



Architects Registration Board

8 Weymouth Street  
London W1W 5BU

Telephone  
Facsimile  
e-mail  
website

020 7580 5861  
020 7435 5260  
info@arb.org.uk  
www.arb.org.uk

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# Electoral Scheme for the Election of Architect Members to the Architects Registration Board

**Electoral scheme for the election of architect members to the**

## **Architects Registration Board**

### **Interpretation**

In this scheme:

“the Act” means the Architects Act 1997

“ballot material” means the ballot papers, the internet voting website, the candidates’ election statements and the envelopes for the despatch and return of ballot papers

“candidate” is a person who has been validly nominated to stand for election to the Board

“architect” is an individual whose name appears in Part 1 of the Register of Architects

“election” means the procedure set out in this scheme for electing architects to the Board

“Register” means Part 1 of the Register of Architects established under the Act. It excludes any architect who is registered in Part 2 of the Register or in the list of visiting EEA architects

“Returning Officer” is the person appointed under paragraph 2.1 of this scheme

“the Registrar” is the person appointed by the Board as the Registrar of Architects

“election year” means any year in which the four-year term of office of elected Board members is due to expire

“working day” means a day other than a Saturday or Sunday

References to paragraphs are to the paragraphs of this scheme

References to a person shall be interpreted to include any individual, company, firm, association, agency, joint venture or partnership (whether or not they have a separate legal personality)

Any reference to the singular includes the plural, and vice versa.

<b>Contents</b>	<b>Page</b>
<b>Election timetable</b>	<b>3</b>
<b>Introduction</b>	<b>3</b>
<b>Paragraph 1 Elections and period of office</b>	<b>5</b>
<b>Paragraph 2 Returning Officer</b>	<b>5</b>
<b>Paragraph 3 Electoral roll</b>	<b>5</b>
<b>Paragraph 4 Notice of election</b>	<b>6</b>
<b>Paragraph 5 Nomination</b>	<b>6</b>
<b>Paragraph 6 Invalid nominations</b>	<b>8</b>
<b>Paragraph 7 Canvassing</b>	<b>8</b>
<b>Paragraph 8 Conduct of the election</b>	<b>9</b>
<b>Paragraph 9 Election system and count</b>	<b>10</b>
<b>Paragraph 10 Casual vacancies</b>	<b>11</b>
<b>Paragraph 11 Postal disruption</b>	<b>11</b>
<b>Appendix – Rules for counting votes</b>	<b>12</b>

## **Election timetable**

Notice of election	31 October in any year before an election year
Nomination period closes	Noon on 10 January in an election year
Electoral roll compiled	10 January in an election year
Despatch of ballot papers	1 February in an election year
Voting period	February to noon on 1 March in an election year
Results announced	By not later than 10 March in an election year

NB. Where any of the above dates fall on a Saturday or Sunday, the operative date will fall on the next working day.

## **Introduction**

The Board has to carry out its duties taking the public interest into account. This includes, but is not limited to, the interests of users of architects' services and architects. Board members are involved in making decisions which are likely to have an impact on the profession, and on the public more generally. They have a responsibility to act with integrity and in accordance with the Board's rules.

Candidates should read the booklet that accompanies this scheme, "Information for Prospective Board Members", which sets out in more detail what is expected of Board members.

## **1. Elections and period of office**

- 1.1 Seven architect members of the Board will be elected in accordance with this scheme. All seven will be elected simultaneously, and will retire simultaneously when their terms of office expire.
- 1.2 The period of office for Board members elected under this scheme is four years. The term of office begins on the first day of April immediately following the announcement of the result of the election at which the members were elected. It shall end on the last day of March four years later.
- 1.3 Elected members may stand as a candidate for a second consecutive four-year term. However, any member who has been elected for two consecutive terms of office may not stand again until at least four years have passed since they last held office.

