



Subject Review of ARB's Procedures for the Prescription of Qualifications
Purpose For Decision
From Emma Matthews - Head of Qualifications & Governance

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1. Summary

To agree the outline project plan for a 'business as usual' review of the Board's Procedures for the Prescription of Qualifications.

2. Recommendations

It is recommended that the Board agrees the outline project plan for a 'business as usual' review of the Board's Procedures for the Prescription of Qualifications.

3. Open Session

4. Contribution to the Board's Purpose and Objectives

In delivering the Act, ARB's objectives are to 'protect the users and potential users of architects' services' and to 'support architects through regulation'.

In line with Section 4(1)a of the Architects Act 1997, the Board is responsible for determining what qualifications and practical training experience are required for entry to the Register under the UK route to registration. In order to ensure that individuals have met the appropriate standards on entry to the Register, the Board has established a prescription process for recognising qualifications and practical training experience as well as the criteria which must be met at the appropriate levels. The Procedures for the Prescription of Qualifications document sets out the detailed process which the Board undertakes when dealing with the prescription of a qualification for the first time as well as with renewing prescription of existing prescribed qualifications. The procedures also set out the details of the annual monitoring process which dovetails with the renewals process. The Procedures are therefore important in terms of assuring the users and potential users of architects' services that a clear and transparent process for reviewing qualifications exists and assists in ensuring that individuals who are on the Register have the appropriate minimum levels of skills and expertise. The Procedures document also provides information to institutions in terms of the requirements and conditions that must be met in order to secure and maintain prescription.

5. Background

- i. On 12 May 2017 the Board,
 - i) Noted the position regarding the current Procedures;
 - ii) Considered the advantages and disadvantages of progressing a review of the Procedures at this point in time and decided that it would progress this review;
 - iii) Noted that it must discuss the position with the Department for Communities and Local Government (DCLG) before formally commencing a review; and
 - iv) Discussed and agreed its high-level objectives for a review of the Procedures.

The high-level objectives were agreed as follows:

Any revised or updated procedures for the prescription of qualifications should enable the Board to:

- Continue to discharge its functions under Section 4(1) a and 4(1) b of the Architects Act 1997;
- Ensure that its processes for prescribing qualifications, renew prescription of existing qualifications, dealing with annual monitoring submissions and course and title changes continue to be clear, transparent, proportionate, efficient and effective;
- Ensure that its processes support the admission of competent individuals to the Register on completion of their studies and practical training experience; and
- Ensure that qualifications, and, where appropriate, experience it prescribes meet the requirements of the Mutual Recognition of Professional Qualifications Directive so that the UK's qualifications can continue to be listed under Annex V of the Directive as well as any additional requirements the Board may wish to set over and above this.

The Board noted and agreed that the review of the Procedures must be based on the Board's current requirements for entry to the Register which state that individuals must hold Part 1, Part 2 and Part 3 qualifications in order to enter the Register. It was noted that this element could not be reviewed until the Department has confirmed that the Board can progress a review of the UK routes to registration.

The Board agreed that a paper should be presented to it at its July Board meeting setting out a project scope including the agreed objectives.

ii. **DCLG's Position**

As agreed, details of Board's position were provided the DCLG following the

Board’s meeting in May 2017. At the time of writing, the DCLG has yet to respond to the Board’s position. The DCLG’s feedback and views will therefore be provided to Board members as soon as they are available.

iii. **Outline Project Plan/Scope of Project**

Noting the objectives of the review, it is proposed that the project includes the following milestones and timeframes:

Stages of the review/timescales

Activity	Timescale
Executive to undertake a wide ranging pre-consultation exercise and gather information/evidence from ARB’s stakeholders	August – October 2017
The Registrar and Head of Qualifications and Governance to appoint and establish an ARB Task and Finish Group to undertake the review Chair of the Board to appoint an Oversight Group to oversee the work of the Procedures and Criteria Task and Finish Groups	August – October 2017
ARB’s Task and Finish Group to undertake an initial analysis and review of information gathered from pre-consultation exercise and evidence gathering stage Oversight Group to be kept up to date on the Task and Finish Group’s work	October – November 2017
ARB’s Task and Finish Group/the Oversight Group/the executive	23 November 2017

