



Subject Section 14 Review
Purpose For Decision
From Simon Howard, Head of Professional Standards

If you have any enquiries on this paper, please contact Simon Howard at simonh@arb.org.uk or on 020 7580 5861

1. Summary

To consider the internal review of how ARB investigates allegations of unacceptable professional conduct and serious professional incompetence against architects under section 14 Architects Act 1997, and decide what Rule changes should be drafted for consultation.

2. Recommendations

It is recommended that the Board considers the Section 14 Review and

- i) agrees the recommendations detailed at Annex A of the Review at Annex A; and
- ii) directs that changes to the Investigations and Professional Conduct Rules be drafted so that they can be consulted on.

3. Open/Confidential Session

Open Session

4. Contribution to the Board's Purpose and Objectives

In delivering the Act, ARB's objectives are:

1. Protect the users and potential users of architects' services: Consumers will have confidence in ARB's process for investigating allegations about an architects' conduct or competence.
2. Support architects through regulation: a robust and fair disciplinary procedure will maintain the reputation of the profession and the ARB as its regulator

5. Background

- i. In March 2017 the Department for Communities and Local Government issued its Periodic Review of architects regulation and ARB. That Review made recommendations for change, a number of which related to how ARB investigates allegations against architects.

- ii. While a number of the recommended changes require legislative change, a review was undertaken of how ARB currently undertakes its investigations, and whether any modifications could be made to the processes which would make them more efficient. That review is attached to this paper.

6. Resource implications

Dealt within the body of the Report.

7. Risk Implications

Dealt within the body of the Report.

8. Communication

ARB is committed to having robust and fair disciplinary procedures, to support its objectives to protect the public and support architects through regulation. It is important that those procedures are reviewed from time to time to ensure that they remain efficient and reflect best practice.

9. Equality & Diversity Implications

If the Board agrees to the proposed recommendations in principle, then an Equality Impact Assessment will be completed after seeking views, particularly groups representing those with protected characteristics, as part of the consultation procedures.

In past consultation and recruitment exercises we have worked with a number of forums connected to different groups with protected characteristics. We will review our strategy in this respect to test whether it remains appropriate.

10. Further Actions

If the recommendations are accepted, draft amendments will be made to the rules to permit the changes to the procedures. The new rules will then be brought to the Board to provisionally agree at its July meeting, before a period of public and staff consultation takes place. A conclusive decision will be asked of the Board at its September meeting, so that new guidance can be drafted and changes implemented for when the rules come into force on 1 January 2019.