## **2. Returning Officer**

- 2.1 The Registrar of Architects shall be the Returning Officer for the election, and is responsible for the conduct of the election in line with the terms of this scheme.
- 2.2 The Returning Officer shall appoint an independent body to supervise the conduct of the election. This independent body shall be responsible for printing and distributing the ballot material by the most appropriate and cost-effective method, and for counting the votes cast in line with this scheme. The Board shall provide the independent body with sufficient funds to carry out the functions described in this paragraph.
- 2.3 The Returning Officer shall appoint an independent body which he or she reasonably believes has the expertise, capacity and independence to carry out the functions described in paragraph 2.2 in a fair and competent manner.

## **3. Electoral roll**

- 3.1 On 10 January in any election year, the Returning Officer will ensure that an electoral roll is formed, consisting of the names and addresses of all architects on Part 1 of the Register on that date.
- 3.2 Any architect whose name is listed on that electoral roll is entitled to one vote in any election that takes place during the next 12 months. Individuals whose names do not appear on that roll are not entitled to vote, neither can they stand as a candidate in the relevant election, nor act as a supporter for any candidate standing for election.

#### **4. Notice of election**

- 4.1 The Returning Officer shall publish an election notice by the last working day of October in any year immediately before an election year.
- 4.2 The election notice will include the following:
- (a) the number of architects to be elected to the Board
  - (b) the address for obtaining a nomination paper
  - (c) the address for obtaining a copy of this electoral scheme
  - (d) the name and address of the Returning Officer (for submitting the completed nomination papers)
  - (e) the latest date for the Returning Officer to receive the nomination papers and election statements
  - (f) the date when the ballot material will be circulated
  - (g) the date for receiving votes for the candidates
  - (h) the name of the independent body responsible for printing, circulating and counting the ballot material
  - (i) the date for announcing the results of the election
  - (j) any other information that the Board considers appropriate.
- 4.3 The Returning Officer will ensure that the election notice is publicised appropriately so that voters are likely to be aware of the election process.

#### **5. Nomination**

- 5.1 Any architect is entitled to submit a nomination to stand as a candidate in the election. The nomination must be supported in writing by 10 other architects, whose names must be on the relevant electoral roll.
- 5.2 A candidate can live or work in the United Kingdom and overseas, but if they are elected, they will only be entitled to claim reasonable travel expenses to attend meetings commensurate with travel expenses incurred in the UK.
- 5.3 Nominations must be made on the nomination paper supplied by the Returning Officer, and shall state:

- (a) the candidate's full name and address
- (b) the candidate's title ( Mr/Mrs/Miss/Ms/Professor etc.)
- (c) post-nominal titles (eg. educational degrees, membership of professional organisations)
- (d) contact telephone number, fax, email and registered address
- (e) the candidate's registration number
- (f) the candidate's current appointment or professional field of practice
- (g) the names and addresses of those architects supporting the nomination (a minimum of 10), together with their registration numbers and signatures
- (h) any other information that the Returning Officer may consider appropriate at the time.

5.4 The candidate shall sign the nomination paper to confirm that:

- (a) the information provided on the paper is correct;
- (b) they are willing to serve as a member of ARB's Board; and
- (c) they undertake to observe and comply with the Board's General Rules and the Board Members' Code of Practice.

A nomination will be invalid if it does not comply with the requirements in paragraphs 5.3 and 5.4 in any material respect.

5.5 The Returning Officer must receive completed nomination papers at the address given in the election notice by noon on 10 January in an election year. A nomination paper cannot be withdrawn after that time and date. Candidates should submit their nominations in good time, as any that are received outside that deadline will be invalid. Proof of posting shall not be taken as proof of receipt, but the Returning Officer will acknowledge receipt of all nominations as soon as they are received. Candidates who do not receive an acknowledgement of receipt within seven days of posting or before 9 January in an election year, whichever is sooner, should contact the Returning Officer without delay at the address given in the election notice.

5.6 Candidates are allowed to submit an election statement, along with a passport-size photograph if they wish, which will be circulated to all architects who are eligible to vote in the election in which the candidate is standing. In preparing their election statement, candidates are reminded that the Board has to discharge the functions and requirements of the Architects Act as it is written.

5.7 Election statements should not express views on the ability or integrity of other candidates. They must not be defamatory nor should they contain misleading statements.

5.8 Election statements must be written, legible and not exceed 250 words. Only statements submitted to the Returning Officer by noon on 10 January in an election year will be circulated. Candidates may submit their statements by email, by fax or by post.

