

# Dealing with Complaints

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Supporting guidance for the Architects Code of Conduct and Practice

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## Introduction

The Architects Registration Board (ARB) has developed this guidance to support architects in complying with Standard 4 of the Architects Code: *Architects must carry out their work effectively, exercising skill and diligence*

Standard 4 explains that architects will meet this Standard when they deal with disputes promptly and courteously.

This document provides guidance to architects on how they should deal with a complaint or dispute concerning their professional work. The guidance is not mandatory, but any architect departing from it must be prepared to justify why they did so, after using their professional judgment.

Dealing with disputes over professional work can be upsetting, costly and resource intensive. A failure to deal with a complaint effectively can lead to the breakdown of a professional relationship and the escalation of issues; however, a well-managed complaints process can increase client confidence and provide an opportunity to identify areas for improvement within a practice.

This guidance does not replace the need to take professional or legal advice.

## Recognising a complaint

A complaint is any expression of dissatisfaction about the work or conduct of an architect, whether made orally or in writing. Architects should be vigilant in identifying complaints, which may include but are not limited to:

- Concerns about the quality of design, inspection or certification
- Issues relating to communication or delays
- Perceived breaches of contract or professional standards
- Allegations of unprofessional behaviour

## Complaints procedure

Architects should inform clients of their complaints procedure through terms of engagement or initial client care documentation. The procedure should be written in plain language and outline how a complaint will be dealt with.

While the length of time to investigate a complaint can vary, it is good practice to provide an acknowledgement within five working days, and either a full response or substantive update within 20 working days.

The complaints procedure should set out that if the complaint relates to the conduct or competence of an architect, then it can be brought to the Architects Registration Board.

## Dealing with a complaint

Dealing with a complaint proactively is an excellent way of preventing a grievance escalating into a formal dispute. The following steps will be helpful:

- Recognise and acknowledge the complaint promptly
- Explain who will be dealing with the complaint, and how long it will likely take
- Find out what outcome the complainant is seeking
- Arrange a meeting if that will help getting the required information
- Ensure that accurate records are kept of the actions, communications and decisions made during the investigation
- Provide a written response to the complaint

- Remain polite and respectful, even when the complainant is not

Where possible, it is better to have a complaint investigated by someone senior within the practice that has some separation from the issues complained about.

### **Unresolved disputes**

Despite best efforts, some disputes cannot be resolved to the satisfaction of all parties. In such cases, architects should:

- Seek advice from their professional indemnity insurers
- Consider whether alternative dispute resolution mechanisms, such as mediation or arbitration should be pursued
- Inform the complainant of their right to escalate their complaint to ARB or other relevant regulatory bodies

Architects must not seek to enter into any agreement which would prevent someone from raising concerns about their conduct or competence with ARB.

### **Further information**

For further information and support, architects can:

- Contact ARB for advice on meeting professional standards
- Seek advice from professional indemnity insurers or legal advisors