



Board Meeting 12 May
2017
Agenda Item 12

Subject Review of ARB's Criteria for the Prescription of Qualifications
Purpose For Discussion and Decision
From Emma Matthews (Head of Qualifications & Governance)

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1. Summary

To discuss whether the Board should progress a review of its Criteria at Parts 1, 2 and 3 levels.

2. Recommendations

It is recommended that the Board:

- i. notes the position regarding the current Criteria;
- ii. discusses the pros and cons of progressing a review of the Criteria at this point in time;
- iii. if the Board agrees to progress the review, notes that it must discuss the position with the Department for Communities and Local Government before formally commencing a review; and
- iv. discusses and agrees its high level objectives for a review of the Criteria.

3. Open Session

4. Contribution to the Board's Purpose and Objectives

In delivering the Act, ARB's objectives are to 'protect the users and potential users of architects' services' and to 'support architects through regulation'.

In line with Section 4(1)a of the Architects Act 1997, the Board is responsible for determining what qualifications and practical training experience are required for entry to the Register under the UK route to registration. In order to ensure that individuals hold appropriate qualifications and practical training experience on entry to the Register, the Board has established a prescription process for recognising qualifications and experience as well as Criteria which must be met at the appropriate level. The Criteria set out the standards, attributes, knowledge, understanding and abilities that individuals must have met before at the end of each level. The Criteria are therefore important in terms of assuring the users and potential users of architects' services that individuals who are on the Register have the appropriate minimum levels of skills and expertise. The Criteria also provide information to students and institutions in terms of the areas that must be met in order to demonstrate competence to enter the Register.

5. Background

- i. The Board has a duty prescribe the qualifications and practical training experience required for registration for the UK route to registration.

The Board's current UK requirements for registration are:

An ARB-prescribed qualification at Part 1 level;
An ARB-prescribed qualification at Part 2 level; and
An ARB-prescribed qualification at Part 3 level, including 24 months practical training experience which complies with ARB;s requirements

The Board sets Criteria at Part 1, Part 2 and Part 3 levels which include details of the minimum levels of knowledge, understanding and abilities that individuals must have acquired on completion of those qualifications. Individuals holding qualifications at all three levels, having met the Criteria, are deemed eligible for registration. The Criteria therefore form the minimum levels of competence which must have been achieved before an individual is eligible for registration.

The Current Criteria

Part 1

The Criteria include Graduate Attributes which describe the levels of learning which must be exhibited by students who achieve prescribed qualifications at Part 1.

Also included are the General Criteria which are explicitly linked to the 11 points that form a part of Article 46 of the Professional Qualifications Directive. Each of the 11 points have been supplemented with additional requirements which are deemed to be important to those training in the UK.

Individuals successfully gaining an ARB-prescribed Part 1 level qualification must have met the Graduate Attributes and the General Criteria at this level.

Note: Article 46 of the Professional Qualifications Directive sets out the minimum subject areas that must be met during a minimum duration of study/study and mandatory professional traineeship for the purposes of mutual recognition across European Member States.

Part 2

The Criteria include Graduate Attributes which describe the levels of learning which must be exhibited by students who achieve prescribed qualifications at Part 2.

They additionally include the General Criteria which mirror those at Part 1 and as noted above explicitly linked to the 11 points that form a part of Article 46 of the Professional Qualifications Directive. Each of the 11 points have been supplemented with additional requirements which are deemed to be important to those training in the UK.

The Criteria at Part 2 are differentiated from those at Part 1 by the Graduate Attributes which must be achieved at this level.

Individuals successfully gaining an ARB-prescribed Part 2 level qualification must have met the Graduate Attributes and the General Criteria at this level.

Part 3

The requirements for Part 3 are UK-specific requirements for registration. The Criteria consist of five Professional Criteria; they are not fully derived from Article 46 of the Professional Qualifications Directive although there are elements of the 11 points within the Part 3 Criteria to ensure professional aspects flow through each level of qualification.

A copy of the existing Criteria can be found at **Annex A**.

What the ARB uses the Criteria for

The Criteria constitute one of the most important elements which underpin several of the Board's policies and procedures. The Board uses the Criteria for a number of interconnected processes which include:

- **Prescription of Qualifications**

The Criteria form one of the cornerstones of the ARB's Prescription Process. Institutions seeking prescription of their qualifications must be able to demonstrate that individuals holding the relevant award at the end of their studies at either at Part 1, Part 2 or Part 3 levels have met the Criteria at the appropriate level. Individuals holding qualifications at all three levels are then deemed competent to join the Register. Institutions typically evidence that their students will meet the Criteria by mapping learning outcomes/assessments to the Criteria at the appropriate level and providing internal and external peer review material which confirms that the Criteria have been met. Where there is evidence that the Board's Criteria is not being met, the Board additionally needs to be in a position to take appropriate action, including in the most extreme circumstances revoking prescription.

