

Architects Registration Board Scheme of Decision Making

Annex A

The Scheme of Decision Making provides an up-to-date list of decisions made by the Board, Committees and staff.

Item	Action	Level of Authority	Narrative	Reason for Proposed Change
Financial Matters				
1.	Approval of annual financial statements	Board	The statements are reviewed by the Audit Committee and then submitted to the Board for approval.	
2.	Agree any negative variance from the Board's minimum reserves policy (other than when this arises due to timing issues)	Board	In the event that the reserves held were going to drop below the agreed policy (other than for timing issues for which a plan would be put in place to build the level of reserves back to the agreed limit), the Board would need to agree the variance to its reserves policy.	
3.	Approval of the annual budget, including capital expenditure	Board	The annual budget (covering Jan – Dec) is submitted to the Board for approval in September of the preceding year, following the Board budget briefing session.	
4.	Remuneration of travel and subsistence for Board members, panel members and advisers	Board	Remuneration Committee make recommendations to the Board for approval of the travel and subsistence levels on an annual basis.	
5.	Registrar's expenses	Authorised by the Chair, reconciled by the Financial Controller <u>Head of Finance and Resources</u>	All expenses of the Registrar are approved by the Chair of the Board.	To reflect current job titles.

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6.	Board members attendance allowance, travel and subsistence claims	Authorised by the <u>Registrar or one of the following members of the Operational Management Group: Head of Professional Standards, or Head of qualifications and Governance or Head of Registration</u> and Chair, reconciled by the <u>Head of Finance and Resources. Financial Controller.</u>	All expenses must be approved by an authorised member of the OMG. The Chair of the Board has oversight of all Board members expenses.	To explicitly state who within the Operational Management Group has authority, as suggested by Grant Thornton.
7.	Setting of the scope and nature of the annual external audit	Audit Committee	The Audit Committee agrees the scope of the external audit, normally at a Committee meeting or by write round.	
8.	Chair's attendance allowance, travel and subsistence claims	Authorised by the Registrar, reconciled by the <u>Finance Controller-Head of Finance and Resources</u>	The Registrar authorises payment of the Chair's expenses and attendance allowance claims in line with the policy on travel and subsistence.	To reflect current job titles.
9.	Transfers between budget headings	Registrar	The Board sets the overall budget. This authority allows the Registrar to move funds between budget headings.	
10.	Additional capital and revenue expenditure not within budget (up to £30,000) or where savings have been identified within the operational budget. To execute appropriate accounting treatment/adjustments as required to comply with relevant accounting standards	Registrar	The Registrar can spend up to an additional £30,000 or capital on revenue expenditure. The Board is updated on any such spend via the management accounts.	
Item	Action	Level of Authority	Narrative	Reason for proposed change
11.	Bank Payments	Bank mandate authorised signatories agreed by the Board. Bank signatories are the Registrar (no limit), and the	Enables bank payments to be authorised in line with the	To explicitly state which members of the Operational

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		<p><u>following members of the</u> Operational Management Group (up to £9,999.99p), <u>Head of Professional Standards, Head of Qualifications and Governance and Head of Registration.</u></p> <p>In the event of an emergency, or in the absence of the Registrar, members of the Operational Management Group will be authorised signatories with a limit of £100,000. Upon return, the Registrar will review and countersign all payments made by the Operational Management Group for clarification and transparency. Any instances of this policy must be reported to the Audit Committee.</p> <p>All payments, irrelevant of amount, require two authorised signatures.</p>	Bank Mandate, as agreed by the Board.	Management Group has authority, as suggested by Grant Thornton.
12.	Removal of Assets from the Asset Register	Registrar	A full Asset Register is kept; all disposals have to be authorised by the Registrar.	
13.	Payroll authorisation	Financial Controller <u>Head of Finance and Resources</u> and the Registrar authorise the payments.	Payroll payments are made in adherence to the internal controls. No payments can be made without the Head of Finance and Resources and the Registrar.	To reflect current job titles.
14.	To control the operation of the Board's bank accounts and authorised signatories	Any two signatories in line with item 11.	All bank payments require two signatures, in line with the Board agreed Bank Mandate.	
15.	Transfer of funds between ARB's bank accounts	Financial Controller <u>Head of Finance and Resources</u>	The Head of Finance and Resources is able to transfer fund between the organisations bank accounts.	To reflect current job titles.
16.	Net Expenditure which will exceed the annual	Board	Variances are	

