



NFCC
National Fire
Chiefs Council

The professional voice of the
UK Fire & Rescue Service

National Fire Chiefs Council
West Midlands Fire Service
99 Vauxhall Road
Birmingham
B7 4HW

Telephone +44 (0)121 380 7311
Email info@nationalfirechiefs.org.uk

Ministry of Housing, Communities and Local Government
2nd Floor SW, Fry Building
2 Marsham Street
London
SW1P 4DF

Sent via email to: ArchitectsActConsultation@communities.gov.uk

22nd January 2021

To the Ministry of Housing, Communities and Local Government,

RE: Consultation on proposed amendments to the Architects Act 1997 and amendments to the regulation of architects

Please find attached the National Fire Chiefs Council (NFCC) response to the open consultation published on 4th November 2020 concerning proposed amendments to the Architects Act 1997 and amendments to the regulation of architects.

NFCC is the professional voice of the UK fire and rescue services (FRS) and is comprised of a council of UK Chief Fire Officers. This submission was put together by NFCC's Protection Policy and Reform Unit (PPRU).

NFCC supports the intent of these proposals in pursuit of the recommendations set out in Dame Judith Hackitt's recommendations in her [Independent Review of Building Regulations and Fire Safety](#). We support the aim for the Architects Registration Board working with partners to consider current and future competence levels of those on the Register of Architects. We hope this will help to address some of the current concerns relating to those architects involved in designing high rise residential buildings in relation to fire safety design issues.

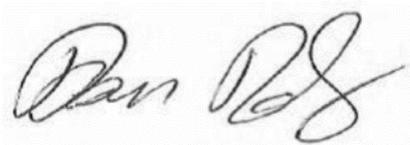
Proposed amendments to the Architects Act 1997 to promote and maintain standards of competence amongst registered architects are welcome. As the Independent Review has found, the system for ensuring fire and structural safety for high-rise residential buildings is not fit for purpose, and a radical rethink of the whole system is required. Amending the Architects Act is an important part of this and has the potential to bring about real improvements in the industry.

In addition to the introduction of ongoing competency requirements, NFCC would like to see the UK Register of Architects require a greater level of fire safety education from those

applying to the Register, and included in the examination process for those holding overseas qualifications. This will help to ensure an adequate level of competency within the profession.

NFCC revised its [Competency Framework for Fire Safety Regulators](#) in 2020 taking into consideration Dame Judith's comments on competency, and in the context of the proposed legislative framework. The Framework aims to support Enforcing Authorities in this time of change. We are happy to answer any questions you have about the Framework if it is of assistance to you as you work to promote and maintain standards of competency within the architectural profession.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dan Daly', is centered on the page. The signature is fluid and cursive.

Dan Daly

NFCC Protection Policy and Reform Unit

Respondent details	
Name	Dan Daly
Position	Head of Protection and Policy Reform Unit
Organisation	National Fire Chiefs Council (NFCC)
Address	West Midlands Fire Service 99 Vauxhall Road Birmingham B7 4HW
Email address	info@nationalfirechiefs.org.uk
Telephone number	+44 (0)121 380 7311
Please state whether you are responding as an individual or the organisation stated above	This response is on behalf of the organisation stated above

Consultation Questions

NFCC believes that there are other stakeholders that would be better placed to answer some of the questions within this consultation. We have therefore condensed these questions and added comments where relevant.

Part A – Building Safety

1. Competence and Appeals

Q. 1. Do you believe that setting and assessing competence requirements would promote best practice among architects?

a. This would have a sizeable impact on promoting best practice

Q. 2. Please briefly explain your answer to Q.1.

NFCC considers that setting and assessing, as well as achieving, monitoring, maintaining and demonstrating appropriate standards of competency within industries plays a key role in promoting best practice. To do so would highlight gaps in knowledge and skills, ensure long-term/ongoing competency within the profession, ensure consistency within the profession, and assure clients and the public of competency of the profession. Of importance is the frequency of demonstrating competence, NFCC therefore consider timely assessment of competence, by an independent professional body, is key in achieving the above and giving any process the robustness and validation it requires. We recommend that the Independent assessment process should be third party accredited.

Q. 3. Do you agree that monitoring or testing of competence would be beneficial to architects?

a. This would have a sizeable benefit

Q. 4. Please briefly explain your answer to Q.3.

Please refer to question 2 above.

