

## **NZRAB Strategic Plan 2010 - 2015**

### **Executive Summary**

The New Zealand Registered Architects Board (NZRAB) was created by statute in 2005 and began operations on 1 July 2006. Past strategic plans set a goal of reaching a business-as-usual mode of operations by mid-2010. Broadly, this has been achieved. However, fresh challenges have emerged and the NZRAB is entering a new phase, as it further develops its policies and procedures to achieve institutional excellence.

This plan spans the next five years and sets high level goals for the NZRAB. It also provides in more detail an annual plan for 2010 2011.

### **Purpose of the NZRAB**

The NZRAB is a statutory entity created by the Registered Architects Act 2005 (the Act) to ensure that Registered Architects are competent and reputable so that the public can rely on them.

The Act describes the NZRAB's functions as being to:

- a) make rules relating to Registered Architects
- b) register architects, issue certificates of registration and assess whether Registered Architects meet the requirements for continued registration
- c) maintain a register
- d) investigate complaints and, if required, discipline Registered Architects
- e) provide information to the public about the registration system for Registered Architects.

### **A vision for architecture in New Zealand**

In addition, the NZRAB has articulated a broader vision of how it contributes to architecture in New Zealand:

*The task of architecture is to lead the way in terms of what the built environment can and should be. This goes beyond designing for function, essential though that is. In so far as architecture articulates the national imagination, it contributes to nation building. If the built environment in New Zealand is the best that it can be, then it contributes to the realisation of this nation's potential.*

*The New Zealand Registered Architects Board determines who can be Registered Architects. In doing this, the NZRAB is mindful of the broader contribution to New Zealand that, at its best, the profession makes through leadership and a passion for excellence.*

## **Looking forward**

Since its inception the NZRAB has had a goal of reaching a business-as-usual mode of operations by mid-2010. Broadly, this has been achieved.

The challenge now is to undertake quality improvements that further improve the NZRAB's performance. As part of this, the NZRAB needs to put more effort into ensuring that its activities contribute to the Board's "Vision for Architecture in New Zealand", while still undertaking its core functions to a high standard.

This comes at a time when occupational licensing in the building sector, as in the rest of the economy, is under review. The government has said that these reviews must include an assessment of the contribution, positive or negative, that occupational licensing makes to economic productivity.

## **Five Year Strategic Goals and Issues**

The following are goals that the NZRAB intends to achieve during the period 2010 to 2015, listed under the Board committee responsible.

### ***Strategy and Finance Committee***

1. **The NZRAB having appropriate institutional arrangements that allow the NZRAB to work effectively and flexibly**

Currently the Act and the Rules are highly prescriptive. This inhibits the NZRAB's capacity to adapt its policies and procedures as it learns from experience and as the context within which it operates changes. For the NZRAB to achieve institutional excellence enabling institutional arrangements are required. In addition, the annual Accountability Agreement with the Minister needs to be kept up-to-date and relevant.

2. **The NZRAB influencing public policy where it impacts on the design of the built environment**

Design in the built environment typically impacts on large numbers of people over a long period of time, ie all the people who use a building or are affected by it throughout the building's life.

The NZRAB therefore can legitimately focus on trying to maximise the broader contribution that architects make, rather than just protecting individuals from incompetence, important though that is. Through its stakeholders, the NZRAB should seek to influence policy that affects the architectural process and its contribution to the built environment. As the NZRAB matures organisationally and gains credibility, this can become a higher priority. To do this the NZRAB must remain organisationally independent.

3. **A building sector in which all those who design buildings are demonstrably competent**

Under the current law anyone can design a building, and as a subset within the design community architects have a protected title. This is

unusual by international standards, as in most first-world jurisdictions only qualified persons can design buildings. The NZRAB should seek to influence public policy so that only those who are professionally competent design buildings.

The NZRAB has proposed that a single entity should register, monitor and, if need be, discipline all those who design the built environment, based around a number of skills levels, eg architects, designers and draftsmen. Achieving this would over time enhance the built environment in New Zealand.

Whether or not that scenario comes to pass, the NZRAB needs to influence public policy so that improving the quality of the built environment is the priority of public policy rather than just cost cutting.

4. **Key-person risk well managed**

The NZRAB has a very small staff. This creates the risk that important institutional knowledge will be lost when staff resign. This needs to be managed by an inclusive management style and retaining knowledge in ways that remaining staff can access.

5. **The NZRAB financially viable**

The NZRAB needs to continue to be financially viable, which the Board has determined as meaning having "net current assets ... of at least 25 per cent of the NZRAB's budgeted expenditure."<sup>1</sup> To that end, each year the NZRAB must:

- review its fees and, if net current assets look set to fall below the stated threshold, consider seeking fee increases
- establish new fees if new services are being provided to specific architects or registration applicants
- monitor all expenditure and contracts.

