



Subject The Board's Committee/Governance Structures
Purpose For Note
From Karen Holmes, Registrar and Emma Matthews, Head of Qualifications & Governance

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1. Summary

To provide an overview of the anticipated Committee/Governance structures which will support the Board following its reconstitution in 2018.

2. Open Session

3. Contribution to the Board's Purpose and Objectives

It is important that a robust governance structure is put in place which allows the Board to continue to deliver its statutory obligations under the Architects Act 1997 as well as fulfilling its purpose and objectives.

4. Key Points

- i. The Department for Communities and Local Government (DCLG) published its Periodic Review Report in relation to the regulation of architects and the Architects Registration Board in March 2017.

The Report included several recommendations regarding the future constitution of the Board, which included the following:

Recommendation 2: the ARB board should comprise an equal number of architects and lay members but they should all be appointed by the Secretary of State with a separately appointed independent Chair

Recommendation 3: appointments should ensure the board has access to:

- experience and expertise from all relevant sectors including academic, consumer protection and regulation, finance, risk and governance
- experience and expertise across different types of architect practice/roles
- experience and expertise across the United Kingdom.

Recommendation 4: Following discussion between ARB and the Department to assess whether the reshaped board should be 11 or 9, the legislation to be changed to reflect that.

In relation to Recommendation 4, the Board provided feedback to the DCLG that the membership of the reshaped Board should be 11. The rationale for this view was :

- it would assist with the transitional arrangements, reducing the risk of ARB not delivering its statutory duties in an efficient and effective way;
- a larger Board would enable the ARB to better meet the challenges taking place in the wider environment;
- the risk of the Board being inquorate for or during meetings would be reduced;
- it would be possible to achieve a greater range of representation across the membership. This includes from across the four nations and in terms of diversity;
- it would allow for flexibility in terms of the organisation's functions and responsibilities; and
- it would allow for a greater depth of expertise within the Board.

In addition to the statement above, the Board felt that by opting for 11 members, it would enable the new Board to populate its committees with the right skills and experience mix more easily.

At the time of writing, no feedback has been received in relation to the DCLG's decision regarding the size of the future Board.

The DCLG asked for assurance that the ARB will continue to deliver its statutory functions once a reconstituted Board has been appointed.

- ii. The current committee structure which underpins the Board's work and assists in the delivery of its responsibilities is set out at Annex A.
- iii. The Board discussed its ideas about the future governance structure at its development day and subsequent Board meeting in May. It was agreed that governance models should be considered and developed in order to demonstrate how the Board could continue to operate a revised committee structure from 1 April 2018.

It is assumed that the DCLG will decide that the Board should be constituted of 11 members.

Whilst discussions have taken place about setting up a range of different committees to focus on different areas of work e.g. Brexit, Routes to Registration,

International Trade, it is proposed that the committee structure remains the same and that the committees continue to be populated with Board Members. Board Members are likely to be allocated more than one committee, however benchmarking indicates that this is commonplace amongst other statutory regulators, e.g., General Dental Council, Health Care Professionals Council, which have reduced the size of their Boards. Any new committees will be discussed and agreed by the new Board.

There was much discussion at the Board's recent development day about the role and membership of the Prescription Committee, with suggestions being made about the size, balance of membership and the functions of the Committee, as well as those of staff. This will be carefully considered as part of the review of the Procedures for the Prescription of Qualifications as these are enshrined within the existing Procedures. Until the Board has made decisions about the Procedures it will not be possible to make changes to the Committee's role or constitution. We will however, bring back a paper to the Board, setting out how this area of work will be supported once the review of the Procedures has been completed. In the interim, it is proposed that the Committee continues to operate on the same basis as it currently does. The Committee Chair has the authority to co-opt additional support from the pool of Independent Advisers and this option will continue to remain in place until any wider changes are made. The Board is aware of the timescales which relate to the review of the Procedures.

The Board is asked to note the information outlined above. We will provide assurance to the DCLG that ARB will be able to continue to delivery its responsibilities under a new Board constituted of 11 members as outlined above.

5. Resource Implications

The Board is asked to note that the DCLG will run the recruitment processes for the Chair and the Board Members. Any allied recruitment costs, i.e., induction, more frequent meetings, which arise in 2018 from the changes to the constitution of the Board will be drawn from the reserves once more information about the changes is known. Any costs associated with the recruitment of the new Board which fall within 2017, e.g., information evenings, publicising the appointments on ARB's website, will be absorbed within the existing budget.

Significant staff time, particularly at the Operational Management Group level, will be needed to induct the new Board and ensure it operates smoothly throughout 2018.

6. Risk Implications

If the Board does not have a robust governance and committee structure in place there is a risk that it will not be able to deliver its statutory functions. This would have a significant and negative impact on the ARB's relationship with Government and could cause the Government to review the position regarding the regulation of architects.

7. Communication

ARB has a robust governance structure in place to underpin the work of the Board and to

assist it in ensuring it continues to delivery its statutory functions.

8. Equality and Diversity Implications

Equality and diversity implications will be taken into account as part of the recruitment processes by the DCLG. We will additionally ensure that we circulate details about the appointments through our extensive networks of contacts to ensure as wide a reach as possible. The Board will also need to consider the constitution and balance of its committees at the appropriate time.

9. Further Actions

The Registrar will confirm to DCLG that ARB can continue to function and deliver its statutory responsibilities under the Act with a Board of 11 members.

Staff will continue to work with the DCLG to ensure that the new Board will be populated with appropriate expertise.

Early discussions regarding the possible population of the committees will take place between staff and the new chair in early 2018.