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to provide updates to the Board. The Board to take decisions regarding the direction of travel of the review	
ARB's Task and Finish Group to develop revisions to the procedures Oversight Group to be kept up to date on the Task and Finish Group's work	November 2017 – January 2018 (or April 2018 depending on developments relating to the criteria review)
Presentation of draft revised Procedures to the Board; if approved, issue for consultation	February (or May 2018 depending on developments relating to the criteria review)
Consultation period	Late February 2018 – Late May 2018 (or late May 2018 – late August 2018 depending on developments relating to the criteria review)
Consideration of consultation feedback by ARB's Task and Finish Group Formulation of recommendations to the Board Oversight Group to be kept up to date on the Task and Finish Group's work	June 2018 (or late August/early September 2018 depending on developments relating to the criteria review)
Consideration of consultation feedback and Task and Finish Group's recommendations by the Board	July 2018 (or September 2018 depending on developments relating to the criteria review)

Approval of revised procedures by the Board	
The executive to communicate the details of the transitional implementation phase of revised criteria to stakeholders	
Procedures become effective	September 2019

This review will run in parallel and where appropriate dovetail with the review of the criteria. The Board is asked to note that we have learned lessons from previous reviews, particularly in relation to ensuring we establish a clear project plan and timeframe for a review from the beginning. The above table sets out the outline plan and if agreed, the executive will then prepare a more detailed operation plan to deliver the review. Whilst the timeframes are challenging, we believe that they are realistic.

iv. **ARB's Task and Finish Group - Procedures**

A Task and Finish Group consisting of technical experts from the following areas will be appointed by the Registrar and Head of Qualifications and Governance in September 2017 to assist the executive with this review:

- An independent consultant with expertise in the development of regulatory criteria and recognition procedures;
- A representative from another regulator with experience of recognition procedures; and
- A architectural academic and/or lay representative with experience of university quality assurance processes

The independent consultant will chair the Task and Finish Group.

The Task and Finish Group will be responsible for:

- providing independent and technical expertise to facilitate the review of the procedures;
- undertaking an initial analysis and reviewing the information gathered from pre-consultation exercise and evidence gathering stage;
- making recommendations to the Board, based on the information/evidence gathered, regarding the development and revision of the procedures;
- developing revisions to the procedures on the basis of the information and evidence gathered; and

- reviewing the consultation feedback and formulating recommendations to the Board regarding the final version of the procedures.

The Group will be supported by the Head of Qualifications and Governance and other relevant members of the Qualifications and Registration teams.

The Board and reporting lines

The Board will be required to provide an appropriate level of independent challenge, scrutiny and oversight of the review to ensure the objectives are met and ultimately approve any revised procedures. However, so that the Board can assure itself that progress is being made and its objectives are achieved, it is suggested that an Oversight Group is established to oversee the work and progress of the Task and Finish Group. It is recommended that the Task and Finish Group and the Oversight Group report directly to the Board.

The Oversight Group – Criteria and Procedures

An Oversight Group consisting of four Board members, two appointed and two elected, will be appointed by the Chair of the Board. One of the appointed members should chair the group. The Oversight Group will be responsible for:

- offering guidance to both the Criteria and the Procedures Task and Finish Groups on behalf of the Board to ensure that the Board's objectives are achieved;
- assisting with the identification of risks and equality and diversity issues as the reviews progress; and
- reporting to the Board throughout the progress of the reviews.

Members of the Oversight Group will not be fettered in their ability to make independent decisions at Board meetings, as their role will be limited to challenge and reporting.

The Oversight Group will be supported by the Head of Qualifications and Governance and other relevant members of the Qualifications and Registration teams as appropriate.

If the reviews run beyond current Board members' tenures, a new Oversight Group may need to be appointed in April 2018.

Consultation

ARB's stakeholders will have opportunities to input to the review and make the Board aware of their views and comments. Extensive pre-consultation involving a wide range of stakeholders will have been undertaken before any drafting

of/revisions to the procedures are developed in order that the current position can be fully understood. Both the Oversight Group and the Board will have sight of the outcomes of the pre-consultation when the Task and Finish Group prepares and presents its recommendations to the Board in November 2017. The Board will consult these stakeholders again once any revisions have been developed. The Oversight Group and the Board will have sight of the outcomes of the second consultation when the Task and Finish Group prepares and presents its recommendations in July or September 2018.

- v. The Board is asked to consider this paper, including the resource, risk, communications and equality and diversity sections, and approve the project plan as outlined above.

