

RIBA  
Practice  
Note

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# Workplace Wellbeing

13.11.2024

## 1.0

### Status of RIBA Practice Notes

RIBA and its members uphold high standards of professional competence. RIBA Practice Notes set out best practice guidance for members and for RIBA Chartered Practices, in particular fields of application. Adherence to the Practice Notes is not compulsory but members and Chartered Practices should use their judgment to determine when to follow such guidance and to what extent. RIBA cannot accept liability for when and how members and Chartered Practices apply best practice guidance published by RIBA.

Having an audit trail showing that the member took account of the practices contained in RIBA Practice Notes may provide a partial defence to an allegation of negligence. When seeking an independent expert report to defend such a case, the expert is likely to reference relevant Practice Notes as a measure of reasonable skill and care.

RIBA regularly reviews its Practice Notes and Guidance material, to take into account changes in the legal and regulatory compliance environment. However, it is each member's responsibility to ensure they keep up to date with legal and regulatory compliance regimes, supported by RIBA CPD compliance requirements and RIBA standards material as this is published and reviewed from time to time.

Members should be reminded that ARB Standards of Conduct (for all Registered Architects) and the RIBA Code of Conduct (for Chartered members) and RIBA Code of Practice (for Chartered Practices) impose requirements for holding suitable insurance to cover potential liabilities arising from negligence or breach of contract associated with professional activities.

## 2.0

### RIBA Chartered Practice Requirement

RIBA Chartered Practices operating in the UK are required to pay at least the Real Living Wage, as defined by the Living Wage Foundation, to all staff, including freelance staff and students, this includes the London living wage when relevant. Apprentices in Chartered Practices must be paid at least the Real Living Wage (as set by the Living Wage Foundation) for the hours worked in practice (usually 80%), and at least the statutory minimum wage for study days (usually 20%).

#### Living Wage Foundation rates

The Living Wage Foundation announced new rates in October 2024: **£13.85 for London** and **£12.60 for the rest of the UK**. These rates have a preparatory period and Chartered Practices must implement them by **1 May 2025**. Based on a notional 37 hour working week, these represent annual salaries of at least £26,648 in London and £24,243 in the rest of the UK.

The rates announced a year before, that came into force on 1 May 2024, were £13.15 in London and £12.00 in the rest of the UK. these represent annual salaries of at least £25,301 in London and £23,088 in the rest of the UK.

## 3.0 RIBA Benchmarking Survey Data

RIBA collects anonymised salary data through the annual Business Benchmarking Survey of Chartered Practices and reports on this by quartile. The latest survey data reflects pay levels in May 2024.

While the quartile analysis may not uncover all practices that pay less than the Real Living Wage, overall, it is a reasonably positive picture of widespread compliance with the Real Living Wage Chartered Practice requirements.

Not all staff receive the current Real Living Wage\* for their contracted hours, however. 'Apprentices', 'Architectural Assistants', and 'Office management/ support and admin staff' are most at risk of not receiving the Real Living Wage. Regional analysis shows that, for the lower salary quartile, 'Part 1 Architectural Assistants' in London and 'Apprentices (Level 6 or 7)' in London and the South-West & Wessex do not receive the current Real Living Wage.

*\*Published in October 2023, and which came into force in May 2024.*

Key points:

- The national lower quartile salary for 'Apprentices (Level 6 or 7)' is below the current Real Living Wage for the UK. All practices should check that their payment of apprentices is in line with the Real Living Wage.
- Practices with 3 to <5 staff may need to bring their salaries for 'Office management/support & admin' up to the current Real Living Wage.
- Practices with 5 to <10 staff should check to ensure 'Office management/support & admin' receive the right Real Living Wage for their region.
- Practices with 20 to <50 staff should check that their salaries for 'Architectural Assistants, Part 1' meet the current Real Living Wage.
- Salaries for Partners/Directors/Sole Principals with two or fewer staff are below the Real Living Wage in the lower quartile, but they may receive remuneration in other ways.
- The analysis also shows a significant gender pay gap (16%) and ethnicity pay gap (13%).
- When comparing the data against the Real Living Wage coming into force in May 2025, a greater proportion of staff would not be paid the Real Living Wage were their salaries not raised from the May 2024 levels. The roles in the practice sizes and locations listed above would remain at highest risk of not receiving the uprated Real Living Wage.

## 3.0

### RIBA Benchmarking Survey Data

**NB:** RIBA recently and separately surveyed practice employees about remuneration and hours worked. The findings suggest that while most practices pay the Real Living Wage for all staff, based on contracted hours, many early-career staff do not receive the Real Living Wage once additional hours worked are included. Guidance to ensure that all staff receive the Real Living Wage for all hours worked is given in the next section.

## 4.0

### Overtime Working Guidance

Working hours can vary significantly between practices. Overall, average working hours in Chartered Practices are 37 per week. Larger practices tend to have slightly longer working hours, and smaller practices shorter.

Concerns have been expressed that within architecture, it is unfortunately common for people to work long hours, sometimes without getting paid for overtime and in the UK employers do not have to pay workers for overtime. Therefore, it is important to understand what exactly is classified as overtime and how flexible working hours and time off in lieu can help if extra hours are not remunerated.

Flexible working hours is an arrangement that allows employees to have more control over their daily work schedules, for example compressing contracted working hours over a “nine-day fortnight”.

Time off in lieu, or TOIL, is when an employer offers time off to workers who have gone above and beyond their contracted hours. Where an employee is not remunerated for regularly undertaken overtime or offered TOIL then overtime hours worked may mean that their hourly pay falls below the Real Living Wage requirements.

A majority of RIBA Chartered Practices offer pay or TOIL, for staff who work beyond their contracted hours, with 53% offering it to all staff, and 14% to some. Nevertheless, a third, 33%, do not recompense staff for working beyond their contracted hours. The proportion of practices offering recompense to all staff for working additional hours declines as practices become larger.

At the very least, practices need to take care that hours worked without pay or time off in lieu do not drag a staff member’s hourly wage below the Real Living Wage (to ensure Chartered Practice requirements are met).

Employers also need to take care that employees’ mental or physical health is not at risk.

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