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	budget		explained/reported as part of the management accounts. If the additional expenditure exceeds £30k then approval is sort from the Board prior to the spend occurring.	
17.	Petty cash advances	Financial Controller <u>Head of Finance and Resources</u>	Petty cash of £500 is held onsite with payments authorised by the Head of Finance and Resources.	To reflect current job titles.
Item	Action	Level of Authority	Narrative	Reason for proposed change
18.	Floats for Board members and staff	Financial controller <u>Head of Finance and Resources</u>	The Head of Finance and Resources is authorised to agree advance funds for out of pocket expenses for Board members and staff, if required for ARB business.	To reflect current job titles.
19.	Budget heading expenditure	<u>Registrar, Head of Professional Standards, Head of Qualifications and Governance and Head of Registration</u> Members of the Operational Management Group in line with internal controls.	The Registrar and specific members of OMG are authorised to spend funds within specific budget headings.	To explicitly state which members of the Operational Management Group has authority, as suggested by Grant Thornton.
20.	Approval of panel members and advisors' attendance allowance, travel and subsistence claims	<u>Registrar, Head of Professional Standards, Head of Qualifications and Governance and Head of Registration</u> Members of the Operational Management Group in line with internal controls.	The Registrar and specific members of OMG are required to authorise the payment of claims.	

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21.	Authorisation of staff travel and subsistence	Registrar, Head of Professional Standards, Head of Qualifications and Governance and Head of Registration Members of the Operational Management Group in line with internal controls.	The Registrar and specific members of OMG are required to authorise the payment of claims.	To explicitly state which members of the Operational Management Group has authority, as suggested by Grant Thornton.
Contracts				
22.	Approval of tenders and contracts over £100,000.	Board	Any contract with a value of £100k per annum will be approved by the Board.	
23.	Signing leases over £50,000 per annum	Registrar with Board approval	Any lease over £50k per annum requires the Registrar and the Board signatures.	
24.	Signing leases below £50,000 per annum	Registrar	Any lease under £50k per annum requires the Registrar's signature.	
25.	Maintenance contracts	Registrar or Financial Controller <u>Head of Finance and Resources</u>	Any maintenance contract requires the signature of the Registrar or the Head of Finance and Resources.	To reflect current job titles.
26.	Approval of tenders and contracts under £100,000	Registrar and <u>one member of the following</u> job holders: Head of Professional Standards, Head of Qualifications and Governance, Head of Registration, a member of the Operational Management Group	Any contract under £100,000 per annum must be authorised by the Registrar and a specified job holder from the OMG, in line with the organisation's	To explicitly state which members of the Operational Management Group has authority, as suggested by Grant Thornton.

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Item	Action	Level of Authority	Narrative	Reason for proposed change
			procurement policy.	
27.	Insurance Policy cover	Registrar	All insurance policies must be agreed by the Registrar.	
Staff				
28.	Appointment of Registrar	Board	The Board appoints the Registrar. The MHCLG/ARB Framework Agreement requires the Board to consult with the MHCLG before appointing.	
29.	Dismissal and suspension of Registrar	Board	The Board in line with the Staff Handbook can authorise the dismissal or suspension of the Registrar.	
30.	To review and agree requests for new posts	Board	The Board authorises any increase to the permanent headcount.	
31.	Annual salary increments	Remuneration Committee	The Remuneration Committee, in line with their Terms of Reference, agrees any annual percentage salary increase given to ARB staff.	
32.	Principle and policies governing pay and reward of staff	Remuneration Committee	The Remuneration Committee, in line with their Terms of Reference, review and agree the principles and	

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			policies in relation to pay and reward for ARB staff.	
33.	Pay and reward package of Registrar and Deputy Registrar	Remuneration Committee	The Remuneration Committee, in line with their Terms of Reference, set the pay and reward of the Registrar and the Deputy Registrar (if applicable).	The words (if applicable) have been added to reflect current posts.
34.	To administer the Staff Benevolent Fund	Staff Benevolent Trustees <u>appointed by the Board</u>	Three members of the Board are appointed by the Board to administer the Fund in accordance with the Trust Deed.	Clarification added to reflect the appointment of the Trustees.
35.	Appointment of staff	Registrar	The Registrar appoints staff members. The Registrar cannot appoint permanent members of staff over the agreed permanent headcount (as agreed by the Board, see item 30).	
36.	Dismissal and suspension of staff	<u>Registrar</u> <u>A person authorised to undertake the role of a hearing officer, as specified in ARBs staff disciplinary procedures; however Registrar signoff required to:</u> <ul style="list-style-type: none"> • <u>Confirm suspension is proportionate based on preliminary enquiries</u> • <u>Confirm the procedure has been adhered to prior to dismissal</u> 	Process of suspension and dismissal carried out in accordance with ARB's staff disciplinary procedures.	Amendments made to ensure independent decisions can be made at the appeal stage.
Item	Action	Level of Authority	Narrative	Reason for proposed change
37.	Authorisation of unpaid leave for staff	Registrar	Any requests for unpaid leave have to be agreed by the	