- **Prescribed Examinations**

Individuals holding non-prescribed qualifications in architecture (e.g., international qualifications from outside of the EU; non-prescribed qualifications in architecture from the UK; non-Directive listed qualifications from the EU) can apply to ARB to obtain Part 1 and/or Part 2 level

equivalence for their qualifications. Individuals applying for the Examinations are required to evidence that they have met the Criteria at the appropriate level through their studies. The Criteria are therefore used as the basis for the Examinations.

- **Notification of UK Qualifications to Europe**

The Board currently has a policy that requires all UK prescribed qualifications to meet the relevant terms of Professional Qualifications Directive including the 11 points set out in Article 46 of the Directive. Given that the current Criteria embed, and go above and beyond the 11 points, all ARB-prescribed qualifications at Part 1 and Part 2 collectively meet the requirements of the Directive in terms of their coverage and duration.

- **Application of the General System under the Professional Qualifications Directive**

Under the terms of the Professional Qualifications Directive, individuals holding non-listed European qualifications in architecture, and complying with the other relevant requirements set out in the Directive, may apply for registration through the General System. The Part 3 level Criteria are used for this purpose.

- **Maintenance of Competence**

Under the Board's Code of Conduct, architects are expected to be competent to carry out the work they undertake. The Criteria are used as the basis for the Board's guidelines on maintaining competence.

Key Stakeholders

The current Criteria were developed with input from a wide range of stakeholders, including the Royal Institute of British Architects (RIBA), the Standing Conference of Heads of Schools of Architecture (SCHOSA), the Association for Professional Studies in Architecture (APSA) and the Quality Assurance Agency (QAA).

The Criteria at Part 1 and Part 2 levels additionally form the core of the QAA's Architecture Subject Benchmark Statement. The Part 3 Criteria are appended to the Architecture Subject Benchmark Statement for reference but do not form part of the core Statement.

The Criteria at Part 1 and Part 2 levels are held in common by the ARB, the RIBA and the QAA; the Criteria at Part 3 are held in common by the ARB and the RIBA.

A wide range of stakeholders have expressed a keen interest in the next review of the Criteria, including the Health and Safety Executive, the Built Environment Professional Education Project, and the Scottish Disability Equality Forum.

- ii. At its meeting in February 2017, the Board agreed that it should hold a discussion as to whether a regular, cyclical review of the ARB Criteria should continue to be

delayed pending the review of Routes to Registration or whether the item should be considered 'business as usual'. It was agreed that a paper setting out the pros and cons of undertaking such a review of the Criteria would be brought to the next Board meeting [12 May 2017].

- iii. As part of the process to collate this paper and noting that some stakeholders have recently stated that the Criteria require review, Staff have provided key stakeholders, i.e., the RIBA, SCHOSA and APSA, with the opportunity to provide initial views and comments regarding the existing Criteria. These views and comments are contained within **Annex B**.
- iv. The Board is asked to take the following into account as part of its discussion:

Benefits of reviewing the Criteria at this point

- The current Criteria came into force in 2011, having been approved by the Board in 2010; the Criteria are typically due for review every 5 years and therefore a regular cyclical review of the Criteria is now overdue. Reviewing the Criteria at this point would address this.
- Stakeholders strongly advocate the need for a review of the Criteria as soon as possible (refer to **Annex B**)
- A review at this point could solidify the UK's position regarding the content and coverage of its prescribed qualifications and strengthen the UK's negotiating position as it leaves the EU and potentially develops trade links/mutual recognition agreements with other countries around the world.

Disadvantages of reviewing the Criteria at this point

- The factors underpinning the UK's current model of architectural education and the ARB's approach to prescribing qualifications is well understood and trusted outside of the UK; changes to one of the key cornerstones of the process could weaken the UK's negotiating position as it leaves the EU and potentially develops trade links/mutual recognition agreements with other countries.
- The future status of the Professional Qualifications Directive requirements, i.e., the application of Article 46 which sets out the core areas that qualifications should meet for the purposes of mutual recognition within Europe, and whether they will continue to apply to the UK and its qualifications is unknown at this point.
- Once the DCLG is content for ARB to progress its review of the UK Routes to Registration, and once the position regarding the UK's relationship with the EU is clearer, the Board may wish to review the Criteria again as part of the Routes review as issues of duration and sequencing of studies are likely to arise.

