



Subject Progress update against Periodic Review recommendations
Purpose For Note
From Karen Holmes, Registrar & Chief Executive

If you have any enquiries on this paper, please contact Simon Howard at simonh@arb.org.uk or on 020 7580 5861

1. Summary

To update the Board on the progress made in delivering the recommendations of the DCLG's Periodic Review.

2. Open

Open Session

3. Contribution to the Board's Purpose and Objectives

Architects and the public will have confidence that ARB is delivering the Act in an effective and transparent manner, taking into account Government expectations.

4. Key Points

- i. The DCLG's Periodic Review made a number of recommendations. The Board considered a paper at its July 2017 meeting on the progress of the seven recommendations which fell on ARB to deliver. Of those, four recommendations remain outstanding, and below is a brief summary of the work in progress.

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.

- ii. The Board has recommended to DCLG that the membership of the reshaped Board should be 11. Further details of work in this area can be found under [agenda item 15](#). At the time of writing no decision has been made by DCLG in this regard, but ARB has prepared and provided proposed job descriptions and accompanying information which will allow for recruitment of new Board members to get underway. DCLG has confirmed that it continues to work to a time-plan for the move to an all appointed Board.

Recommendation 6

For the regulator to work with the sector to review, refresh and update all aspects of the guidance for complaints handling.

- iii. ARB's Professional Standards department has commenced its review of how it delivers its

statutory obligations to investigate complaints about architects under section 14 Architects Act 1997.

- iv. That Section 14 Review will involve widespread consultation with the public, the profession and other key stakeholders. Its recommendations are planned to be brought to the Board for decision in early 2018, and its progress remains on course.

Recommendation 9

The Regulator to consider use of an in-house lawyer for all but the most serious complaints and / or specialist advice to reduce costs.

- v. The consideration of this recommendation can be found at agenda item 12.

Recommendation 17

For the Regulator to explore co-location opportunities or the possibility of operating from outside London as lease opportunities permit (next break 2019)

- vi. This item is in ARB's 2017 Business Plan for delivery. A feasibility report is currently being progressed. Further information will be provided to the Board in due course. A feasibility report is currently being progressed. Further information will be provided to the Board in due course.

Recommendation 18

For the Regulator to continue exploring opportunities for streamlining through appropriate collaboration with the consumer, academic and professional institutions, for example in promoting awareness of the register.

- vii. This recommendation aligns with ARB's core objectives, and while it remains a key part of the 2017 Business Plan (and likely future Business Plans), it is a recommendation that will continue to be worked on rather than ever completed.

DCLG responsibilities

Recommendation 5

To review the levels of fines available to the regulator in policing protection of title with Ministry of Justice

Recommendation 12

For the Department to explore the case for ARB being bought under the remit of the Parliamentary Ombudsman to provide a more defined escalation route and final decision maker for complaints in relation to decisions made by them.

- viii. The DCLG has confirmed that it is working to a time-plan for considering whether ARB should fall under the remit of the Parliamentary Ombudsman, and has scheduled a meeting with the Ministry of Justice in concerning regulatory fine levels.

5. Resource Implications

There will be staff time and legal costs involved in assisting the DCLG in any legislative change.

6. Risk Implications

ARB will continue to deliver its statutory functions under the current iteration of the Architects Act; however proposed change brings with it uncertainty, particularly as the organisation has little influence over the timetable for the required legislative change.

7. Communication

ARB is committed to working with Government and other key stakeholders to ensure that it remains an effective, transparent organisation with the ability to meet future challenges.

8. Equality and Diversity Implications

Whether the Board is reduced to a membership of 9 or 11, there will be an increased challenge to ensure that it is appropriately diverse.

9. Further Actions

ARB staff will continue to liaise with DCLG in relation to all of the above, and continue to report to each Board meeting on progress.