

## Minutes of Investigations Oversight Committee Meeting 12 February 2015

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Location	Present	In Attendance
8 Weymouth Street London W1W 5BU	Nabila Zulfiqar (Chair) Alex Wright Arun Singh (by telephone)	Simon Howard

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Note	Action
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### 1 Apologies

None

### 2 Minutes of previous meeting

The minutes from the meeting of 19 November 2014 were agreed subject to the correction of one typographical error.

All the actions from the previous meeting were noted as being complete.

#### Matters arising

SH reported to the IOC that Julian Weinberg had been elected as the new Chairman of the Professional Conduct Committee.

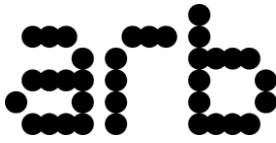
SH advised the IOC that in 2014 the average length of an entire case had been 48 weeks, or 65 weeks when including those cases adjourned at the request of the respondent.

Action: SH to provide the statistics of comparable regulators to provide context as to the current performance of ARB

### 3 Investigations Pool (IP) update

The IOC considered the minutes of the IP meeting on 9 December 2014, and its 2014 Annual Report.

The reasons for the referrals back to the IP under Rule 13 were noted by the Committee, which considered that the sharing of those reasons with the whole Investigations Pool to be a valuable learning tool.



It was suggested that future training for the IP should include the scope of the application of the Code of Conduct to conduct outside of the traditional sphere of architecture.

Action: AS to attend the IP meeting on 23 February 2015

Action: NZ to attend the IP meeting on 29 September 2015

#### 4 Professional Conduct Committee update

The IOC considered the recent PCC decisions, including two where a finding of 'no case to answer' had been made. One of those findings was as a result of a witness changing their evidence at the hearing, which is difficult to predict. However the IOC were of the view that the IP must carefully consider any decision in which 'no case to answer' is reached, so that it can ensure that it is applying the correct test of seriousness when making referrals to the Professional Conduct Committee.

SH reminded the IOC that 'no case to answer' decisions are rare, and these were the first since the formation of the Investigations Pool in 2013.

Action: SH to remind the IP of the need to apply the seriousness test to the allegations being considered

#### 5 Legal Challenge update

SH updated the IOC on any potential legal challenges or issues.

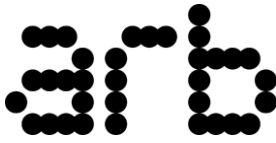
#### 6 KPIs

The IOC noted that February was too early in the year for any meaningful KPIs to be reported. SH advised that, to date, IP decisions are being made on time.

#### 7 Third Party Review Annual Report

The IOC noted the report of the Third Party Reviewers, and agreed that it was good practice to share the results of the reviews. It was noted that the reports provided to the Board and that provided to the Committee were different. This did not affect the discussion of the Committee.

Action: SH to clarify the reason for the difference between the two documents.



## 8 Periodic Review update

The IOC discussed the call for information from the DCLG in advance of the second complaints handling workshop. The IOC was of the view that the information so far produced by the DCLG was too detailed for the scope of the Review, which should be to consider the purpose, powers and accountability of a regulator.

The IOC made comments and contributions to the draft submissions to be made to the Review.

Action: SH to include suggestions of the IOC in ARB's submission to the DCLG

The IOC agreed that it would be inefficient to undertake a full scale review of how ARB fulfils its obligations to investigate allegations under s14 of the Act while the Periodic Review is on-going, but in light of the fact that no legislative changes are imminent, considered that there is some merit in further work being undertaken to ascertain whether ARB's current procedures are aligned to best practice.

## 9 AOB

The IOC noted the results of the Board survey on committee effectiveness, particularly in relation to the information provided to the Board by the IOC. It resolved to provide as much information as possible in the IOC's Annual Report, in July 2015.

The IOC was unclear as to what decision making powers it holds under the Scheme of Decision Making, and resolved to discuss this at a future meeting.

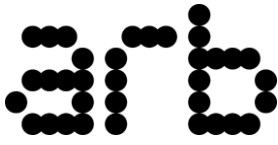
Action: IOC to consider the Scheme of Decision making at its June 2015 meeting

The IOC members discussed what development they need in order to remain an effective Committee. It was agreed that they need to remain updated on best practice within regulation, so that they can advise the Board accordingly.

Action: SH to bring further information on best practice to future IOC meetings, including the latest report from the Professional Standards Authority

Action: IOC to consider what further training might be of use to IOC in their role as Committee members

There being no further business, the meeting closed at 3pm



Note

Action

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The dates of the next IOC meetings in 2015 are:

4 June at 2.15pm

7 October at 3.30pm