

## Minutes of Board Meeting held on 11/02/15

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

Note

Action

### Open Session

#### 1 Apologies for Absence

Apologies were received from John Assael, Myra Kinghorn and Richard Parnaby.

In line with the Board General Rules, the Chair informed the Board she had written to John Assael with regards to him being absent for three consecutive meetings. John had written back to the Chair explaining the circumstances for his absence. The information was noted.

#### 2 Members' Interests

AW declared an interest in Item 9, advising that he was involved in discussions regarding transitional arrangements for the prescribed exam in another capacity.

### STANDING ITEMS

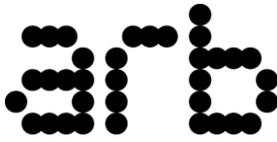
#### 3 Minutes

Revised minutes were circulated prior to the Board meeting.

**The Board approved the Minutes of the Open Session of the meeting held on 20 November 2014, and the Chair agreed to sign as a true record.**

**Proposer: Alan Jago  
Seconder: Neil Watts**

**The recommendation was agreed unanimously.**



#### **4 Matters Arising**

The Board noted the matters arising report.

#### **5 Chair's Report**

The Chair confirmed that the external Chair's appraisal report was awaited. The Chair intends for the appraisal report to be presented to the Board when it is finalised.

The Chair, Vice Chair and Interim Registrar attended a RIBA/ARB working group meeting during which RIBA outlined the submission it was making to the periodic review regarding the prescription process. The role of an independent regulator was also covered. As always the liaison meeting was helpful in understanding the views of a key stakeholder.

The Chair confirmed that the next RIBA/ARB working group meeting will be held in the next three months.

The Chair advised that she had presented jointly with the RIBA president at the Bartlett about the respective roles of the two organisations.

#### **6 ARB's Operational Activities**

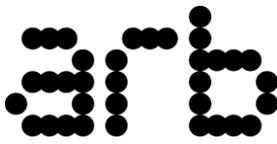
The Interim Registrar presented the paper which was noted by the Board.

The Interim Registrar additionally advised of meetings with Department for Communities and Local Government (DCLG) forums.

The Interim Registrar also informed the Board of the death of a former ARB examiner and expressed condolences.

The Board noted that meetings had taken place with other statutory regulators including the Nursing and Midwifery Council (NMC), the General Chiropractic Council (GCC) and the Solicitors Regulation Authority (SRA). These meetings covered how other regulators set the standards and criteria for qualifications in their sectors including a move by some regulators to oversee one final exam at the point of registration.

Two Board members discussed using the organisation's presence at the Home Building and Renovating Show at the NEC in March to get insights into consumer awareness of ARB and ARB's role. ARB has secured a free speaking slot at this event and a Board member asked for any video footage of this to be added to the ARB website.



A Board Member asked if DCLG are speaking to the Department for Business, Innovation and Skills (BIS) about the periodic review, including covering issues related to Europe. The Interim Registrar confirmed, as far as she aware, these discussions were taking place.

A Board member asked about the agenda for the Quality Assurance Agency/UK Inter-Professional Forum meeting. The Head of Qualifications advised that this was a high level meeting about the higher education landscape, information about the interpretation of the Professional Qualifications Directive (PQD) was unlikely to be provided.

## **7 Periodic Review Update**

The Interim Registrar provided an update and confirmed that workshops had taken place on 7 January 2015. Following this discussion, DCLG called for additional data from participants by 13 February 2015. No date has been set for the next workshop. A Board Member thanked the Interim Registrar and team for the regular updates provided to the Board on the periodic review.

The Board noted the additional risks facing the organisation, the longer the periodic review process goes on. The Board were alive to the additional workload on staff, and the difficulty it poses to the Board in on-going planning.

### **MATTERS FOR DECISION**

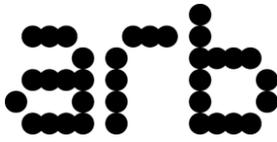
## **8 Report on the responses to the Board Effectiveness Review**

The Interim Registrar presented this paper which sets out the Board's commitment to regularly reviewing its performance to support effective corporate governance. Effectiveness questionnaires were completed by the Board, the Board's individual committees, appropriate advisers and the Operational Management team. Graphs have been used to illustrate the data gathered and 2013 data has been shown alongside 2014 data to show trends.

The Board was asked to consider agreeing a list of actions to progress discussions on areas of development.

A Board Member noted that the report format was very helpful. Another Board Member advised the responses of the executive team had brought a helpful alternative perspective to the exercise.

