

Briefing: Building Safety Bill

What we do

The Architects Registration Board (ARB) is a statutory body established by Parliament. We regulate the architects' profession in the UK to ensure that good standards of conduct and practice are consistently maintained.

To do this we:

- Maintain the Architects Register, a tool anyone can use to confirm whether someone is a UK architect.
- Set the standards required to join the register by recognising and quality assuring architecture qualifications.
- Ensure only appropriately qualified applicants from the UK and overseas join the Register.
- Set and enforce the professional standards expected of UK architects.
- Take action against those who call themselves an architect illegally.

We want to use this role to support architects to create environments where people are safe and can live well. This Bill would help us to do that and so it's something we support.

We are particularly interested in clauses 135 and 136 as these directly change the responsibilities or powers that we have. They have been introduced following public consultation and further detail on the changes is set out below.

If you would like any more information or to discuss this further please contact us by emailing jamesf@arb.org.uk.

Clause 135 - Continuing professional development

Dame Judith Hackitt's Review into Building a Safer Future recommended a culture change within the construction industry. And it said this has to be underpinned with more emphasis on competence and regulatory oversight.

Professional regulation has an important role. The public and users of architects' services have a right to expect that architects will not only be competent on their first day of registration, but that they will continue to maintain and develop their skills, knowledge and behaviours.

While the Architects Code of Conduct and Practice expects all architects to keep their knowledge and skills relevant to their professional work up to date, we're currently only able to check this when an architect is the subject of a disciplinary complaint. For many architects it won't have been checked from their point of registration until their retirement.

The Bill would address this by giving us the power to ensure that Continuing Professional Development is carried out by architects throughout their careers.

This would help us to support professionalism at every stage in their careers and would align architects with other professions whose competence is looked at beyond the point of registration.

We'll formally consult on how to implement these new powers once the Bill becomes law.

Ahead of that, we want to consider how the scheme should work and so last month we invited architects and others to share their views on our principles before they are used to develop the scheme. These principles are:

- **Improve the overall competence of the profession:** The scheme will aim for an overall positive shift in the collective competence of the profession by promoting a culture of continuing professional development. It will not be about catching out individuals.
- **Tailored by architects to their own practice and needs:** The scheme will encourage architects to reflect, plan, act and evaluate on their learning activities in a way that is relevant to their practice and development needs. The approach will not be 'one-size-fits-all'.
- **Proportionate and deliverable:** Our research shows the majority (70%) of architects are already committed to carrying out dedicated CPD annually, so the scheme will aim to formalise and shape that learning. It should, as far as possible, avoid additional costs for architects.

- **Avoid duplication where possible:** We intend to design a model that is suitable for all architects, and will be considering how best it can work alongside other schemes – both in terms of subject matter and logistical compatibility.

So far we've already received hundreds of responses and we'll analyse these and keep listening as we develop the scheme.

We'll also undertake substantial preparation and piloting work before the monitoring scheme is introduced. All of this will take time and so the new process is unlikely to be in place for the whole profession before 2023.

Clause 135 - Listing of disciplinary orders

Publicly displaying disciplinary orders against a registered architect would improve transparency, promote public confidence in the profession, and may deter poor professional conduct or incompetence.

The Bill would do this by giving us powers to publish disciplinary orders against an architect on the register. These follow decisions by the Professional Conduct Committee.

We'll work with the Government and consult the profession to determine the length of time a disciplinary order would be listed on the register. We expect that the time the order is listed will take into account its severity.

Clause 136 - Fees

This clause would allow the Secretary of State (by regulations) to make provision for the services for which we may charge a fee. This will extend the currently limited list of chargeable services the ARB can administer, as set out in the Architects Act 1997.

Regulations will set out the services, or types of services, in respect of which we can do this. They will also make provisions about who is liable to pay a fee, and how they're charged and paid. Fees would be designed to recover full costs and not intended to make a profit.

This change will help to ensure we have the resources we need to deliver any additional services, for example the implementation of new routes to the register for architects who qualified outside of the UK, and that the costs for these services fall on those who are using them.

It will also help to minimise the annual retention fee that architects pay to us because those services will be paid for separately by those who use them.