5.9 The Returning Officer has the right to edit any election statement if it exceeds the permitted number of words or, in his or her opinion, it contains statements that are inaccurate or misleading, or it breaches any of the terms in paragraphs 5.6 to 5.8 above. The Returning Officer will invite the candidate to submit an amended statement. If the Returning Officer does not receive an acceptable statement by the deadline referred to in 5.8 above, he or she may instruct the independent body not to circulate any statement for the candidate.

## **6. Invalid nominations**

6.1 Where the Returning Officer considers that a nomination is not valid (because it is not in accordance either with this scheme, or the Board's rules or other legal requirements), he or she will notify the candidate immediately by telephone. The telephone call will be followed with written confirmation (either by email or letter), giving the candidate reasons why their nomination is invalid.

6.2 A candidate whose nomination has been ruled invalid may apply for a reconsideration of the Returning Officer's decision. The application must:

- (a) be in writing (email or post) ;
- (b) state the reason/s why the candidate believes the nomination should be accepted as valid; and
- (c) be received by the Returning Officer no more than seven clear days after 10 January in an election year.

The Returning Officer's decision on the application will be final.

## **7. Canvassing**

7.1 Canvassing by candidates is allowed under this scheme, within the following guidelines.

- (a) No canvassing is to take place until the ballot material has been circulated.
- (b) Material must comply with the terms of paragraph 5.7 above, and candidates must not knowingly allow the publication or distribution of material which does not comply with that paragraph.
- (c) Candidates must not offer any financial or other improper incentive to secure support.
- (d) Candidates must notify the Returning Officer immediately of any contribution to their expenses in excess of £100, together with the identity of the donor. The Returning Officer will publish details of all contributions on ARB's website.

In the event of any breach of this paragraph, the Returning Officer will ask the candidate to submit a written explanation. The Returning Officer may then, at his or her discretion, either require a candidate to remedy that breach if it is remediable, or disqualify the candidate, or take any other action that he or she sees as reasonable in the circumstances.

## 8. Conduct of the election

- 8.1 In line with paragraph 2.2 of this scheme, an independent body shall be responsible for printing and distributing the ballot material. Also in line with paragraph 2.2, the independent body is responsible for counting the votes cast, subject to the terms of paragraphs 8.2 to 9.6 of this scheme.
- 8.2 The independent body shall prepare the ballot material for the election, and shall print sufficient numbers of this material to distribute to architects on the electoral roll.
- 8.3 The ballot paper shall include the following:
- (a) the surnames of the candidates listed in random order;
  - (b) instructions on how to vote (both by post and online);
  - (c) the name and address of the independent body to which the ballot paper shall be returned; and
  - (d) the time and date when the votes must reach the independent body.
- 8.4 Each ballot paper shall be numbered sequentially for security purposes, and shall contain security codes for voters to gain access to the online voting site. The ballot is a secret ballot, and the serial number and security codes for the ballot papers issued to voters are not recorded.
- 8.5 Any architect on the electoral roll who has not received a voting paper, or who inadvertently spoils or destroys his or her voting paper, can request a replacement paper. The independent body will send a replacement voting paper, along with a form of undertaking for the architect to sign, stating that he/she will not submit more than one voting paper in the election.
- 8.6 In line with paragraph 5.6, the independent body shall prepare a document containing the candidates' election statements, and shall ensure that sufficient numbers are printed and distributed to everyone on the electoral roll.
- 8.7 By 1 February in an election year, the independent body shall send to each architect on the electoral roll:
- (a) a ballot paper prepared in line with paragraphs 8.3 and 8.4;
  - (b) a document containing the election statements (see paragraph 8.6), which will also be posted on ARB's website, together with any other information the Board may consider appropriate at the time;
  - (c) a pre-addressed envelope to the independent body for returning the voting paper; and
  - (d) instructions for voting online.

