



Board Meeting

12 May

2017

Agenda Item

13

**Subject** Review of ARB's Procedures 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 Procedures for the Prescription of Qualifications.

## 2. Recommendations

It is recommended that the Board:

- i. notes the position regarding the current Procedures;
- ii. discusses the pros and cons of progressing a review of the Procedures 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 Procedures.

## 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 Procedures set out the detailed process which the Board undertakes when dealing with the prescription of a qualification for the first time as well as with renewing prescription of existing prescribed qualifications. The Procedures also set out the details of the annual monitoring process which dovetails with the renewals process. The Procedures are therefore important in terms of assuring the users and potential users of architects' services that a clear and transparent process for reviewing qualifications exists and assists in ensuring that individuals who are on the

Register have the appropriate minimum levels of skills and expertise.

## 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

Whilst the Criteria at Part 1, Part 2 and Part 3 levels set out the details of the minimum levels of knowledge, understanding and abilities that individuals must have acquired on completion of those qualifications, the Procedures for the Prescription of Qualifications set out the processes that the Board will follow to prescribe qualifications for the first time and to renew prescription of existing prescribed qualifications, as well as how it deals with annual monitoring submissions and course and title changes. The Procedures also include the objectives that it requires institutions and the qualifications it prescribes to have met, as well as the standard conditions which apply to prescribed qualifications. The standard conditions of prescription include provisions regarding the compliance of prescribed qualifications with the Professional Qualifications Directive, the need to make annual monitoring submissions and to notify the Board regarding any course/title changes. Individuals holding UK qualifications at all three levels that have been prescribed via the processes outlined in the Procedures are deemed eligible for registration.

The Procedures are underpinned by the Good Practice Handbook for the Prescription of Qualifications, which sets out how ARB's internal processes operate and offers good practice advice to institutions preparing applications for prescription, as well as those seeking to submit annual monitoring returns and course and title changes.

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

- ii. At its meeting in February 2017, the Board agreed that it should hold a discussion as to whether a regular, cyclical review of ARB's Procedures for the Prescription of Qualifications 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 Procedures 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 Procedures require review, Staff have provided some stakeholders, i.e., the RIBA, SCHOSA and APSA, with the opportunity to provide initial views and comments regarding the existing Procedures. These views and comments are contained within the feedback included in **Annex B of agenda item 12**.
- iv. The Board is asked to take the following into account as part of its discussion:

Benefits of reviewing the Procedures at this point

- The current Procedures came into force in 2011, having been approved by the Board in 2010; the Procedures are typically due for review every 5 years and therefore a regular cyclical review of the Procedures is now overdue. Reviewing the Procedures at this point would address this.
- Stakeholders advocate the need for a review of the Procedures as soon as possible (refer to **Annex B of agenda item 12**)
- A review at this point could solidify the UK's position regarding the processes it uses to prescribe 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.
- Reviewing the Procedures in isolation from the Criteria (refer to agenda item 12) could create unintended consequences as the nature and format of any future Criteria could impact upon the way in which ARB prescribes qualifications and its process for doing so; reviewing the Procedures in tandem with the Criteria could help to avoid this.

Disadvantages of reviewing the Procedures at this point

- The factors underpinning the UK's current model of architectural education and the ARB's process for prescribing qualifications is well understood and trusted outside of the UK; changes to the process at this stage could weaken the UK's negotiating position as it leaves the EU and potentially develops trade links/mutual recognition agreements with other countries.
  - If the Board progresses 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 Procedures again as a follow up to the Routes review.
- v. If the Board agrees that a review of the Procedures 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 Procedures should enable the Board to:

- Continue to discharge its functions under Section 4(1)a and 4(1)b of the

Architects Act 1997;

- Ensure that its processes for prescribing new qualifications, renewing prescription of existing qualifications, dealing with annual monitoring submissions and course and title changes continue to be clear and transparent;
- Ensure that its processes support the admission of competent individuals to the Register on completion of their studies and practical training experience; 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 as well as any additional requirements the Board may wish to set over and above this.

It should also be noted and agreed that the review of the Procedures 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 Procedures, 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 Procedures 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 Procedures.

## 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 Procedures, 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 Procedures set out the processes 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 Procedures will continue to fulfil these objectives. Failure to do so may result in the Board being unable to undertake its duties effectively, could lead to a lack of transparency and ultimately could lead to incompetent individuals joining the Register.

The Board will need to be aware that changes to the Procedures for the Prescription of Qualifications could result in a series of unintended consequences and could impact on the revision of the Criteria and/or have an impact on the Procedures for the Prescribed Examinations. It will be necessary to understand the impact that any proposed changes will have on other elements of the Board's existing policies, processes and procedures.

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 Procedures. 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 Procedures. If the Board decides to progress a review of the Procedures, 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 Procedures 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.

## **9. Equality and Diversity Implications**

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

## **10. Further Actions**

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

- 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;

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- 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 Procedures, it should agree when it next wishes to review its position.

The staff team should ensure that all relevant stakeholders should be kept up to date and informed of the Board's position.