At the end of March this year, Gavin Barwell MP, Minister of State for Housing, Planning and Minister for London at the Department for Communities and Local Government (DCLG) released a written statement to Parliament announcing the publication of the report into DCLG’s review of architect regulation and the Architects Registration Board (ARB).

THE REPORT

The report is part of a wider review by the Government into the regulation of the profession. Due to the light-touch statutory regulation of architects, the report recommends strengthening the ARB’s governance and accountability as well as improving complaints handling and disciplinary processes. The ARB has agreed to utilise the findings and decide how best to carry out the proposed changes, whilst working alongside the DCLG to ensure legislative compliance.

OUR SOLUTION

At Arthur J. Gallagher we also welcome any discussion surrounding the regulation of the architectural industry, especially if it helps to further protect customers.

While it may be a criminal offence to use the title ‘architect’ if you are not registered with the ARB, this use of a protected title has limited consumer protection. This is because it rests on the assumption that architects are appropriately qualified and made to hold accountability through registration.

However, credibility and qualification extends beyond just registration with an organisation, as the individual’s relevant qualifications and practical experience should also be considered.

The ultimate solution is for these to be one and the same – with a registration policy which also promotes experience and competence to practice. This view is supported by a spectrum of individual architects, professional bodies and institutions.

This consideration was at the forefront of the report in establishing the case for continued regulation of the architecture profession for the purposes of customer protection, maintaining high professional standards and remaining aligned with EU law. So, it is unsurprising that the review concluded that obtaining five years of study alone was not a sufficient threshold for entry onto the ARB register and protection of title without a structured practical experience component.
The main reason for this conclusion is that graduate architects often encounter problems securing professional indemnity insurance without the appropriate amount of practical experience (currently 5 years of academic study followed by 2 years of practical experience and a final assessment). This difficulty is not certain however, and some insurers will accept either registration with the ARB or the completion of a Diploma in Architecture as suitable requirements with no follow up questions. It is worth keeping in mind, however, that these acceptances were for start-up practices, which ordinarily are looking for a professional indemnity policy limit of £250,000, as required by the ARB.

Larger risks are ordinarily categorised based on total gross fees per annum, and underwriters will usually look for registration with the ARB and if this is not the case, a suitable number of years practical experience (usually more than 5). There are of course a number of similar titles which are not regulated in a similar manner to architects, who are able to offer competing building design services. While an insurer can, through reasonable search, apply an appropriate premium in the absence of ARB registration, the distinction should be made very clear to any client of an insured.

We hope that a more unified approach to regulating the industry will not only make it easier for architects to secure the appropriate insurance terms, but also for customers to easily identify their architect’s qualifications and practical experience.

You can read the full government report by clicking here.