6. Resource implications

The Board has already set aside money for a review of its UK routes to registration, which encompassed a review of the procedures. Some of the money allocated for the routes review will be used to cover the costs of reviewing the procedures. The approach outlined above is felt to be proportionate and should be manageable within the available budget. If, however, the project is likely to run over budget, the Board's attention will be drawn to this at the earliest opportunity. As well as the costs associated with appointing the Task and Finish Group, considerable staff time will be needed to support the Task and Finish Group as well as the Oversight Group in order to deliver a revised set of criteria for the Board's approval for formal consultation in February 2018. The Board will be considering general staff resources under item 10 of the agenda.

7. Risk Implications

We will prepare a dedicated operational risk register for this review by the end of August. The Board's attention will be drawn to any key risks, in addition to those outlined below, that we have identified at its meeting in mid-September 2017. The Task and Finish Group and the Oversight Group will also be made aware of the risks we identify and will be tasked, along with the executive, with identifying any risks as the review progresses.

The Board will need to ensure that it can continue to fully discharge its statutory functions both under the relevant sections of the Act. Amongst other things, the procedures set out the processes that the Board uses to ensure qualifications are meeting the appropriate standards and cover the relevant subject areas, as well as ensuring that competent individuals are eligible to join the Register. The Board will need to take care to ensure any revised procedures will continue to fulfil these objectives. Failure to do so may result in the Board being unable to undertake its duties effectively, could lead to a lack of transparency and ultimately could lead to incompetent individuals joining the Register.

The Board will need to be aware that any changes to the procedures for the prescription of qualifications could impact on the revision of the criteria and/or have an unintended impact on the procedures for the Prescribed Examinations which may lead to a lack of synergy

between the processes in the future. It will be necessary to understand the impact that any proposed changes will have on other elements of the Board's existing policies, processes and procedures. The executive and the Oversight Group will monitor this as the reviews progress.

The Board will need to ensure that it properly consults all relevant stakeholders in accordance with its consultation policy. All stakeholders should be given the opportunity to contribute to and comment on the development of any revised procedures before the Task and Finish Group commences its work as well as on the proposals the Board agrees for consultation. Failure to do so could result in reputational damage and a lack of buy-in by key stakeholders.

As noted above, whilst we believe the timeframes for delivery of the review are achievable, they do not allow for any contingency. The timescales set out for latter stages of the review may therefore be impacted by various factors, including the Board's decisions in relation to the direction of travel in November 2017 and/or any decisions it reaches in February/May 2018, and there may be slippage.

8. Communication

The Board is committed to regularly reviewing its policies and procedures and will be commencing a 'business as usual' review of its procedures for the prescription of qualifications this Summer. The Board will wish to fully engage with and consult a wide range of stakeholders throughout the process. Regular updates will be provided to both the Board and its stakeholders as the project progresses.

We will prepare a communications plan by the end of August 2017 and draw any key issues or concerns to the Board's attention at its meeting in mid-September 2017. The plan will outline how communications with stakeholders will be managed throughout the review. The Task and Finish Group and the Oversight Group will also be made aware of the communications plan and be invited to assist in developing it as the review moves forward.

9. Equality and Diversity Implications

Equality and diversity implications will need to be taken into account as part of that review. The Board will need to ensure that any revised procedures meet the Board's objectives in this area.

We will prepare an equality impact assessment before the review starts. Any key issues or concerns which result from it will be highlighted to the Board at its meeting in mid-September 2017. The outcomes of the impact assessment will also be provided to the Task and Finish Group and the Oversight Group. Both groups will be asked to assist in developing the impact assessment as the review progresses.

In order to appoint the Task and Finish Group, the Registrar and Head of Qualifications and Governance will run an open recruitment exercise. We will use our networks to reach as wide and diverse an audience as possible.

10. Further Actions

Once the Board has approved the project plan outlined within the key points above, the Registrar and Head of Qualifications and Governance will develop role descriptions and run an open recruitment exercise in order to appoint the Task and Finish Group by the beginning of October 2017.

The Chair of the Board will appoint the Oversight Group and will appoint one member of the Group to chair it by the beginning of October 2017.

The executive will undertake a pre-consultation exercise between mid-August and mid-October 2017.

The executive will also prepare more detailed project plans, as well as an operational risk register, communications plan and equality impact assessment.

A progress update will be brought back to the Board at its meeting on 14 September 2017.