

## **NZRAB's achievements and plans**

### **Appointments to the NZRAB Board**

The Board is pleased to announce the appointment of Judith Thompson as a Board Member, commencing on 1 September 2020 for a two-year term. Judith is an experienced director; not an architect but with expertise in design and innovation. She is Chair of AUT University's Property Committee and is a Chartered member of the Institute of Directors.

Current Board Members Gina Jones, Diane Brand and Louise Wright have all been re-appointed for a further three years.

### **Changes to the Secretariat—now called the Executive**

As was announced over the earlier part of the year, our longstanding Chief Executive Paul Jackman retired in early July 2020 and our new Chief Executive Margaret Bearsley is now guiding the organisation. We are hoping she will be able to get out and about to meet the profession when travel frees up again. In the meantime, she is strongly focused on stamping her mark on the organisation, including in relation to the Secretariat, now called the Executive.

With so many upheavals over 2020, not only with the Covid Lockdown, but also with Paul having had to take extended sick leave toward the end of his tenure, the NZRAB extends its thanks to Andrew Symonds for having managed the Acting CE position for several months before Margaret's arrival. The Board also acknowledges the work of the Executive to help Margaret settle very quickly into her role.

### **Living within our means and focusing on our regulatory role**

When the NZRAB Annual Report is published later in the year, it will be apparent that we have tight monetary constraints this financial year. Partially this is due to the unprecedented number of complaints and Disciplinary Hearings we have been dealing with. Partially it is due to the accumulated costs of running the very expensive CPD Framework website.

With our new Chief Executive on board and her feet now firmly under the desk, we have taken a hard look at how we organise the NZRAB and where we best should be putting our focus. We have decided we need a stronger focus on our role in public protection, as a regulator of the profession.

We expect changes over the coming months and years, including to align our expenditure more strongly to our statutory functions. We anticipate encouraging the profession to make the most of its links with the NZIA and other providers for high quality CPD, and the NZRAB moving away from funding the management of CPD records. We will instead be focusing on enforcing the Act and Rules.

### **Public protection—complaints and discipline**

Over the 2019/20 financial year, the NZRAB received 11 Complaints about architects. Lack of due care and diligence, and negligence and incompetence were the most common allegations in Complaints.

Most of the Complaints were about domestic projects. Some of the issues raised by complainants were:

- Design over budget
- Overcharging for small projects
- Poorly prepared construction documentation
- Design inadequacies resulting in extra costs for the clients
- Resource consent variations leading to project delays.

For most Complaints received, had the architect better managed communications with the client, and the client's expectations, projects may have reached a more favourable conclusion. Communication and managing client expectations continue to be major themes coming to the Board's attention.

#### *Bullying of council staff*

The Board received two Complaints from local authorities about architects being bullying and abusive towards council staff and disrespecting council processes. This kind of behaviour is disappointing and is well below the expected standard of professionals. Looking ahead, the Board intends to strengthen the architects' Code of minimum standards of ethical conduct in the Registered Architects Rules. Amongst the envisaged changes would be clarification that this kind of behaviour is an actionable breach that could result in the architect being disciplined.

#### *Disciplinary Hearings and Service Concerns*

The Board held two hearings over the past financial year. Two new cautionary notes (Numbers 10 and 11) are available in the <https://www.nzrab.nz/c/Services> section of the NZRAB website, with information for the profession from these hearings. There are also two hearings scheduled for the 2020/21 financial year, with each hearing anticipated to cost in the vicinity of \$60,000.

Under section 26 (disciplinary penalties) of the Registered Architects Act, the Board has the power to order that the Board's costs and expenses for an inquiry, where there are grounds to discipline an architect, be paid by the architect. Previously, costs orders were set at between 30% and 50% of actual costs. As has been flagged previously, under the new complaints and discipline processes that came into force in January 2020, the NZRAB expects to make section 26 costs orders for 100% of the costs of hearings that are held under the new processes.

The new informal disputes service, the Architectural Service Concerns process, has been operating since early 2020. The aim of the informal service is to facilitate the resolution of problems between the client and architect, if that achieves a better outcome than would the making of a Complaint or Competence Concern to be determined by the Board.

The Board has so far received seven Architectural Concerns and they have been dealt with by the Board's panel of senior architects. To date no Architectural Concerns have turned into Complaints.

### *Confusion about architects, licensed building practitioners and architectural designers*

The NZRAB receives about a call a week from members of the public regarding design process matters that they are unclear about or issues with their “architect”. Most calls are about domestic new builds or alterations. Many callers think they have an architect, when in fact they have a Licensed Building Practitioner or an Architectural Designer. The NZRAB continues to promote reforms in the building sector that will help to address this confusion.

## **Registration**

### *Professional conversations for initial registration*

Due to the Covid-19 impacts, the professional conversations for the March 2020 initial registration intake were deferred. They were held during the whole of August 2020, together with the applicants from the June intake. Professional conversations were all held via the video conference platform Zoom. So far, feedback from applicants and Assessors has been mostly positive.

In light of the mid-August 2020 changes to the Covid Alert Levels, it proved fortuitous to have already had the assessments planned to have been via Zoom, and the initial registration intake was able to continue with very little impact to the timetable. The Zoom format will likely continue for the duration of the pandemic.

### *Information for those aiming to register*

For graduates aiming to apply for registration in the near future, the NZRAB provides Working Towards Registration webinars four times a year. These webinars provide the ‘inside story’ on what the NZRAB requires from an applicant for registration. The next webinar is due to be presented in November 2020. Graduates can also join the CPD for Graduates programme. Information on this can be found at <https://www.nzrab.nz/c/CPD> – scroll down to the bottom of the page for the heading CPD for Graduates.

### *CPD*

By all accounts, architects are finding more opportunities to undertake CPD since the pandemic hit. The Board commends those who are making the most of all opportunities to maintain the currency of their architectural knowledge and skills, as required by rule 21 of the Registered Architects Rules.

### *Annual Certificate of Registration (ACR)*

The number of architects who had not paid their ACR by the 20 June deadline for processing, in advance of year end, was concerning—more than 40%. Next year the NZRAB aims to implement a better communications plan, so that architects and their practices are better informed about deadlines and consequences.

The Board was disappointed to learn of some unprofessional behaviour towards the NZRAB Executive by irate ‘newly expired’ architects. Let’s hope the process goes more smoothly in the lead-up to June 2021, and as noted, we will aim to do our part by communicating well in advance about the deadline for payment.

Unfortunately, much as we had hoped to be able to provide some relief to architects struggling with the economic impacts of the pandemic, officials made it clear that there was no opportunity to amend the Rules to allow for staggered ACR payments. So, the Rules

remain rigid in requiring full payment of the ACR in time for the payment to be processed before 30 June each year.

### **Getting more out of the Register**

The profession can contribute to promoting, in communications for clients and prospective clients, the value of using a registered architect. The NZRAB is working on how to enable registered architects to download personalised digital information from the Register of Architects. We envisage something similar to that [provided in the UK](#) by the Architects Registration Board.

Ideas we are looking at include a downloadable digital signature with the [NZRAB logo](#) (already useable but not personalised to each registered architect). We are also hoping to move to having digital ACRs, and potentially other enhancements to the Register as we can afford them.