



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

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## 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 September 2017 meeting on the progress of the four recommendations that lie with ARB to deliver.

- ii. **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.**

The Board has recommended to DCLG that the reshaped Board should be constituted of 11 members, including an independent appointed Chair. ARB continues to work with DCLG to assist it in any way possible to facilitate the change to legislation. In terms of future appointments, the Department has now confirmed the details in relation to the appointment of new Board members and the duration of their tenures. The new Chair will be appointed in advance of the other 10 Board members.

iii. **Recommendation 6**

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

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. The review is restricted in its scope by the uncertainty surrounding the implementation of the legislative change recommended by the Periodic Review. That implementation rests with DCLG.

- iv. A pre-consultation has been undertaken and staff are now considering submissions and best practice across the regulatory field. The Investigations Oversight Committee is keeping abreast of progress and it is anticipated that a report will be made to the Board in May 2018. The target to have all changes completed by the end of 2018 remains on course.

v. **DCLG responsibilities update**

**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.**

The DCLG has advised that it has held meetings with the Parliamentary Ombudsman to discuss the possibility of including ARB in the list of organisation it oversees. Details of what ARB actions or decisions may be lawfully covered by the Ombudsman remain unclear.

**5. Resource Implications**

There will be staff time and legal costs involved in implementing 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. The Section 14 Review will include an Equality Impact

Assessment on the current disciplinary regime and any proposed changes to it.

**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 ARB's progress. The DCLG normally attend each meeting to provide an update on the Periodic Review recommendations that fall to them to implement.