



# Guidance for architects dealing with a complaint

## Contents

<b>1</b>	<b>Introduction</b>	<b>3</b>
<b>2</b>	<b>What to do if you receive a complaint</b>	<b>3</b>
<b>3</b>	<b>How we deal with complaints</b>	<b>4</b>
	Screening complaints and initial investigation	4
	The Investigations Panel	4
	The Professional Conduct Committee	5
<b>4</b>	<b>Confidentiality</b>	<b>5</b>
<b>5</b>	<b>How long will the process take?</b>	<b>6</b>
<b>6</b>	<b>Other organisations that might be able to help you</b>	<b>6</b>

## 1. Introduction

1.1 The Architects Registration Board (ARB) was set up by Parliament to regulate architects in the UK. Our powers are governed by the Architects Act 1997 (the Act). One of our duties is dealing with complaints about the conduct of architects and their ability to do their job – their competence.

1.2 This guidance provides advice on what to do if you receive a complaint and explains how we deal with concerns raised about the conduct or competence of someone on our Register. This document is only a guide – it is not meant to replace legal advice.

## 2. What to do if you receive a complaint

2.1 If someone raises a problem or concern with you, you should take steps to deal with the issue in a professional and courteous manner. If you cannot reach an agreement or settle the matter between you, you might want to consider whether it is something that could be settled by mediation or arbitration (an independent go-between can often help you reach an agreement with a client). You will probably also need to contact your professional indemnity insurers to notify them of the concerns raised.

2.2 When you are dealing with a complaint, you might find the following guidelines helpful:

- If the complaint is in writing, you should try to acknowledge it immediately.
- Tell the complainant who will be dealing with the complaint, and let them know how long it is likely to take.
- Provide the complainant with a copy of your written complaints procedure.
- Find out what they expect from the complaints process, and whether their expectations are reasonable.
- If the complainant asks for a meeting, try to arrange one as quickly as possible.
- Open a complaint file, and keep a record of the steps you take to settle the matter.
- Make sure you keep them informed of the progress of their complaint.
- Finally, remember that dealing with complaints quickly helps to maintain good will and is often the most cost-effective solution for you.

2.3 We know that it will not always be possible to settle a complaint to the complainant's satisfaction. When this happens, explain your position in a polite and

professional manner. You should also make clear to complainants that they can send their complaint to us if it is about your conduct or competence.

2.4 You should also keep in mind that under Standard 9 of the Architect's Code of Conduct you are expected to conduct yourself in a way which does not bring either yourself or the profession into disrepute. If you find yourself in a position where you know that you have fallen short of these standards, or that your conduct could reflect badly on the profession, you should report the matter to us. If you are in doubt as to whether such a report is required, you should contact us for guidance.

### 3. How we deal with complaints

#### 3.1 Screening complaints and initial investigation

3.1.1 If we receive a complaint about you, we will first assess the concerns raised to determine whether it is a matter which meets our [acceptance criteria](#). In many cases the matters raised do not fall within our remit as a regulator and we will tell the person who made the complaint we cannot act, advising and signposting them wherever possible.

3.1.2 If the complaint meets our acceptance criteria we will raise an allegation of unacceptable professional conduct and/or serious professional incompetence and we will invite you to comment. If necessary thereafter we may invite further comment from the person making the complaint (at this stage we call them the 'referrer') and from you, before referring the matter to our Investigations Panel (IP).

#### 3.2 The Investigations Panel

3.2.1 The IP is made up of three people – one is an architect and the other two are lay people (meaning they are not on the Register of Architects). The IP looks at the allegation we have raised, along with the information provided by you and the referrer. It will decide whether you have a case to answer at the Professional Conduct Committee (PCC). This means it decides whether there is sufficient evidence to suggest you did what is alleged, and if so, whether such a failing might be so serious that it could amount to unacceptable professional conduct or serious professional incompetence.

3.2.2 When the panel has enough information to make a decision, it can:

- dismiss the allegation;

- give you advice about your future conduct or practice; or
- refer the allegation to the PCC

3.2.3 The IP will provide reasons for its findings.

### 3.3 The Professional Conduct Committee (PCC)

3.3.1 When an allegation is referred to the PCC, our Case Presenter (a solicitor) will prepare a report and a public hearing is held. The case will be considered by three people – one architect, one lay member and a legally qualified Chair.

3.3.2 After hearing the evidence, the PCC will decide whether you did what is alleged, and if so, whether you acted in a way that amounts to unacceptable professional conduct, serious professional incompetence, or both. The PCC can dismiss the case if it believes there is not enough evidence to support it or that any failings are not serious enough to warrant a disciplinary finding. If it does find you acted in a way which amounts to unacceptable professional conduct and/or serious professional incompetence, it will impose a sanction according to how serious the case is.

3.3.3 The possible sanctions that can be imposed by the PCC are:

- a reprimand;
- a fine – currently up to a maximum of £5000;
- suspension from the Register of Architects for up to two years; or
- permanent erasure from the Register

3.3.4 Where the PCC makes a finding of unacceptable professional conduct and/or serious professional incompetence, ARB will publish the decision and a press release may be issued.

## 4. Confidentiality

4.1 When we deal with a complaint, we are committed to protecting the confidentiality and reputation of both sides. We only make an allegation public if it reaches the PCC. We ask that both you and the referrer have the same respect for confidentiality.

## 5. How long will the process take?

5.1 An ARB investigation can take many months, especially if it is complicated or if it proceeds through to the PCC. It is important that we deal with each stage quickly and efficiently, and we ask everybody involved to reply to our correspondence within 14 days. We accept that this will not always be possible and if you let us know that you need more time, we will do what we can to allow this.

5.2 We will keep you updated by writing to you at least every six weeks. However, if you have any concerns or questions in the meantime, please get in touch with us straight away.

## 6. Other organisations that might be able to help you

6.1 See the Consumer Organisations section of our [Useful Websites](#) page for details of other organisations that may be able to help you.

If you need information on this document in a different format such as an audio recording or braille, you can:

- email [info@arb.org.uk](mailto:info@arb.org.uk)
- call 020 7580 5861
- write to us at ARB, 8 Weymouth Street. London W1W 5BU

We'll consider your request and get back to you within 14 days.



For more information please contact  
the Architects Registration Board  
8 Weymouth Street, London W1W 5BU  
Web: [www.arb.org.uk](http://www.arb.org.uk)  
Email: [info@arb.org.uk](mailto:info@arb.org.uk)  
Telephone: +44 (0) 20 7580 5861