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			Registrar.	
38.	Salary advances	Registrar	Any requests for salary advances have to be agreed by the Registrar.	
39.	Ex-gratia payments, bonuses and exceptional salary increases of staff	Registrar	Any payments made are awarded by the Registrar and reported to the Remuneration Committee as allowed for within the policies set by the Remuneration Committee.	
40.	Authorising season ticket loans	Financial Controller <u>Head of Finance and Resources (in the case of the Head of Finance and Resources, the Registrar)</u>	Requests for season ticket loans are authorised by the Head of Finance and Resources, except where the ticket is for the Head of Finance and Resources, whereby the Registrar will authorise the loan.	To reflect current job titles.
Procedures				
41.	Agreeing changes to the Board's Rules	Board	Any amendments to the Board's Rules have to be agreed by the Board, having undertaken public consultation where applicable.	
42.	Appointment to Committees	Board, on the advice of the Chair. Chair of Committees can appoint members if the terms of reference allow co-opting or adding to group	Appointments to Committees are made by the Board, unless the Committee's Term of Reference allow otherwise.	
43.	Appointment of Inquirers	Board	In line with the Investigation Rules, the Board appoints an	

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			individual to ARB's pool of Inquirers.	
44.	Appointment of Professional Conduct Committee Members	Board	The Architects Act 1997 specifies the Board will appoint the Professional Conduct Committee members.	
Item	Action	Level of Authority	Narrative	Reason for proposed change
45.	<u>Appointment of</u> Examiners / Independent Examiners	Board	The Prescribed Examination procedures specify the Board will appoint the Examiners and Independent Examiners.	'Appointment of' added to clarify position as recommended by Grant Thornton.
46.	Appointment of External Auditors and Advisers	Board	The Board, having considered the recommendation of the Audit Committee, appoints the organisations external auditors.	
47.	Prescribing qualifications	Board, after consultation with appropriate representative bodies	The Board, in line with its statutory responsibilities, specified in the Architects Act 1997, makes the decision to prescribe a qualification.	
48.	Approval of the Annual Business Plan and strategic aims	Board	The Board agrees the Business Plan and strategic aims.	

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49.	Setting of the retention fee and other fees	Board	In line with the Board's statutory responsibilities as specified in the Architects Act 1997, it sets the retention fee and other fees it has the power to charge for.	
50.	Strategy for investments	Board	The Board annually sets the Investment Strategy. The Board's Investment Broker then ensures ARB's investment portfolio aligns with the agreed strategy.	
51.	Review and agreement of Scheme of Decision Making	Board	Biennially the Board reviews and agrees the Scheme of Decision making.	
52.	Appointment of Professional Conduct Committee Chairs	Law Society nominates, Board appoints.	In line with the Board's statutory responsibilities, as specified in the Architects Act 1997, having received nominations from the Law Society, it appoints members to the Professional Conduct Committee.	
Item	Action	Level of Authority	Narrative	Reason for proposed change
53.	General Delegation	See General Rule 4 (iv). The Registrar, Chairman and other officers have (as far as is permitted by law) the delegated authority to act on behalf of the Board in implementing its policies, as expressly given by the Board or is desirable or	General delegation enabling the smooth running of the organisation's business in line with its General Rules, as	

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		necessary for the efficient operation of the Board's activities or as relates to matters customarily delegated to such persons.	agreed by the Board.	
54.	Appointment of Internal Auditors and other specialists to assist with the work of the Audit Committee	Audit Committee	In line with the Audit Committee's Terms of Reference the Audit Committee, appoints the organisation's internal auditors and any other specialists it requires.	
55.	Penalty Orders (fines, suspensions, erasures)	Professional Conduct Committee	In line with the Architects Act 1997 the Professional Conduct Committee discharge its duties in this area.	
56.	Supervision and management of the Board's Business Plan	Registrar	The Registrar supervises and manages the organisations Business Plan with regular reports provided to the Board, including a midyear review of progress and an end of year report.	
57.	Responding to all legal challenges/judicial reviews	Registrar	The Registrar is responsible for ensuring all legal challenges are responded to.	

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58.	Prosecution in respect of title regulation issues	Registrar <u>Head of Professional Standards</u>	A judgment is made to decide whether the case meets to the stage test (evidential/public interest)	The level of authority has been amended to align with current practice.
59.	Investigation of complaints and conduct issues Decision of referring an allegation of UPC/SPI to an Investigations Panel	The investigation of potential conduct and competence issues is under the remit of the Registrar, together with referral to the Investigations committee <u>Registrar</u>	Authority given to the Registrar under the Investigations Rules.	Text updated to clarify action.
60.	<u>Appointment of Investigations Pool members</u>	<u>Board</u>	The Board appoints members of the Investigations Pool as specified in the Investigations Rules.	New item added to reflect current practice. Previously omitted.
601.	Referral to the Professional Conduct Committee in respect of a criminal conviction	Registrar	In accordance with the Investigation Rules, the Registrar must decide whether the criminal offence is one that is relevant to the fitness to practise as an architect	
Item	Action	Level of Authority	Narrative	Reason for proposed change
612.	Appointment of Board <u>solicitors/barristers for Professional Conduct Committee cases in relation to professional conduct matters</u>	Registrar	Solicitors/Barristers will be appointed through a tender process. Appointment on individual cases will be the decision of Head of Professional Standards.	Text updated to reflect current position and ensure the appointment of legal advisers for Title Regulation work is also covered.
623.	Appointment of Professional Conduct Committee	Registrar	In line with the Investigations	NOTE: this action is currently