- v. If the Board agrees that a review of the Criteria should progress, the Board is also asked to agree its high level objectives for the review. It is suggested that the objectives are as follows:

Any revised or updated Criteria should enable the Board to:

- Continue to discharges its functions under Section 4(1)a and 4(1)b of the Architects Act 1997;
- Ensure that competent individuals are admitted to the Register on completion of their studies and practical training experience, i.e., setting the standards for entry under the UK route on to the Register; and
- Ensure that the qualifications (and where appropriate experience) it prescribes meet the requirements of the Mutual Recognition of Professional Qualifications Directive so that the UK's qualifications can continue to be listed under Annex V of the Directive.

It should also be noted and agreed that the review of the Criteria must be based on the Board's current requirements for entry to the Register which state that individuals must hold Part 1, Part 2 and Part 3 qualifications in order to enter the Register. This element cannot be reviewed until the DCLG has confirmed that the Board should progress its review of the UK routes to registration.

6. Resource implications

If the Board decides to progress with a review of the Criteria at all three levels, and depending on the scale and nature of the review, additional resources will be needed within the Corporate/Qualifications teams. A full scale review of the Criteria is likely to have a significant impact on staff time and external advice/guidance will also be required. We will be in a better position to determine this once we know the direction of travel and have a project plan in place, however, the Board has already set aside money for a review of its UK routes to registration, which encompassed a review of the Criteria.

7. Risk Implications

The DCLG's Periodic Review Report includes the following statement:

- Alongside the Review conclusions there are a number of recommendations. Some of them proposed action on issues related to the Directive and the process and requirements for accreditation but others are designed to modernise existing structures, improve processes, reduce costs and increase transparency. Those related to the Directive will not be taken forward until we know what arrangements will apply to this legislation once the UK has left the EU.

If the Board decides that it would like to progress a review of the Criteria, it will need to discuss this with the DCLG before going ahead; the Department has requested that it have the opportunity to properly understand the nature and scope of the review so that it can determine whether this will have any impact on the UK's position as it exits the European

Union. Failure to properly consult the DCLG before moving ahead could create risks for both the Board and the Department; the good working relationship between the Department and the Board could be affected; the Department may have a clearer understanding of the wider landscape/the plans for exiting the European Union and the Board may unintentionally create difficulties for the Department and wider Government in terms of its future negotiating position.

The Board will need to ensure that it can continue to fully discharge its statutory functions; amongst other things, the Criteria form one of the key elements that the Board uses to ensure qualifications are meeting the appropriate standards and cover the relevant subject areas, as well as ensuring that competent individuals are eligible to join the Register. The Board will need to take care to ensure any revised Criteria will continue to fulfil these objectives. Failure to do so may result in the Board being unable to undertake its duties effectively, and ultimately could lead to incompetent individuals joining the Register.

The Board will need to ensure that it properly consults all its stakeholders; the Board will need to comply with its consultation policy and ensure all of the Board's stakeholders are given an opportunity to contribute to and comment on the development of any revised Criteria. Failure to do so could result in reputational damage and a lack of buy-in by key stakeholders.

8. Communication

The Board is committed to regularly reviewing its policies and procedures; the Board has discussed the pros and cons of reviewing its Criteria. If the Board decides to progress a review of the Criteria, it will need to liaise with the DCLG before going ahead to ensure that there are no consequences which will impact on the UK's exit from the European Union. Provided the DCLG is content for the Board to progress, the Board will commence its review of the Criteria this Summer. The Board will wish to fully engage with and consult a wide range of stakeholders as part of its review, including those referred to above.

The review of the Criteria is likely to result in a revised set of Criteria being developed and approved. This could have an impact on the Procedures for the Prescription of Qualifications, the Prescribed Examination Procedures, the notification of UK qualifications to the European Commission as well as the Board's competence guidelines; changes to the Criteria are therefore additionally likely to require reviews of these areas.

9. Equality and Diversity Implications

If the Board decides to progress its review of the Criteria, equality and diversity implications will need to be undertaken as part of that review. The Board will need to ensure that any revised Criteria meets the Board's objectives in this area.

10. Further Actions

If the Board is minded to progress with a review of the Criteria:

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- Further discussion with the DCLG before formally agreeing to go ahead with the review will be required. This should be undertaken as quickly as possible following the May Board meeting;
- The DCLG's feedback/advice should then be discussed at the July Board meeting, and the Board should then make decisions regarding the format and timeframes for the review. The review should then commence as soon as possible following the July Board meeting.

If the Board is not minded to progress with a review of the Criteria, it should agree when it next wishes to review its position.

The staff team should ensure that all stakeholders including the QAA, APSA, SCHOSA, RIBA, should be kept up to date and informed of the Board's position.