***Registration Committee***

6. **Initial registration procedures which ensure that those being registered for the first time (or reregistered) meet the applicable minimum standards for registration with a high degree of consistency**

The NZRAB's initial registration procedures are standards-based. This means there are no predetermined success rates or quota, and no required outcomes in terms of age, gender, ethnicity, geographic distribution or any other similar considerations. To this end, the NZRAB must be certain that the standard and the standard alone is guiding registration decisions and that this is being done consistently.

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<sup>1</sup> Board minutes 18 August 2009

7. **Registration standards and procedures in line with international norms**

Initial registration procedures vary from country to country, New Zealand's for example being very different from Australia, despite their being mutual recognition across the Tasman for registration. The NZRAB needs from time-to-time to confirm that both the minimum standards set for initial registration and the assessment procedures in New Zealand continue to be credible internationally.

**Continuing Registration Committee**

8. **Competence Review procedures that are effective and fair**

The Act and the Rules require that every five years the NZRAB quality assures all architects to make sure that they meet the minimum standard for continued registration. The Rules describe in detail how this will be done. The NZRAB has developed procedures for this which will be implemented for the first time in 2011. Within the period covered by this plan these procedures will need to be stabilised and accepted by the profession and the wider community as effective and fair.

9. **A Continuing Professional Development framework that is fit for purpose**

Rule 21 requires that for continuing registration each architect must demonstrate that "he or she has taken reasonable steps to maintain the currency of his or her architectural knowledge and skills since the last assessment." The NZRAB assists architects to do this by funding a system which provides architects with information about professional development activities that are available and a quantitative way of recording the professional development activities they have done, to be used later on for showing ongoing competence.

The "CPD Framework" is still evolving and this needs to be encouraged to ensure that the framework assists architects meet their continuing registration requirements in a fair and reasonable way.

***International and Standards Committee***

10. **The NZRAB well connected with international stakeholders**

The architecture profession operates in an international context. This is expressed formally with shared competencies with Australia for initial registration, shared procedures with Australia for recognition of courses in architecture, linkages with the Commonwealth Architects Association, and New Zealand's participation in the APEC Architect Project.

The procedures that apply in Australia and New Zealand to quality assure recognised qualifications are currently being reviewed by their owners, the Architects Accreditation Council of Australia. The NZRAB needs to ensure that whatever emerges fits the New Zealand context.

In addition, during late 2010 to 2012, New Zealand will provide the secretariat to the APEC Architect Project and in 2012 will host a meeting of the APEC Architect Central Council.

11. **An up-to-date code of ethical conduct**

The code of ethical conduct is specified in the Rules. Over time the context in which architects practice changes and from time to time the code needs to be reviewed and/or amended to ensure that it is still relevant and appropriate.

***Public Protection Committee***

12. **Complaints and discipline procedures that accord with natural justice and assist the profession to perform better**

The Act and the Rules specify in detail how the NZRAB must investigate and make decisions in regard to complaints about architects. These procedures are complex, convoluted and, as a result, time consuming. This risks a breach of natural justice if a complaint takes too long. The Board has determined how it would like these procedures simplified and streamlined, for which changes to the Act and then the Rules will be required.

13. **A register that is fully compliant with the requirements of the Registered Architects Act 2005**

The Act section 19 and Rule 43 describe what information about individual Registered Architects must be available on the register and mostly these requirements are straight-forward. However, the Act's requirement that the public must be able to use the register to find a suitable architect is currently not being met, as lists of names on their own indicate nothing about suitability for a potential client's specific needs. The NZRAB needs to either find a way to meet this requirement or seek its removal from the Act.

14. **Effective protection of title**

The purpose of the Act (section 3) is to protect the title Registered Architect. The Act (section 7) specifies the NZRAB's powers in that regard. From experience, these powers are inadequate in that they focus solely on preventing an individual person from claiming to be an architect when he or she is not. Effective protection of title needs to deal with the reality that some non-architects offer building design services using trading names that create the impression that the designer is an architect. Also third parties sometimes for profit wrongly claim that properties for sale were designed by architects. For the Act's purpose to be met, this needs to change.

## **NZRAB Annual Plan for 2010/2011**

Fourteen goals to be achieved over the next five years have been identified above. Based on that, the following are the issues that need to be addressed and the outputs delivered during 2010/2011. These are listed in terms of the NZRAB committees responsible for policy development and monitoring performance.

### ***Strategy and Finance Committee***

1. **Goal: The NZRAB having appropriate institutional arrangements that allow the NZRAB to work effectively and flexibly**

**Issue for 2010/11:** The NZRAB is unable to evolve as it would wish due to an overly prescriptive Act and Rules.

**Output for 2010/11:** Prepare a policy document describing how an enabling Act and an enabling set of Rules could be configured as a first step to making representations to the government. Also update the annual Accountability Agreement with the Minister.

2. **Goal: Effectiveness in terms of influencing public policy where it impacts on the role of design in creating the built environment**

No specific issues or required outputs for 2010/11.

3. **Goal: A building sector in which all those who design buildings are demonstrably competent**

**Issue for 2010/11:** From March 2012 two protected titles – “Registered Architect” and “LBP-Design” – will potentially be competing with each other and/or confusing the public.