## 9. Election system and count

- 9.1 The election shall take place by the single transferable vote system described in the Appendix. The system is based on rules prepared by the Electoral Reform Society of Great Britain and Ireland.
- 9.2 Each voter shall have one single transferable vote. They will mark numbers against the names of candidates, either on the postal ballot paper or on the internet voting site, to indicate their order of preference for the candidates.
- 9.3 If voting by post, each voter shall place their completed ballot paper in the envelope provided, and post it so that it is received by the independent body no later than noon on 1 March in an election year, subject to the terms of paragraph 11. Internet voters must also cast their votes by no later than this time and date.
- 9.4 The independent body shall establish the validity of the votes cast after the last date for receiving votes, before conducting the election in line with the rules in the Appendix.
- 9.5 If a candidate dies, is disqualified or withdraws after the ballot papers have been circulated but before the count is completed, votes for that candidate shall be disregarded. If a candidate dies, is disqualified or withdraws after the count has been completed but before taking office, the candidate with the next highest number of votes shall be declared elected.
- 9.6 By no later than 10 March in an election year, the independent body shall provide the Returning Officer with a certified report containing the following information:
- (a) the total number of ballot papers distributed;
  - (b) the total number of votes received by post and internet;
  - (c) the total number of invalid votes received by post and internet; and
  - (d) the names of the candidates who have been elected.
- 9.7 The certified report shall be signed by an authorised officer of the independent body. It shall be accompanied by a result sheet, detailing the votes credited to each candidate at each stage of the election count.
- 9.8 The Returning Officer shall ensure that the election results are first notified to the candidates and Board members. The results will then be published on ARB's website, and issued as a news release. A detailed summary of the results will be available on request.

## **10. Casual vacancies**

A casual vacancy will be created where an elected Board member dies, resigns or ceases to be eligible to hold office before their term of office expires. The Board will fill a casual vacancy in line with the requirements of the Act. For elected members, this will usually, but not always, be the candidate who polled the next highest number of votes to the seven who were elected in the election. Any Board member who fills a casual vacancy will complete the original term of office, and be eligible for re-election or reappointment for a second consecutive term in the usual way.

## **11. Postal disruption**

If there is any disruption to postal or other communication services while the election is running, the Returning Officer has the discretion to extend the deadlines for returning nomination and/or ballot papers. Any change to the deadlines will be announced on ARB's website.

## Appendix

### Rules for counting votes Single Transferable System

#### 1. The first stage

- 1.1 The votes cast shall be sorted according to first preferences, any invalid papers being set aside.
- 1.2 The numbers of first preference votes for each candidate and the total number of valid votes shall be determined.
- 1.3 The quota for election shall be determined by dividing the total number of valid votes by one more than the number of places to be filled, the result being rounded up if not exact to the next whole number above.
- 1.4 Any candidate who is credited with a number of votes equal to or exceeding the quota shall be deemed to be elected, provided that the number of candidates deemed elected does not exceed the number of places to be filled.
- 1.5 This completes the first stage of the count.

#### 2. Subsequent stages

- 2.1 If one or more candidates have surpluses above the quota, and the total value of such surpluses, together with any votes in suspense, does not exceed the difference between:
  - (a) the number of votes credited to the candidate with the smallest number of votes and the number of votes credited to the candidate with the next smallest number of votes; or
  - (b) the total number of votes credited to the two or more candidates with the smallest number of votes and the number of votes credited to the candidate with the next smallest number of votes

the transfers of such surpluses shall be deferred.

- 2.2 Otherwise, if one or more candidates have surpluses, the largest surplus shall be transferred.
- 2.3 If the two or more candidates with the largest surpluses have equal surpluses, the surplus of the candidate who was credited with the largest number of votes at the earliest stage at which they had an unequal number of votes shall be transferred. If such two or more candidates have been credited with the same number of votes at all stages of the count, it shall be determined by lot which surplus to transfer.
- 2.4 If, after all surpluses have been transferred or deferred, one or more places remain to be filled, the candidate or candidates credited with the smallest number or numbers of votes shall be excluded.
- 2.5 The two or more candidates credited with the smallest numbers of votes shall be excluded together if the total number of votes of such two or more candidates together with the total of any deferred surpluses and any votes in suspense does not exceed the number of votes credited to the candidate with the smallest number of votes.
- 2.6 Otherwise, the candidate credited with the smallest number of votes shall be excluded if the number of votes of such candidate together with the total of any deferred surpluses and any votes in suspense does not exceed the number of votes credited to the candidate with the next smallest number of votes.
- 2.7 If the two or more candidates credited with the smallest number of votes are each credited with the same number of votes, then the candidate who had the smallest number of votes at the earliest stage at which they had an unequal number of votes shall be excluded. If such two or more candidates have been credited with the same number of votes at all stages of the count, then it shall be determined by lot which candidate to exclude.

