



Analysis report

Appeals Committee consultation 2022-23

Who responded

We received 48 unique responses to the consultation.

Most responses came from registered architects (46), including those who work as academics (3). Registrants therefore accounted for 96% of survey respondents. No students responded to the survey, and the only remaining category chosen was Other (2%). There were 10 responses made on behalf of organisations, which accounted for 21% of all responses to the survey. The majority of these were from architectural practices.

We received responses from all regions of England, as well as Scotland and Northern Ireland, but we did not receive any responses from Wales or the Republic of Ireland. The highest number of respondents (22) were based in London and the South East (46%). We also received a small number of responses from outside of the UK.

Survey results

Status of the Appellant while the appeal is being considered

We asked respondents whether they agreed with our approach for how Appellants should be treated while their appeal is ongoing. Our aim was to balance the need to maintain standards on the Register with a recognition of the impact that a removal would have on an individual.

The proposed rules would mean that:

- For appeals against an initial decision involving an application for registration, the Appellant will remain unregistered pending the outcome of the appeal.
- For appeals against an initial decision to remove someone from the Register under the new competence (CPD) scheme, the Appellant will remain on the Register pending the outcome of the appeal.

Respondents expressed their opinion towards the principle through a closed multiple-choice scale, by selecting Strongly agree, Agree, Neither agree nor disagree, Disagree or Strongly disagree. Responses also had the opportunity to expand on their answer in a free-text box.

The majority of respondents (54%) strongly agreed or agreed with this proposed approach.

The ARB has a right to manage the appeals process in accordance with the law.
Academic (registered architect), London & South East

While this is a much higher proportion than the 19% who strongly disagreed or disagreed with the approach, a further 27% neither agreed nor disagreed with the proposed approach.

There were no elaborated explanations as to why these respondents were neutral to our proposed approach.

It is only fair that an appellant is not sentenced or punished until found to be guilty. It is also only fair for someone to be entitled to call themselves an architect when they are fully approved to do so.

Registered architect, West Midlands

Appeal Fee

We asked respondents whether they agree with the approach to set a fee that must be paid by an individual before their appeal can be considered. This would be set annually by the Board, on a purely cost recovery basis, and stated on ARB's website.

This approach means that those using the service are paying for it, rather than it being added to the annual retention fee which would share the cost across all registered architects. We also proposed that the Appeals Committee may, if it considers that the Appellant has been substantially successful in the appeal, direct that ARB refund the appeal fee.

Respondents expressed their opinion towards the principle through a closed multiple-choice scale, by selecting Strongly agree, Agree, Neither agree nor disagree, Disagree or Strongly disagree. Responses also had the opportunity to expand on their answer in a free-text box.

Respondents who strongly agreed or agreed with the proposal accounted for 46% of responses in total. Thirty eight percent of respondents strongly disagreed or disagreed with the proposal and a further 17% of respondents neither agreed nor disagreed.

If an appellant is being investigated, they are already in a vulnerable position (financially or otherwise), and I do not believe it is right to kick those who may be down. We are a community and should first look to pick up those who fall.

Registered architect, West Midlands

Some respondents who disagreed with the proposed approach to the appeal fee questioned whether this would be a barrier to an average individual architect affording an appeal against an initial decision.

Spreading the fee amongst all architects incentivises ARB to minimise the overall cost, whereas individuals will have little voice to influence the cost which may run into thousands of pounds.

Registered architect, Scotland

When asked to expand on their answer, some respondents emphasised the importance of the level at which an appeal fee should be set. This was sometimes linked to the wider rising cost of living across the country as well as the annual retention fee. We will consider this as the Committee becomes established and as part of the Board's fee setting each year.

Inclusivity of the proposed rules

Respondents were asked to tell us about anything within the proposed rules that could have an impact on ARB's commitments to equality, diversity and inclusion, or have a positive or negative impact on anyone with particular protected characteristics. Respondents were given the opportunity to answer through a free-text response and we received 12 (25%) responses to this question.

It's a good approach, and demonstrates responsible approach by the organisation, for wider public.

Registered architect, North West

There were no significant recurring themes raised that would impact the inclusivity our proposed rules. Some respondents highlighted the importance of inclusivity often linked this to the development of ARB's CPD Scheme.

The industry is still lacking diversity. There's a lot of reasons why I believe that is and this is not the platform to discuss that. But it is something that needs to be addressed...

The additional pressure to complete this [CPD] on top of my caring requirements would have been possibly my undoing. Then to think I would have to pay for an appeal where I would not have had time to do the CPD.

Registered architect, London & South East

Some respondents used this opportunity to comment on the wider cost of being a part of the profession in the context of a cost of living crisis.

I resent the fact that as someone who spent over 7 years studying and qualifying that I am at the mercy of the ARB fee structure for which I receive no gain. The qualifications I have achieved and the work I carry out, should be what defines me as an Architect and not my ability to fork out for an ARB membership. The significant fee increases every year are unjustifiable and along with all the cost-of-living crisis will ultimately lead to people leaving the register and calling themselves something else.

Registered architect, South West

Further comments about the proposed rules

The final question gave respondents the opportunity to make any further comments about the proposed rules. 54% of respondents provided further comments.

It is unfortunate that such an arrangement has not existed previously and very important that it should be established as soon as possible. I am generally supportive of the current proposals.

Registered architect, West Midlands

Several respondents used this section to emphasise the view that the proposed rules will either not apply to registered architects working outside of the UK or will need to be cross-referenced with international regulations governing the profession.

Please insure that these rules do not apply to registered architects that do not work in the UK. It will be very difficult for us to comply and Brexit has already made things difficult for mobility between the EU and the UK.

Registered architect, Spain

The Rules the ARB help manage should be cross examined and checked again EU guidance and regulations as well as International law governing the profession.

Academic (registered architect), London & South East

Some respondents questioned why the appeal route would not be open to architects who have been removed from the Register or fined following a complaints procedure. This is because the scope of the Committee is set in legislation and does not include these cases.