Board Members discussed various improvements which could be made to the process and reporting document including adding a column introducing the timeframe; asking



respondents to elaborate on areas of disagreement by providing examples; reminding participants that responses would be publicly available and drilling down into the information to identify the views of the different committees.

One Board Member asked for an action to be added relating to Board Composition to reflect that the responses indicated that the Board felt changes to Board Composition arrangements and the impact of Board Composition should be considered. It was acknowledged that such a review is not currently within the Board's remit but it was felt that an action should be included as a marker, to represent the views expressed.

The Interim Registrar advised that where actions linked to the work of Committees, the Committees should own their actions and bring them back to the Board to update on progress.

**The Board agreed the actions recommended by the Interim Registrar, which resulted from the Board Effectiveness Review Questionnaire subject to introducing timeframe information. The following additional action was added in relation to the Composition of the Board:**

**Additional action related to Board Composition**

**To consider changes to Board Composition arrangements and the impact of Board Composition.**

**Proposer: Susan Ware**

**Seconder: Arun Singh**

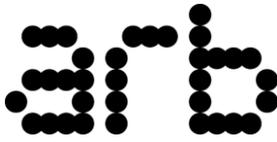
**The recommendation was agreed unanimously.**

## **9 Extension of Transitional Arrangements for Prescribed Exam**

AW left the room.

The Registration Executive presented the paper and asked the Board to apply extended transitional arrangements to a small number of candidates who were affected by changes made to the methodology used for assessing eligibility for the Prescribed Examination.

It was noted that the Standing Conference of Heads of Schools of Architecture (SCHOSA) had raised a concern about a sentence in the proposed extension notice advising that those applying under this extension may be required to identify relevant graduates upon whose eligibility they rely. The Registration Executive noted that ARB keeps extensive records and that this information was only being requested to support the process. The Registration Executive advised that both the ARB and



SCHOSA would communicate the extended transitional arrangements.

A Board Member asked how many candidates were affected and the Registration Executive advised that exact numbers are difficult to identify but that it is no more than 30 through the EU route. The ARB will contact all eligible EU and international candidates of whom it is aware.

A Board Member noted that this represented a good example of the Board being open to the concerns of stakeholders and responding flexibly.

A Board Member advised of a typing error in the notice document. The indented sentence should read, 'They commenced a course of study before October 2013 and graduates from the same cohort (or earlier cohorts from the same programme) ("relevant graduates") had made an application for Prescribed Examination which was accepted by the Board.'

**The Board agreed to publish the statement relating to Extended Transitional Arrangements for Prescribed Examination.**

**Proposer: Alan Jago**

**Secunder: Ros Levenson**

**The recommendation was agreed unanimously.**

AW returned to the room.

## **MATTERS TO NOTE**

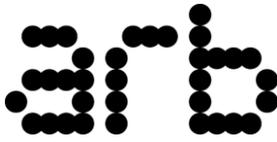
### **10 Report on Board Member Appraisals**

The Chair presented this item advising on the general nature of the report owing to the fact that the contributions were anonymised. In particular, the Chair noted that several Board members felt that greater clarity regarding conflicts of interest would assist them. The Chair also noted that Board Members had spoken positively about their Board role over the last year and had commented about the incredible, cohesive support provided by the staff team throughout.

The Board noted the content of the paper.

### **11 Report on the delivery of the 2014 Business Plan**

The Head of Qualifications presented this report which documented the organisation's performance against the business plan during 2014. The business plan



was delivered on budget; the objectives were met in almost all areas with only a few exceptional cases, where work continues.

The Board noted the content of the paper.

## 12 Report to the Board on Statistics, Trends and Performance Indicators 2014

The Professional Standards Manager introduced this item, noting that this year the format of this report was amended to show longer term trends rather than stand-alone statistics. Feedback and suggestions for improvement to the report format and content were invited.

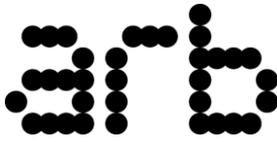
**Routes to Registration** - A Board Member noted the increased number of registrants via the European route. There followed a discussion about the different routes to registration and the regulator's role in setting the standards of entry to the profession, for those educated in the UK. The discussion covered wide ranging issues linked to the remit of the regulator in setting standards and protecting the public. These were set against the context of both UK and EU law and the wider social and economic impacts of the regulators role in this regard. The Chair noted the importance of capturing the views expressed as part of the review process.

Several Board Members expressed concern about the postponement of the Routes to Registration project whilst an outcome of the periodic review was awaited and there was a discussion about whether preliminary work might be undertaken.

