

## Cautionary Note 6

### Providing Professional Services

The NZRAB has recently dealt with a number of complaints against architects which reflect the challenge of running an architectural practice.

Complaints against architects in regard to their technical competence are relatively rare. Much more common are failures to provide a sufficiently professional service to clients and, in particular, a failure to put things right, where the consequences of not fixing the problem exceed the cost of fixing the problem.

A regular feature of these complaints is inadequate terms of engagement, or a failure to update the terms of engagement as the project evolves or extends beyond its initial stages.

We also see architects struggling to defend themselves in the face of complaints because their record keeping is inadequate and in some cases shambolic. This involves the most basic elements of professional practice.

Time and again we see architects making a small problem much worse by refusing to acknowledge the issue and put it right.

For example, it is no defence to say that because a detail has a Resource Consent or a Building Consent that makes the design acceptable when it is not. If a client is not satisfied or has a concern, the architect must actively find out why and determine what needs to be done.

Where a problem escalates, and insurers and lawyers get involved, the architect's hands may be tied. Then it is not uncommon for a complaint to be laid with NZRAB, legal bills to mount, and what started as something minor becomes an agony for everyone. A settlement at modest cost to resolve a problem may well be much better, so that issues are sorted out long before clients even consider laying a complaint.

For any architect, being the subject of a complaint is harrowing. When we see architects facing a disciplinary hearing, with all the distress it causes, too often we ask how on earth did the architect let this happen, and there is no good answer.



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