



Subject Update on ARB's Operational Activities
Purpose For Note
From ARB's Staff Team

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1. Summary

To update the Board on ARB's operational activities since the last Board meeting.

2. Open/Confidential Session

Open session. Any confidential matters will be discussed in a separate report in the confidential session.

3. Contribution to the Board's Purpose and Objectives

In delivering the Act, ARB's objectives are:

Protect the users and potential users of architects' services, and support architects through Regulation. ARB's Operational Activities Report keeps the Board informed of activities which ensure that ARB meets its purpose and objectives, its statement of priorities and delivers against the Business Plan.

4. Key Points

Stakeholder Relations

Joint Regulators Web Group

On 15 March 2018 our Communications Lead attended a group meeting for communication personnel from similar regulatory organisations. The group provides a forum for sharing best practice and includes representatives from the General Optical Council, General Dental Council, Health & Care Professions Council, Pharmaceutical Society of Northern Ireland, Solicitors Regulation Authority and the Royal College of Veterinary Surgeons. The meeting provided a useful opportunity to discuss effective methods of communication within a regulatory setting as well as to share approaches to General Data Protection Regulation preparation.

Research

We have engaged with colleagues in the field to ensure we have a strong understanding of how to get the most useful outcomes from the research we commission into our stakeholder relationships. This insight will be used to develop a clear and aligned project scope to inform proposal requests.

Youth Employment UK

We held an informative telephone meeting with Youth Employment UK (a non-profit organisation dedicated to tackling youth unemployment) in response to their request from to share information about the work of our organisations and explore opportunities for collaborative working. We each agreed to think about what joint working might be possible based on our respective roles.

TrustMark and the Chartered Trading Standards Institute

We met with Simon Ayers, the Chief Executive Officer of TrustMark, and Leon Livermore, the Chief Executive of the Chartered Trading Standards Institute (CTSI) to discuss opportunities for aligned or collaborative working as well as share updates on each organisation's areas of work. We agreed to hold further discussions to identify specific actions to pursue, particularly around consumer awareness.

Trading Standards Officers

We have reached out to Trading Standards to explore whether there would be any interest or benefits in sharing information about the prosecutions brought against those holding themselves out to be architects with local trading standards officers (TSOs), as we understand there may be overlapping interests. This information is already in the public domain but we considered it might be useful to circulate to TSOs more directly in order to raise awareness of ARB within Trading Standards and those they work with, as well as potentially supporting enforcement activity TSOs may conduct against the same individual.

UK's Departure from the EU discussions

We have put together an internal team to focus on identifying the risks associated with the UK's departure from the EU and the impact that this will have on ARB's work. The team will also assist with the development of and implementation of any new policies and processes as required. The team has been holding high level discussions with other organisations to share information and to establish what others are doing to prepare for the UK's departure from the EU. We are using these learning opportunities to facilitate and inform our own planning. To date we have held discussions with representatives from OfCom, the Royal Town Planning Institute and the Proprietary Association of Great Britain. We are also planning on meeting with representatives of the General Medical Council as well as other professional regulatory bodies. We have also reviewed and updated our Frequently Asked Questions, which have now been published on our website. We are also in the process of scrutinising the Government's published Withdrawal Agreement to determine what effect this may have on the Architects Act 1997. We will continue to provide regular and timely updates to the Board as matters become clearer over the remainder of the year/into 2019.

Hackitt Review

An independent Review of Building Regulations and Fire Safety is being led by Dame Judith Hackitt. Its purpose is to make recommendations that will ensure the UK has a sufficiently robust regulatory system for the future and provide further assurance to residents that the complete system is working to ensure the buildings they live in are safe and remain so. The Review has been examining the building and fire safety regulatory system, with a focus on high-rise residential buildings.

On 17 April, the Registrar, Head of Qualifications and Governance and the Investigations Manager met with a member of the Hackitt Review team. The purpose of the meeting was two-fold; it enabled the Review team to update us on the background to the Review and about relevant progress to date. The meeting was also used for us to provide factual information about ARB, its responsibilities, in particular information on ARB's role in setting the standards for entry to the profession, ARB's current policy on competence and where the organisation fits within the wider regulatory landscape. The final report of the Review is expected later in the Spring. We will continue to monitor the output of the Review and update the Board once the Review Report has been published.