### **3. Transfer of a surplus**

- 3.1 In the case of a surplus arising at the first stage, all the votes received by a candidate shall be examined.
- 3.2 In the case of a surplus arising at a later stage consequential on the transfer of another surplus or from the exclusion of a candidate or candidates, only the last parcel of votes, all of one value, which gave rise to the surplus, shall be examined.
- 3.3 The votes to be examined shall be sorted into sub-parcels according to next available preferences for continuing candidates, any papers on which no next available preference is expressed being set aside.

- 3.4 The number of votes in each sub-parcel, the total number of transferable votes, and the number of non-transferable votes shall be determined.
- 3.5 If the present total value of the transferable votes exceeds the surplus, the transfer value of each vote shall be determined by dividing the surplus by the number of transferable votes to two decimal places. The votes shall be marked with the new transfer value. Otherwise the transfer value of each vote is its present value.
- 3.6 Each continuing candidate shall be credited with the value of any votes received, and any non-transferable difference between the total value of such votes and the surplus shall be added to the previous non-transferable total.
- 3.7 Any candidate who is now credited with a number of votes equal to or exceeding:
- (a) the quota; or
  - (b) the sum divided by one more than the number of places remaining to be filled of the votes credited to continuing candidates, any votes in suspense, and any untransferred surpluses

shall be deemed to be elected, provided that the number of candidates deemed elected does not exceed the number of places to be filled.

- 3.8 The transfer of a surplus constitutes a further stage in the count.

#### **4. Exclusion of a candidate or candidates**

- 4.1 The votes for the excluded candidate or candidates, together with any votes held in suspense, shall be arranged in descending order of transfer value.
- 4.2 The parcel of votes of highest transfer value shall be sorted into sub-parcels according to next available preferences for continuing candidates, any votes on which no next available preference is expressed being set aside.
- 4.3 The number and value of votes in each sub-parcel, and the number and value of non-transferable votes, shall be determined.
- 4.4 Each continuing candidate shall be credited with the value of any votes received, and the value of any non-transferable votes shall be added to the previous non-transferable total.
- 4.5 Any candidate who is now credited with a number of votes equal to or exceeding:
- (a) the quota; or

- (b) the sum divided by one more than the number of places remaining to be filled, of the votes credited to continuing candidates the value of any parcels of votes not yet transferred, and any untransferred surpluses

shall be deemed to be elected, provided that the number of candidates deemed elected does not exceed the number of places to be filled.

- 4.6 Any remaining parcels of votes shall be sorted and transferred in turn in descending order of transfer value in the same way, and candidates deemed elected where appropriate.
- 4.7 After the transfer of a parcel of votes of any one value, if the total value of the remaining votes of lower value does not exceed the difference between:
  - (a) the number of votes credited to the candidate with the smallest number of votes and the number of votes credited to the candidate with the next smallest number of votes; or
  - (b) the total number of votes credited to the two or more candidates with the smallest number of votes and the number of votes credited to the candidate with the next smallest number of votes

the transfer of the remaining parcels of votes may be deferred and their value held in suspense.

- 4.8 The exclusion of a candidate or candidates constitutes a further stage in the count.

## **5. Filling the last vacancies**

- 5.1 If at any stage, as the result of the proposed exclusion of one or more candidates the number of continuing candidates would be equal to the number of places remaining to be filled, such continuing candidates shall be deemed to be elected.
- 5.2 If at any stage the number of candidates deemed to be elected is equal to the number of places to be filled, no further transfers of votes shall be made, and the remaining continuing candidate(s) shall be formally excluded.
- 5.3 The count is now complete.