

Minutes of Board Meeting held on 14 May 2015

Location	Present	In Attendance
8 Weymouth Street London W1W 5BU	J. Assael, R. Brennan, P Coe, H Eisner, B Fraenkel (Chair), A Jago, M. Kinghorn, R Levenson, A Mortimer, R Parnaby, A Singh, S. Ware, N Watts, A. Wright, N Zulfiqar	Karen Holmes (Interim Registrar), E Matthews, M Stoner, S Howard, K Hewett

Note

Action

Open Session

1 Apologies for Absence

None.

The Board took a moment of silence to remember Jamie Bloxam, a valued member of staff who sadly passed away.

2 Members' Interests

No Members' interests were declared.

STANDING ITEMS

3 Minutes

The Board approved the Minutes of the Open Session of the meeting held on 11 February 2015 and the Chair agreed to sign them as a true record.

Proposer: Alan Jago

Seconder: Peter Coe

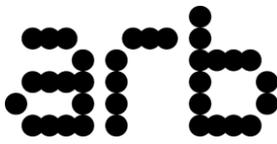
The recommendation was agreed unanimously.

4 Matters Arising

An update on on-going matters was provided and noted.

5 Chair's Report

The Chair's report was noted by the Board. It was further reported that the Chair would be meeting with Trustmark over the coming months, Trustmark has received



a licence from BIS to harmonise standards within the construction industry. The Chair would also be attending the RIBA Past, Present, Future Perfect event hosted by the RIBA.

6 ARB's Operational Activities

The Interim Registrar presented the paper which was noted by the Board.

The Interim Registrar additionally advised of a meeting with the RIBA and officials from Brazil to discuss the regulatory landscape.

The Interim Registrar also informed the Board that she, with the Communications Coordinator, would be attending one day of the Trading Standards Conference scheduled for July and had arranged to meet with a number of stakeholders at the conference.

The Professional Standards Manager reported that a pre-consultation on the Architects Code of Conduct had recently been launched; the consultation documents were on the ARB website and the consultation would be highlighted in the May ebulletin and on social media channels. Board members were encouraged to provide feedback to staff in light of this consultation and raise awareness of the consultation to contacts.

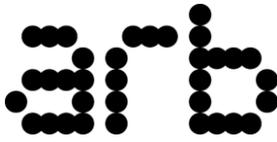
One Board member suggested greater harmonisation between the ARB and RIBA Codes should be considered as part of this exercise.

It was further suggested and agreed that an article should be written on the consultation and distributed to press contacts.

7 Periodic Review Update

The Interim Registrar provided an update and confirmed that the review team were currently undertaking workshops in devolved administrations. A workshop had already been held in Scotland last week with further dates scheduled for Northern Ireland and Wales. Further one to ones were also underway with participants of the various workshops. The Review Team were still working to the end of June 2015 deadline for a submission to go to the Minister.

One Board member queried whether there was an update regarding the interpretation of the revised Article 46 of the Qualifications Directive. It was confirmed that guidance had been requested but, despite regular meetings between staff and the DCLG, the position remained unclear. The DCLG and BIS are currently liaising in order to assist ARB further.



It was requested that the urgency of the need for advice on the Directive be stressed to the DCLG so that information could be disseminated to stakeholders.

8 2014 Financial Outturn

The Financial Controller presented the paper and confirmed that a 2016 budget briefing would be being scheduled for either the post July Board or post August Prescription Committee meeting.

It was highlighted that the increased surplus at year end was owing to a number of factors although one of the main areas was a significant underspend in the staffing budget. It was noted by the Board that although this may represent a cash saving to ARB it comes at a cost to ARB staff. The Board expressed its thanks to the staff for sustaining business during a difficult period.

MATTERS FOR DECISION

9 2015 Management Account

The Financial Controller presented the paper and the content was noted by the Board.

A query was raised over paragraph 8 of the paper concerning maintenance works to the office. It was confirmed that it had been six years since any substantial work had been carried out and work was now needed to the office ceiling, the kitchen area and painting work. No formal estimates had yet been obtained but the figure cited was based on experience and knowledge of the cost of similar works.

It was requested and agreed that quotations (rather than estimates) were obtained prior to work commencing.

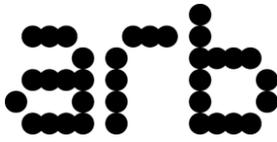
The Board noted the paper and approved the expenditure under the Designated Maintenance Reserve as outlined under Section 8 of the report.

Proposer: Richard Parnaby

Secunder: Neil Watts

The recommendation was agreed unanimously.

10 Approval of Board Committee Membership for 2015/2016



The Interim Registrar presented the paper. There was a typographical error noted on page 41 where the heading read “Proposed Committee Membership – May 2014” but should have read “Proposed Committee Membership – May 2015”.

Board members voiced concerns over continuity and succession planning for 2016 when current appointments come to an end; it was agreed that DCLG’s early consideration of the recruitment process would assist with this. One Board member also reiterated the possibility of co-opting non-Board members onto Committees although it was generally felt that any co-opted member should not act as Chair.