Apprenticeships

On the 2 March 2018, the Architecture Trailblazer Group, the group of employers that are developing the documents to support the architect and architectural assistant apprenticeship schemes, confirmed that the Architect Apprenticeship (level 7) End Point Assessment (EPA) had been approved by the Institute of Apprenticeships (IfA) subject to conditions and that the Standards were moving forward to their final approval stage.

On the 5 March 2018 staff attended a meeting of the Trailblazer Group. It was confirmed that the Group was in the process of addressing the conditions attached to the approval EPAs. The Group expected the final approval of the Standards in April 2018 and the EPAs in May 2018

The Qualifications Team have met with three institutions which are interested in establishing the academic provision within the apprenticeship framework and will have met with others before the Board meets. We will be using the information we gather from these meetings to determine the scale of the changes that the relevant institutions need to make to their existing prescribed qualifications and the likely impact this will have on our workload. In the interim we are working on developing some guidance for institutions and will be preparing a briefing in relation to its consideration of course changes/applications for prescription involving apprenticeship provision.

Regular contact with the Trailblazer Group and review of draft documents will assist with ensuring that any potential apprenticeship provision will satisfy the Board's requirements for prescription.

Standing Conference of Heads of Schools of Architecture

We were invited to and presented at the most recent SCHOSA Meeting in late April. We were able to provide SCHOSA members with updates on the work we have been undertaking in connection with the business as usual reviews of the Criteria and our Procedures for the Prescription of Qualifications; how we have been preparing for the UK's departure from the EU and key messages about our requirements regarding the development of the qualifications that will sit within the apprenticeships framework. In respect of the Criteria and Procedures reviews, we reiterated our commitment to ensuring that we would liaise with SCHOSA, as well as other key stakeholders, when we have developed drafts of the revised documents and before these are initially considered by the Board.

6. Mutual Recognition Agreements (MRAs)

European Level MRAs

The Architects Council of Europe (ACE) and the Canadian Architects Licensing Authorities signed a profession to profession level mutual recognition agreement in late April 2018. Once formally recommended and agreed by the Mutual Recognition (MRA) Agreement Committee of the Canada-EU Comprehensive Economic Trade Agreement, this agreement will facilitate the movement of architects between both jurisdictions. We have updated the Ministry of Housing Communities and Local Government on the latest developments and have been providing regular updates to the Ministry and other relevant Government Departments throughout the discussions about the agreement. Currently we are unable to implement the agreement as this will require changes to our legislation. It is likely that our legislation will not be adjusted until the MRA Committee has considered and agreed the mutual recognition agreement. The timings of the MRA Committee's consideration of the agreement are as yet unknown.

Discussions with the Australian Accreditation Council for Architects (AACA), the New Zealand Registered Architects Board (NZRAB) and the National Council of Architectural Registration Boards (NCARB)

Discussions with the AACA and NZRAB are continuing. After a high level review of a series of mapping documents which looked at our registration, prescription and Criteria requirements against the equivalent requirements for Australia and New Zealand, we have sent some initial feedback to the AACA on these. We are then likely to progress to reviewing one another's documentation at a deeper level over the coming months, and will appoint up to two additional expert advisers to assist us with this work. We are also due to meet with the Chief Executive of the AACA in late June to discuss matters and next steps further.

Our discussions with NCARB in the USA are continuing. There has been a change in personnel at NCARB and we held an initial conversation with our new contact there in March 2018. We had been invited to attend NCARB's Annual Meeting, but have indicated that attendance at next year's event would be more productive and once we have had more of an opportunity to discuss our respective registration and prescription processes in more detail. We have plans to hold a telephone conference in the early Summer and may meet in the Autumn to further our discussions.

7. Europe

Architects Council of Europe (ACE)

We attended the ACE General Assembly in late April 2019. At this meeting, RIBA put forward a motion to seek support from the rest of the ACE's membership to actively support the continuation of the Professional Qualifications Directive and raised the issue of member organisations maintaining close contact after the UK's departure from the EU at a special Pecha Kucha session. The agreement between ACE and Canadian Architects Licensing Authorities referenced above was also signed at the end of this meeting – see above.