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	Clerk		Rules, the Registrar appoints the Clerk.	the subject of a consultation as to whether Clerks should remain at all; so this section may have to be deleted from 2019. Amendments to the Scheme of Decision Making will be brought back to the Board.
643.	Appointment of solicitors/barristers and agents for title regulation cases	Registrar	Solicitors/barristers will be appointed through a tender process. Appointment on individual cases will be the decision of Head of Professional Standards	
645.	Instruction of Queen’s Counsel	Registrar	The Registrar authorises the procurement of Queen’s Counsel for legal opinion on matters of points of law.	
656.	Appointment of independent Stockbroker <u>Investment Broker</u>	Registrar <u>Board</u>	The Board re-appoint the Investment Broker on an annual basis, subject to satisfactory performance.	Text updated to reflect current practice. NOTE: this may require amendment once a decision is made on the management of investments and the role of the investment broker.
676.	Appointment of benefits advisors	Registrar	ARB uses the services of pension and staff benefits	

			advisors. The Registrar appoints the advisors. The performance of the pension advisor is considered by the Remuneration Committee on an annual basis.	
678.	Custody of Board's paper and authorising release	Registrar <u>Head of Professional Standards</u>	To ensure the appropriate release of Board papers and information the Head of Professional Standards release of requested information in accordance with FOI Data Protection Principles.	Amendment to reflect the new role of Data Controller as required by the General Data Protection Regulation.
689.	Sealing documents on behalf of ARB	Registrar	The Architects Act 1997 requires the Board to have a Common Seal.	
Item	Action	Level of Authority	Narrative	
6709.	The inclusion of ad hoc technical advisors to assist with projects/task and finish groups	Members of the Operational Management Group with agreement from the Registrar <u>with a member of the Operational Management Group (Head of Professional Standards, Head of Qualifications and Governance, Head of Registration or Head of Finance and Resources).</u>	To assist in the smooth running of the organisation the inclusion of ad hoc technical advisors may be required.	Text amended to reflect the membership of the Operational Management Group.
Registration Decisions				
701.	Decision not to Register or Register when Registrar decides it is not appropriate to take decision	Board	The Scheme of Decision Making reflects statutory responsibilities specified	

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	Entry on to the Register – Decision to Register	Registrar	within the Architects Act 1997.	
742.	Appeals: Part 1 of the Register	High Court	The appeals mechanism for applicants wishing to appeal a decision for entry to Part 1 of the Register is specified with the Architects Act 1997.	
723.	Appeals: Part 2 of the Register	County Court in the UK England, Wales and Northern Ireland or in Scotland, to the Sheriff.	The appeals mechanism for an applicant wishing to appeal a decision for entry onto Part 2 of the Register is specified within the Architects Act 1997.	Text amended to reflect the provision within the Architects Act 1997.
734.	Removal following failure to notify change of address procedure (Section 11 of the Act)	Registrar	Authority specified within the Architects Act 1997 to remove individuals on the Register who fail to keep their address up to date.	
745.	Removal from the Register for non-payment (Section 8 of the Act)	Registrar	Authority specified within the Architects Act 1997 to remove individuals who fail to make payment of the annual retention fee.	
756.	Removals from the Register (resignations, deaths etc.)	Registrar	Authority specified within the Architects Act 1997 to remove individuals who have passed away or who make a request to resign from the Register.	

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Item	Action	Level of Authority	Narrative	Reason for proposed change
767.	Reinstatement to the Register (Section 8 of the Act)	Registrar	Authority specified within the Architects Act 1997 to reinstate applicants to the Register.	
778.	Certificate of registered status	Registrar	Authority specified within the Architects Act 1997 to issue a certificate of registered status.	
789.	Recommendations of the Prescribed Examination panels for equivalence to Part 1 and Part 2	Registrar	Authority specified within the Prescribed Examination Procedures.	
7809.	Publication of the Register	Registrar	The Architects Act 1997 specifies the Board will publish a Register; day to day operations, including the publication of the Register, are delegated to the Registrar, in line with the Board's General Rules.	
801.	Re-entry to the Register following a PCC Erasure order	Board	Section 18 of the Architects Act specifies that this decision must rest with the Board and cannot be delegated.	New item added to reflect responsibility specified within the Architects Act.