Qs. 5 – 9

NFCC have not provided responses or comments to questions 5 to 9 as we believe there are more knowledgeable and better placed organisations to comment on these aspects of the consultation.

Q. 10. Do you agree that the competence requirements should take account of the competence standards currently being developed by the [British Standard Institution with the built environment industry](#)?

a. Yes

Q. 11. Please briefly explain your answer to Q.10.

Dame Judith Hackitt speaks of the fragmentation within the industry. In the interests of a unified and consistent approach between those in the construction industry, any competency requirements should consider BSI's framework of documents which will raise the standards of competence across the built environment.

Q. 12. Do you agree with the proposal that the ARB is obligated to review and update the competence standards after a set period?

b. Yes - Competence standard reviews should occur every 3 years

Q. 13. How should the ARB develop the new competence requirements? Please select all that apply

All of the below:

- a. Through consultations with other organisations such as the Royal Institute of British Architects
- b. Through consultation with universities and Schools of Architecture
- c. Through written consultations with the wider sector
- d. Through oversight and advice from the Ministry of Housing Communities and Local Government
- e. By examining the regulatory standards of other nations
- f. By examining the regulatory standards of other professions
- g. Other (please explain below)

Q. 14. Please briefly explain your answer to Q.13.

Comprehensive/extensive engagement is needed to develop sensible competency requirements that will be accepted and adopted by the industry. Competency is comprised of four elements – knowledge, skills, experience, and behaviours. The development of competency requirements needs to be thorough and wide ranging to include and consider a wide range of stakeholders and their perspectives.

Q. 15. What form should the assessment of competence take? Please select all that apply

e. Other (please specify)

An assessment of competence may need to be more comprehensive than any one of the options provided above. Re-registration could be a platform from which to build competency requirements from. In New Zealand, the Registered Architects Act 2005 requires all New Zealand Registered Architects to be reviewed every five years to determine whether they are still competent. Only when they are deemed competent can they be issued an annual

Certificate of Registration for each of the next five years, and continue to practice as an architect.¹ To be deemed competent, an architect must provide referees, information on their professional focus and work content, a strategy for maintaining their skills and knowledge and keeping them up to date, their continued professional development, and any convictions, claims or complaints against them. International case studies such as New Zealand could be of assistance when looking at amendments to the UK Architecture Act.

Qs. 16 – 26

NFCC have not provided responses or comments to questions 16 to 26 as we believe there are more knowledgeable and better placed organisations to comment on these aspects of the consultation.

2. Listing

Q. 27. Do you agree that the register publicly displaying disciplinary orders against a registered architect would promote public confidence in the profession?

a. Yes

Q. 28. Please briefly explain your answer to Q.27.

NFCC considers this would significantly contribute to the profession demonstrating its commitment to openness and transparency in its approach to competence. This would provide the public and wider sector with evidence of positive action against those not upholding or maintaining the professional and competence standards expected.

Q. 29. Do you agree that the register publicly displaying disciplinary orders would act as an effective deterrent to acts of unacceptable professional conduct or serious professional incompetence?

a. Yes

Q. 30. Do you agree that the ARB Board should determine the rules for the length of time a disciplinary order is visible on the register?

a. Yes

Q. 31. If you disagree, what alternative would you propose?

N/A

Q. 32. Do you agree that the length of time a disciplinary order is visible on the register should be set depending on the severity of the order?

a. Yes

Q. 33. What level of transparency is appropriate when the ARB Board determines the rules setting out the length of time a disciplinary order is listed? Please select all that apply

b. The lengths of time and the rules determining them should be published and accessible on the ARB's website

¹ <https://www.nzrab.nz/c/Ongoing-Requirements>

- c. The ARB should undertake consultation with the sector
- d. The ARB should seek governmental approval

Q. 34. When a disciplinary action is displayed against an architect, what information should be accessible?

- a. The register should detail the reasons for the disciplinary order, including the date of the offence and length of the disciplinary action

3. Fees

Qs. 35 – 43

NFCC have not provided responses or comments to questions 35 to 43 as we believe there are more knowledgeable and better placed organisations to comment on these aspects of the consultation.

Part B – The recognition of international architects

International Qualification Recognition

Qs. 44 – 65

While NFCC have not provided responses or comments to questions 44 to 65 as we believe there are more knowledgeable and better placed organisations to comment on these aspects of the consultation, we would note that for all international qualifications being accepted under Option One, we would like to see a like for like level of fire safety education within that qualification.