8. General Data Protection Regulations (GDPR)

GDPR comes into force on 25 May 2018, imposing new obligations on ARB as to how it deals with individuals' personal data. We have a project plan in place to ensure compliance with the Regulations, which has been created in conjunction with the Knowledge and Information Access team at MHCLG.

While updated guidance continues to emanate from the Information Commissioner's Office on its expectations of organisations, we remain confident that ARB is in a good position to meet the Data Protection principles contained within GDPR.

The Audit Committee is provided with an update at each of its meetings, and there will be an audit of ARB's processes later in the year to ensure they remain appropriate.

We will issue a note to the Board prior to the implementation GDPR setting out the general impact of the Regulations on ARB, and explaining any changes to how you may deal with information you hold as Board members.

9. Communicating ARB's work

As always we continue to use a range of communications tools to support the functions of ARB.

Publications

In April 2018 two articles we were involved in were published. A joint article from our Chair and the President of RIBA was published in the RIBA Journal expressing our commitment to effective and collaborative working in the public interest. As agreed at the February Board meeting, an information piece explaining ARB's role in protecting the title was published in the April edition of the Magistrates Associations bi-monthly magazine, which is circulated to over 16,000 magistrates in England and Wales. The intention for the piece was to provide useful context to magistrates should they come across a case brought under Section 20 of the Architects Act.

Reporting

We have established monthly reports tracking effectiveness of our outputs across our websites and social media platforms. In addition to our mid-year and year-end reviews it is hoped that these regular reports will provide up to date feedback on performance compared with the previous month. The reports will provide greater insights as the history of data builds but useful feedback has already come to light, such as 200% increase in unique visits to the webpage encouraging institutions to download the ARB logo in March 2018 compared with February 2018. It also revealed our social media audience has increased across all our platforms despite a decrease in our number of posts. It is hoped that these reports will help us be more responsive to effective or ineffective social media practices and refine our output on an ongoing basis.

Social media

The internal process by which we generate and schedule content has been refined and our messaging has been refocussed to ensure we make the relevance as clear as possible to our various stakeholders.

eBulletin

The latest eBulletin was published on 22 February 2018 and well received by readers. We actively track the interest in the first week following publication. The most popular article, on the record penalty issued for misuse of title, generated 780 unique views and is the third most popular eBulletin article at this measurement point since 2015 when we began tracking this data. The Dear Architect column, which focused on appropriate ways to highlight your registered status, was also well read with over 400 unique views at the measurement point. To increase views in the short term we are requesting feedback on what our content should be in social media posts, in the longer term we intend to use the findings of the stakeholder research to inform how we engage with architects.

In addition to serving as a point of contact to our registrants the eBulletin is a cost effective way of ensuring the Register is kept up to date and to encourage a self-service approach. The eBulletin email is designed so that architects contact details feature prominently at the top of the message together with a click through option to update this information. We received 365 contact detail updates in the week immediately after the eBulletin was sent out compared to the 70 in the previous week.

Exhibitions

ARB hosted a stand at the National Homebuilding and Renovation Show in Birmingham between 22 and 25 March 2018. Information on the Register and guidance on meeting an architect for the first time was given to visitors to the stand and our attendance was promoted through social media. The aim of these shows is to raise the profile of the Register and make consumers/potential clients of architects more aware of who we are and what we do. We received a very positive response from members of the public about our 'Meeting your Architect' forms. We were also visited by architects and students who welcomed our attendance at this event. We had questions on a whole range of subjects including the extent of our regulatory role; how to find an architect and what to do when things go wrong. We were able to advise consumers and clients and refer them to resources and key contacts.

10. Administration of the Register and Organisational Efficiency

Numbers on Register

On 31 December 2017, the Register stood at 39,988. Following the removal of 1202 architects for non-payment of the fee, in January 2018, the Register stands at 40,128.