A Board member proposed that Jim Low be invited to present to the Board and repeat the presentation that he gave to the Prescription Committee, this suggestion was agreed.

The Interim Registrar answered questions about routes to registration advising Board members on the current remit of ARB. The Chair acknowledged the points raised and noted that practical progress was difficult given that the conclusion of the periodic review is still awaited. The Chair suggested that this issue is put to one side until the outcome of the periodic review is known.

**Freedom of Information Requests** - A Board Member noted the lower number of Freedom of Information (FOI) requests received during 2014. The Professional Standards Manager advised that ARB is committed to transparency and endeavours, where possible, to publish information in the public domain. Nonetheless, the Professional Standards Manager also noted that whilst it was likely that this approach helped reduce the number of FOI requests received, FOI request numbers differ from year to year and the organisation is vulnerable to the risk posed by the receipt of complicated or vexatious requests.



**Professional Conduct Committee** - A Board Member highlighted the 82% of complaints which originate from domestic projects, and requested that this finding should inform our communications activity going forward.

Another Board Member asked about the Not Guilty verdicts of the Professional Conduct Committee (PCC). The Professional Standards Manager advised that in 2014 22% of the cases at the PCC resulted in not guilty findings, which is not unduly high: the PCC should not be seen as a rubber-stamping committee and must test the evidence itself. Just because a case resulted in a Not Guilty finding did not mean that the architect did not have a case to answer, or that it was an inappropriate case to bring to hearing.

**Changes of Address** – A Board Member asked about the high number of changes of address received and asked if this was linked to mobility of the profession. The Interim Registrar agreed that this was one possible explanation, but that the high number of requests was, in large part, due to the organisations focus on encouraging architects to advise ARB of address changes, which ensures an accurate Register, is available to the public.

**Company Formations** - A Board Member asked about company formations and the Professional Standards Manager advised that the use of the word 'Architect' in a company name was restricted by law, and that ARB has to confirm that there is an architect in control of the architectural work of the company before permission will be given to Companies House to register the company name.

The Board noted the content of the paper and will invite Jim Low to a future session.

### **13 Annual Report from the Remuneration Committee**

AJ presented this item.

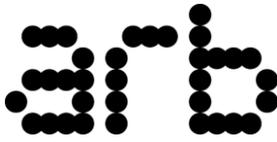
The Board noted the content of the paper.

### **14 Annual Report on Third Party Review**

The Professional Standards Manager introduced this item, noting that four reviews took place in 2014, compared with seven the previous year.

The Board noted the content of the paper, and that the Investigations Oversight Committee would be considering it in more detail on 12 February 2015.

### **15 Timetable for the Election of the Chair and Vice Chair**



The Interim Registrar presented this paper asking Board Members to advise of any dates when they would be unavailable and advising of the process for communicating announcements.

The Interim Registrar also highlighted other matters linked to Board membership. The tenure for Board Members appointments was extended by one year by Statutory Instrument in 2014 to provide consistency during the periodic review process. The Board is awaiting Privy Council and Ministerial approval of the reappointment of two lay Board Members. This will allow them to serve for one further year as permitted under new guidelines, which will provide Board consistency whilst the periodic review process continues.

Due to the Periodic Review timeline, which has not yet covered the governance dimension of the regulatory model, it is now necessary to amend the election scheme. It is likely that a notice of an election for architect members will need to be posted by 31 October 2015 ready for a 2016 election.

There was some discussion about the new tenure guidelines and what they meant in practice. The Interim Registrar will be seeking clarification from the DCLG.

The Board noted the content of the paper.

## **16 Routes to Registration**

The Head of Qualifications presented this item and explained that no significant progress had been made in the areas which affect the review and that when the organisation is in a position to proceed with this, it will be brought back to the Board.

It was noted that RIBA would be continuing with their review of architectural education and would be holding a discussion day in late March to which ARB had been invited.

## **17 Minutes**

**(i) The Investigations Oversight Committee of 19 November 2014.**

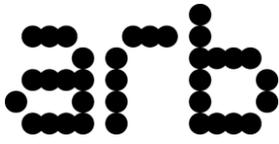
The Minutes were noted.

**(ii) The Remuneration Committee of 3 December 2014.**

The Minutes were noted.

## **18 Any other business**

Nothing further was raised under this item.



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## **19 Dates of meetings 2015**

- 14 May 2015 – Board Development Day
- 15 May 2015
- 16 July 2015
- 17 September 2015
- 19 November 2015

The Board noted the dates of 2015 meetings.