**Output for 2010/11:** Advocate to the review of occupational licensing in the building sector that the NZRAB’s mandate be extended to include the registration of designers, subject to appropriate institutional arrangements being in place.

4. **Goal: Key-person risk well managed**

No specific issues or required outputs for 2010/11.

5. **Goal: The NZRAB financially viable**

#### **Issues for 2010/11:**

A new procedure has been implemented by which APEC Architects from economies with which New Zealand has established a bilateral arrangement are entitled to registration in New Zealand, but currently there is no fee for this procedure.

In addition, the NZRAB contributes about 1/3<sup>rd</sup> of its income to the NZIA to administer the CPD framework, this having been in place for some

years now and the context within which architects undertake CPD having changed significantly.

**Outputs for 2010/11:**

Seek rule change for new APEC Architect registration fee

Review the CPD contract with NZIA to assess whether the fee paid is appropriate to the service now being provided and the service provided accords with the NZIA's contract with the NZRAB and the NZRAB's expectations more generally.

**Registration Committee:**

6. **Goal: Initial registration procedures which ensure that those being registered for the first time (or reregistered) meet the applicable minimum standards for registration with a high degree of consistency**

**Issue for 2010/11:** The current accountability agreement with the Minister lacks an outcome and key performance indicator covering initial registration, despite the assessment of persons seeking registration being the NZRAB's most important task.

**Output for 2010/11:** When negotiating the next accountability agreement with the Minister, include an outcome that refers to those being registered for the first time consistently meeting the required standard and a key performance indicator based on no discipline cases of architects found wanting or competence reviews failed within five years of initial registration.

7. **Goal: Registration standards and procedures in line with international norms**

**Issue for 2010.11:** New Zealand and Australia share the same competency requirements for initial registration but use markedly different procedures to assess whether applicants meet the standard. This means there is a risk that the different procedures in effect impose different standards.

**Output for 2010/11:** Review the current requirements for initial registration to confirm that they are not imposing any unintended burdens or disincentives on those seeking initial registration.

**Continuing Registration Committee**

8. **Goal: Competence Review procedures that are effective and fair**

**Issue for 2010/11:** The first competence reviews will take place in early 2011 and procedures for that, along with the training of assessors, need to be finalised and implemented.

**Output for 2010/11:** In 2010, provide training to registration assessors in terms of Competence Review policies and procedures and then, in the first half of 2011, undertake the NZRAB's first Competence Reviews.

9. **Goal: A Continuing Professional Development framework that is fit for purpose**

**Issue for 2010.11:** The CPD framework has been in place for sufficient time that its strengths and weaknesses are now apparent and these warrant examination to see if improvements can be made.

**Output for 2010/11:** Review the CPD framework and how it is working in practice.

#### ***International and Standards Committee***

10. **Goal: The NZRAB well connected with international stakeholders**

**Issue for 2010.11:** In late 2010 through to 2012 the NZRAB will be responsible for administrating the APEC Architect Project secretariat. In addition, in 2012 the NZRAB will host a meeting of the APEC Architect Central Council.

**Output for 2010/11:** Attend the APEC Architect Central Council meeting in Manila in late 2010, after that manage the APEC Architect Project secretariat, and commence planning for the 2012 APEC Architect Central Council meeting in New Zealand.

11. **Goal: An up-to-date code of ethical conduct**  
No specific issues or required outputs for 2010/11.

#### ***Public Protection Committee***

12. **Goal: Complaints and discipline procedures that accord with natural justice and assist the profession to perform better**

**Issue for 2010/11:** The NZRAB's complaints and discipline procedures are so time consuming as to potentially cause a breach of natural justice and are inflexible in terms of when alternative dispute resolution options can be offered to the parties.

**Output for 2010/11:** Seek amendments to the Registered Architects Act 2005 section 67(2)(j) & (k) so that rules in regard to an investigating committee and a disciplinary committee are no longer required, this being a precursor to rewriting the Rules as they apply to complaints and discipline.

13. **Goal: A register that is fully compliant with the requirements of the Registered Architects Act 2005**

**Issue for 2010/11:** The Register fails to meet the Act's requirement that the register "enable members of the public to choose a suitable registered architect from a list of registered architects" (Clause 19(a)(ii)).

**Output for 2010/11:** Investigate adding a facility to the Register to better enable the public to choose a suitable Registered Architect from a list of Registered Architects" or seek a change to the Act.

14. **Goal: Effective protection of title**

**Issue for 2010/11:** The NZRAB's current protection of title is ineffectual in that it has no jurisdiction where either a trading name is deceptive in terms of whether a practice employs architects or not, or third parties, such as real estate agents, wrongly describe a designer as an architect.

**Output for 2010/11:** Seek changes to the Act so that the NZRAB is empowered to prevent firms from using trading names that create a false impression that design services are being provided by architects when this is not so and prosecute third parties who misuse the titles "architect" or "Registered Architect".