Prescribed Examination Review

In line with the agreed 2018 Business Plan, we are commencing a 'business as usual' review of the Procedures for the Prescribed Examination ('the exam'). The scope of the review was established as:

- Explore whether the procedures remain fit for purpose following completion of the Criteria/Procedure reviews
- Explore whether the eligibility requirements remain fit for purpose
- Explore whether the process is efficient and robust in offering assurance that those who pass the exam have equivalent competence to an architect undertaking an ARB prescribed

qualification at the appropriate level

Any revised or updated procedures for 'the exam' should enable the Board to:

- Continue to discharge its functions under Section 4(1)(a) and 4(1)(b) of the Architects Act 1997 ('the Act'); and
- Ensure that 'the exam' process supports the admission of competent individuals to the Register, in that individuals given 'equivalence' to Part 1 or Part 2 through 'the exam' have demonstrated that they are competent against all of the Criteria and to the required level.

A further objective is to ensure that processes are streamlined insofar as is possible, but that achieving this does not come at the expense of ARB discharging its functions under Section 4(1)(a) and 4(1)(b).

We have opted to commence the exploratory stages of the Prescribed Examination review whilst the business as usual reviews of the Criteria and Procedures for the Prescription of Qualifications reviews remain ongoing. We will however ensure that the eventual outcomes of the review are aligned with the outcome of the other two reviews.

We will be considering eligibility for the prescribed examination, but only insofar as it does not destabilise ARB's current position that equivalence is measured through holding an equivalent qualification to those prescribed by ARB. A paper went to the Board in November 2016 explaining that to review eligibility for the prescribed exam in isolation from the wider review of routes to registration would potentially destabilise current routes to the Register to an extent that would impact on our commitment to hold off on reviewing our routes to registration until further notice from MHCLG.

We will be conducting a pre-consultation process in May/June 2018 and appointing a task and finish group similar to that appointed for the business as usual reviews of the Criteria and Procedures for Prescription. We intend for this group to be made up of at least two individuals with experience as an examiner or independent examiner, one individual with experience as an exam candidate, and a non-architect member with experience of an equivalent process at another regulatory body or higher education institution.

We intend to bring the review outcomes to the Board in November 2018, before going out for consultation in the period immediately after the Board meeting.

Systems improvements

We reported at the February Board meeting that we had introduced a new email management system. In the first quarter of 2018, 3,279 email conversations were logged. The five most popular subjects were categorized as 'Change of address' (351), 'Reinstatement' (347), 'Prescribed Exam' (322), EU applications (225), and General Query (197). The average time for responses to emails across the team was one working day.

Work continues to implement software developed to store and process passlists electronically and pending the successful integration of software improvements, we will be piloting the system using live applications in the second quarter of 2018. Greenwich University will be assisting with the pilot as an external user of the system, which will see

schools directly upload their passlists to ARB's system. The perceived benefits will be faster processing times, greater control of the title of prescribed awards being handed out to students, and the ability to structure the data and link specific qualifications to an individual's registration record. It is hoped that as the system is further developed, the conversion of the paper files into structured data which we have already undertaken, and the continued collection of passlists as structured data, will give us greater insight into the number of architects we anticipate registering with us year on year.

The audit and checks of our web pages continues. We have now checked over 70 pages related to registration matters to ensure content is clear and up to date and our prescribed exam pages have been reviewed by the Communications Lead to ensure our message is clear and accessible to all. We plan to have similar reviews by the Communications Lead of all pages on our routes to the Register.

Update on Removals from the Register for Non-Payment 2017

Following the removal of 1202 architects for non-payment on 4 January 2018, as of 16 April 2018, 616 architects had been re-entered on the Register (51%). A retention fee 'wash up' session took place in February 2018 and improvements suggested to our communications, processing of late bank payments, dealing with large companies, and training for staff.

In 2017, it was reported that work is also underway to identify those former registrants who were removed for non-payment in 2016 and 2017, to establish whether they are still using the title 'architect' in business or practice. The Professional Standards team identified 220 potential cases where there was a high risk of title misuse. As of 16 April 2018, only one case remains open as investigations continue. Professional Standards plan on running a similar exercise in 2018 to commence late April/early May.

A discussion paper will be brought to the this Board meeting so that ARB's policy on regulating the title 'architect' can be properly ventilated.

