



Subject	Amendments to ARB's Election Scheme		
Status	Open Session		
Purpose	For Decision		
From	Emma Matthews		
History	Parent Committee	First Submitted	Revision Number
	N/A	14 May 2015	1

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1. Purpose

To consider the amended Election Scheme and agree to issue it for consultation.

2. Recommendations

It is recommended that the Board:

- i. Agrees the amended Election Scheme in accordance with the suggested adjustments set out in [Annex A](#);
- ii. Agrees to issue the Scheme for consultation for a period of at least two weeks at a time to be agreed by the Department for Communities and Local Government; and
- iii. Notes that the details of any consultation responses will be brought back to the Board for consideration at its meeting of 16 July 2015, when the Board will be asked to finalise a revised version of the Election Scheme before it is sent to the Privy Council for approval.

3. Terms of Reference

Schedule 1 of the Architects Act 1997.

Rule 6 of the General Rules.

4. Open

5. Contribution to the Board's Purpose and Objectives

Consumers/clients and architects can be confident in the integrity of the election process.

6. Risk Implications

Schedule 1, Part 1 of the Act requires the Board to make an electoral scheme with the approval of the Privy Council and after consultation with bodies that the Board considers to be representative of architects. Changes to the legislation have meant that changes consequently need to be made to the electoral scheme. The scheme governs the election of

architect members to the Board, and the Board would therefore be in breach of its statutory responsibilities if it failed to comply with the Act's requirements. Failure to have a clear and robust election scheme may also cause reputational damage to ARB, and cause consumers/clients and architects to lack trust in ARB's governance arrangements. Reviewing and updating the electoral scheme periodically, will assist in mitigating these risks.

7. Key Points

- i. In February 2014, minor amendments to the Architects Act 1997 were made in relation to Board Members' tenureship.

The changes extend a Board Members' tenureship from three years to four years, and enable Board Members to serve two consecutive terms of four years, i.e., Board Members may therefore serve for a total of eight years as a member of the Board. The changes apply to both appointed and elected members of the Board. A copy of the statutory instrument relating to the change in legislation can be found on [ARB's website](#).

- ii. In mid-2014, the Board made adjustments to its General Rules so that they aligned with the revisions set out in the statutory instrument. It was noted at the time that changes to the electoral scheme would be made in time for the next architects' election. The formal election notice needs to be issued on 2 November 2015 in advance of the election which will be held in early 2016. Therefore the Election Scheme needs to be updated and approved for use before November 2015.
- iii. **Annex A** sets out, via tracked changes the amendments which need to be made to the electoral scheme as a result of the revisions set out in the statutory instrument and the corresponding General Rules in relation to this area. **Annex B** provides Board members with a clean copy of the adjusted electoral scheme.
- iv. A review of the remaining sections of the electoral scheme has been carried out by the Staff team and it is felt that the scheme remains up to date and appropriate. [Note: significant updates/revisions were made to the scheme in 2009/2010].
- v. The Board is asked to note that when it is establishing or updating the electoral scheme, the Architects Act 1997 requires that a revised draft of the scheme is published for consultation. The Act does not specify the method of publication nor the length of time any proposed updates should remain available when published. The Board may therefore determine this.

On the basis that the proposed amendments to the electoral scheme are minor in nature and are required due to a change in legislation, it is recommended that the Board agrees to make the draft of the revised General Rules available on its website for a period of at least two weeks. The details of any representations received will then be brought back to the Board for consideration at its meeting of 16 July 2015.

The Board is also reminded that ARB is subject to the DCLG's expectations regarding Purdah. If, for any reason, Purdah has not been concluded by the time of the Board meeting and continues, agreement to issue the consultation will need to be sought. The Board is therefore asked to agree that timing of the consultation remains flexible, and that in the event Purdah continues beyond 14 May 2015, Staff keep in touch with the DCLG to determine the best time at which to release the consultation. Provided the consultation is at least two weeks in duration, (see above), any responses could then still be considered by the Board at its July meeting.

8. Resource Implications

The consultation process will incur minimal costs as it will be conducted via email and ARB's website; ARB's social media channels will also be utilised to promote the consultation. ARB has budgeted for an election to take place in 2016.

9. Communication

ARB is reviewing its electoral scheme in preparation for the 2016 architects' election and in light of the recent changes which have been made to the Architects Act 1997 vis-à-vis Board members' tenure.

10. Equality and Diversity Implications

Reviewing the electoral scheme will ensure that it continues to remain up to date and fair for all those who wish to participate in the architects election in 2016. We will also gather information about and monitor the diversity of candidates who stand for election.