It was agreed that a paper dealing specifically with succession planning would be brought back to the Board.

Confirmation was sought as to why Board members continue to be listed as Professional Conduct Committee members. It was confirmed that this is owing to the current legislation and this was one of the change requests identified as part of the Periodic Review.

The Board agreed the membership of the Committees as shown in Annex A until 31 March 2016.

**Proposer: Nabila Zulfiqar
Seconder: Myra Kinghorn**

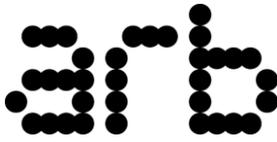
The recommendation was agreed unanimously.

11 Amendments to ARB’s Election Scheme

The Head of Qualifications presented this paper and commented that, as Government was no longer subject to Purdah, the position had changed slightly from the paper. It was confirmed that last year a change of legislation increased Board member tenure from three years to four and ARB’s Election Scheme now needs amending to align with that. This was now ready to consult on and a consultation period of six weeks was suggested.

It was noted that the arrangements for governance was an area that was under consideration by the Periodic Review team. It had been flagged with DCLG that it might cause expense if there were any changes made as a result of the review. It was noted that DCLG’s advice was to continue business as usual and that preparation for the election should continue as per the current process.

A question was raised as to whether elected Board members sitting for consecutive



terms but currently in their second term, would be entitled to serve for an additional year to take account of the new 'four year' term. It was confirmed that staff have now heard back on this and architect members could serve an additional year if they wish to bring their total Board member term to eight years.

It was agreed that further questions should be asked of DCLG in respect of:
If architects terms are extended by a further year, with regards to the procedural running of the election, would five be appointed now and two with a delayed start? This would avoid a further costly election.

If there was a gap in an architect's tenure, would consecutive terms or 'eight years' take account of that break?

A final point was made that, in light of the questions outlined above whether further consideration might need to be given to point 10 of the Electoral Scheme in respect of 'Casual vacancies'.

The Board agreed the adjustments to the Election Scheme as set out in Annex A.

The Board agreed to issue the Scheme for consultation for a period of six weeks.

The Board noted that the consultation responses would be brought back to the Board for consideration at its meeting of 16 July 2015, when the Board would be asked to finalise a revised version of the Election Scheme before it is sent to the Privy Council for approval

Proposer: Alan Jago

Seconder: Ros Levenson

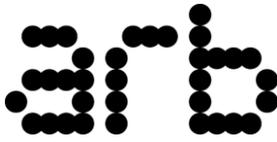
The recommendation was agreed unanimously.

12 Annual Report from the Audit Committee

The Chair of the Audit Committee presented the report and drew the Board's attention to the Executive Summary contained at paragraph 5. The wording 'adequate and appropriate' as quoted from the Internal Audit Report was queried and it was confirmed that this was usual wording used and should cause no concern.

After a question on the subject, it was clarified that the internal audit looks at the control and risk management systems in place at the organisation and that the risks ARB as an organisation might face were safeguarded against as far as possible.

The Chair of the Board congratulated the Committee on its work and particularly



that of the Committee Chair. Thanks were also extended to staff who over the last few months have ensured that the business of ARB continues, even in the face of adversity.

13 2014 Report of the Chair of the Professional Conduct Committee

The newly appointed Chair of the PCC, Julian Weinberg, attended the meeting to present this report.

The Board noted the content of the report.

The Chair of the PCC noted that although there had been one High Court appeal during the year, the PCC decision had been robustly upheld. It was further commented that the length of hearings had increased in 2014, the reasons for which were likely to include architects robustly defending all factual allegations of which, on occasion, there were too many. Care should be taken to concentrate on only the serious elements of a case.

The Chair further noted the higher number of not guilty findings during 2014, but displayed no concern over this increase as it was right and proper for the PCC to challenge any conflicting evidence; something that cannot be carried out by the Investigations Panel at an earlier point in proceedings.

One Board member queried whether there was any confusion on an architect's part between the ARB and RIBA codes at PCC hearings. The Chair confirmed that he had seen no such confusion.

Following discussion, it was agreed that it would be helpful to publish a summary or article of the round-up of PCC cases at each year end.

It was agreed that the IOC would consider a communication policy in respect of PCC feedback and decisions at its next meeting in June.

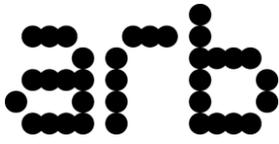
14 Update on Routes to Registration

The Head of Qualifications confirmed that there has been no movement to the Routes to Registration project as the Periodic Review remained ongoing. This item would be brought back to the Board in order to provide an update.

15 Draft Minutes of the Investigations Oversight Committee

The Board noted the minutes of the IOC.

Dates of meetings 2015



Note

Action

- 15 July 2015 (Board Development day)
- 16 July 2015
- 17 September 2015
- 19 November 2015

The Board noted the dates of 2015 meetings although it was flagged the value of the Board Development Day was still under consideration given the current position of the Periodic Review. Board members were asked to hold the suggested date in their diaries but were informed that it may again become necessary to postpone the Development day.