Section 11 Process

Section 11 of the Architects Act 1997 states that architects must provide us with a correct address for registration. To ensure the Register is accurate we attempt to contact architects with incorrect addresses and if unsuccessful, will ultimately remove them from the Register under Section 11 (for failing to provide correct contact information).

On 18 January 2018, we emailed 361 architects (355 in 2016) whose retention fee invoice was returned as the addressee was no longer at the address. On 24 January 2018 we wrote to 200 architects who still had not updated their contact details to begin formal proceedings. 150 of those architects still have not contacted us or updated their address. A second letter will be sent out to them on 24 July 2018.

We wrote to 204 architects in 2017 with 14 eventually being removed on 24 October 2017.

Section 3 of the Architects Act states that the Register should include the regular business address of each registered person. Writing out to architects whose post is returned and eventually removing those who do not engage with us from the Register, helps us ensure that the Register is accurate. We are careful to remind architects that we engage with of their responsibilities as professionals whilst remaining polite in our communications.

Registration EU matters

We are monitoring the number of architects with EU nationality or qualifications entering and leaving the Register. At February's Board meeting we reported that the number of architects registering through the EU route was approximately 23% lower in 2017 than in 2016 (1232 in 2016 to 945 in 2017).

We also reported that there was a marginal increase in EU qualified architects resigning from the Register in 2017. In 2016, 28% of resigning architects were of EU nationality (other than UK) against 33% in 2017. We also reported that in 2017, 32% of architects removed from the Register for non-payment were of EU nationality (other than UK) against 30% in 2016.

Only six architects have resigned from the Register between 1 January and 31 March 2018 in total, meaning there is no meaningful data to assess whether the trend is developing.

The number registering from the EU continues to be lower than in 2016 and early 2017, with only 208 applications being processed via the EU route in quarter one of 2018, against 312 and 317 in 2016 and 2017 respectively. This is a 34% drop from 2017 to 2018.

The number of certificates being issued (which would potentially enable a UK architect to register in Europe) has increased since 2017, with 54 being issued in the first quarter of 2018, against 35 in the first quarter of 2017. The figure for the first quarter of 2018 is double that of 2016, where only 27 were issued in the first quarter.

11. Committee Meetings held since the February Board Meeting

13 February 2018 – Investigations Oversight Committee

14 March 2018 – Audit Committee

1 March 2018 – Prescription Committee

28 March 2018 – Prescription Committee

5 – 6 April 2018 – Professional Conduct Committee

16 April 2018 – Professional Conduct Committee

23 – 26 April 2018 – Professional Conduct Committee

30 April 2018 – Professional Conduct Committee

1 – 4 May 2018 – Professional Conduct Committee

12. Future Meetings and Events

14 – 17 May 2018 – Professional Conduct Committee

17 May 2018 – Prescription Committee

18 May 2018 – Remuneration Committee

5 – 7 June 2018 – Professional Conduct Committee

8 June 2018 – Investigations Oversight Committee

12 June 2018 – Professional Conduct Committee

15 June 2018 – Audit Committee

19 – 21 June 2018 – Professional Conduct Committee

21 June – Prescription Committee

2 – 4 July 2018 – Professional Conduct Committee

13. Resource Implications

Only as identified in the paper.

14. Risk Implications

ARB's Operational Activities Report provides the Board with an update on business activities, progress against the Business Plan, as well as highlighting any emerging risks which may impact on delivery.

15. Communication

The update on ARB's operational activities, updates the Board on ARB's work and any risks which may prevent the delivery of ARB's operations.

16. Equality and Diversity Implications

In relation to the Criteria and Procedures reviews outlined above, we have undertaken an initial Equality Impact Assessment and will carry out a further impact assessment once the revised documents have been drafted.

Further work has been undertaken in Registration to ensure our web pages accessible to everyone who might need to use them and will be drawing on the feedback we receive to measure our success and inform our improvements.

Meetings held with the Youth Unemployment UK is part of a wider agenda for ARB to test itself as an inclusive employer and one that promotes equality and diversity in all facets of its work.

The work we are set to undertake to revise the Prescribed Examination process will be subject to a full equality impact assessment in due course.

17. Further Actions

These are referred to within the key points set out above.