



RIAS-regs

Conflict of Interest Guide

Version 4.1 January 2026

RIAS
The Royal Incorporation
of Architects in Scotland

PREFACE

The RIAS-regs has been established in accordance with the requirements of the Building (Scotland) Act 2003, Building (Scotland) Regulations 2004 as amended, to approve construction professionals as Certifiers of Design for one or more of the sections of the Technical Standards (covered by the Scheme) published by the Building Standards Division of the Scottish Government.

The RIAS-regs Schemes are a joint initiative by the RIAS and Home Energy and Data Home Data Services Ltd. This Guide describes the Schemes and their operation and is issued by the Scheme Provider.

This Conflict of Interest Guide, provides guidance with regard to managing conflicts of interest or the potential for conflicts of interest in the management of the Schemes.

Information about RIAS may be found at www.rias.org.uk/ and about the Schemes at www.rias-regs.co.uk

1 Background

Definitions of a "Conflict of Interest" abound, but for the purposes of RIAS-regs the twin definitions of:

1. A situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest, and
2. A situation in which a party's responsibility to a second party limits its ability to discharge its responsibility to a third-party,

have been adopted. This definition recognises that the day-to-day management of the Schemes rests with a number of individuals including:

- The Head of Certification on a voluntary basis, and
- A Scheme Administrator who is a direct employee of the RIAS, and
- The Directors of Home Energy and Data Services Limited, and
- A Review panel appointed by the RIAS.

The Review Panel assesses applications for membership to the Scheme and the Head of Certification in combination with the Review Panel may also appoint auditors, convene (but not necessarily serve on) Appeals, Disciplinary and Conduct Panels as laid down in the Schemes Guidance.

This guide aims to define and manage possible conflicts of interest.

2. Corporate and Personal Conflicts of Interest

RIAS Services Limited is wholly owned and controlled by the parent body, The Royal Incorporation of Architects in Scotland (RIAS). The RIAS has charitable status:

The Objects of the Royal Incorporation of Architects in Scotland (RIAS) are the advancement of the arts, heritage, culture and science, through:

- 1.1. *Promoting and facilitating the study of the various crafts, arts, and sciences connected with the principles and practice of Architecture; and*
- 1.2. *Establishing and maintaining professional and corporate values, together with those ethical, environmental and social justice standards which support the practice of Architecture.*

and is governed by Royal Charter and Byelaws approved by the Membership:

<https://www.rias.org.uk/about/charter-byelaws>

The RIAS provide a number of services in support of its members and RIAS-regs is seen as one of these. The charitable aim of promoting architecture as opposed to just Architects, has seen the Schemes widened to include members of other construction related institutes such as the Chartered Institute of Architectural Technologists and the Chartered Institute of Building Services Engineers, as well as other construction professionals.

The RIAS has a corporate responsibility to ensure that the running of the Schemes remains focused on providing a membership service which is economically viable and does not represent a significant cost to be borne by the wider membership for the benefit of the few. Equally nor should it seek to unduly profiteer from those who chose to join to the benefit of the RIAS over its members.

In the first instance the Head of Certification has overall responsibility to report to RIAS Board of Trustees via the RIAS Practice Committee, with regard to the administration of the Scheme and RIAS Board of Trustees has ultimate responsibility for setting the various fees and charges that the Scheme levies, in collaboration with their commercial partners.

In the second instance there is an alternative Scheme Provider and a number of Approved Organisations available for Approved Certifiers of Design to join.

In addition to the potential for corporate conflicts of interest, there is always the possibility for those administering or advising the Scheme to have a personal conflict of interest arising from:

- Their membership of other institutes, or
- Their role as an Approved Certifier of Design and/or New Build Energy Assessor, or
- Their financial interest in the delivery of the Scheme, or
- Having a close relative or friend who might be affected by their decisions with regard to the operation of the Scheme, or
- Any other commitment to individuals or organisations which might give rise to a conflict of interest.

By the very nature of a professional institute and the evolution of membership services from an initial start up to maturity, it is inevitable that those involved in the management of the Schemes will be drawn from those with both an intellectual and potentially financial interest through their day-to-day work in the field.

Particularly in a field where there are relatively small numbers of Approved Certifiers of Design it is also inevitable that many of those drawn to the Schemes will be known to each other and will view each other as both professional colleagues and potentially business competitors.

3. Managing Conflicts of Interest

The potential for conflicts of interest is managed in three ways.

Firstly, those activities and interests out with the Schemes management are well known to all of those who manage the Schemes as well as to RIAS Board of Trustees and the RIAS President.

Secondly, as from 1st January 2017 every meeting of the Scheme's Review Panel has commenced with a statement of interests.

Thirdly where decisions are deemed to be of a nature which could give rise to a conflict of interest then key individuals will absent themselves from any meeting or decision. This has taken place on a number of occasions for example when RIAS Board of Trustees were requested to make commercial decisions with regard to commercial arrangements, when representatives of HEADS absented themselves.

4. Administering Conflicts of Interest

The primary role for administering the management of any conflicts of interest lies with the Head of Certification. In the event that a conflict of interest pertains to the Head of Certification then the RIAS President will be asked to appoint a temporary deputy to deal with the matter in hand.

The Head of Certification will ensure that the administrative and advisory staff accurately record any conflicts of interest and the means by which these are managed.