the new Code were included in the eBulletin, and CPD events were delivered in Wales and Scotland to discuss the importance of adhering to the Standards.

Impact / Reaction

- vii. Regulatory investigations tend to take place some significant time after the events which give rise to an allegation. Because of this, the full impact of the Code on competence and conduct matters may not be fully understood for some considerable time. Most incoming complaints about architects still relate to matters which occurred prior to the introduction of the new Code. No cases involving the new Code have yet been considered by the Professional Conduct Committee.
- viii. Anecdotally the response has been positive. Bearing in mind the 2017 Code varies little from the 2010 version, there has been little or no public criticism of the document - albeit some consultee responders were disgruntled if their suggestions were not adopted. Other regulators have praised its brevity and clarity, although in interests of balance it is fair to say that some involved in the disciplinary process have complained that it is insufficiently prescriptive.

5. Resource implications

None identified as part of this review

6. Risk Implications

The Code of Conduct is a key document for ARB, for architects, and for users of architect services. A failure to have a coherent, robust document would be to the detriment of all.

7. Communication

An ongoing area of interest within the profession and the public, the Code provides a public statement of the standards expected of architects. Regular reviews of the Code ensure that it reflects current issues and concerns.

8. Equality and Diversity Implications

There is no evidence of the new Code impacting disproportionately on any particular group; however the Board, through its Investigations Oversight Committee, will continue to monitor the disciplinary function of ARB to identify any trends.

9. **Next Steps**

We will continue to strive to make architects aware of the Code and alive to the risks of failing to adhere to the Standards. We will seek to promote the Code through published articles and events, and all new registrants will be receiving an information pack which stresses the importance of the Code and what it means to be a professional.

A future Board will need to decide when would be an appropriate time to review the Code again; however it will be kept informed of any issues arising in the meantime via periodic reports from the Professional Conduct Committee, Third Party Reviewers and its own Investigations Oversight Committee.