



## Minutes of Board Meeting held on 19 December 2018

| Location                               | Present  | In Attendance   |
|--|--|---|
| 8 Weymouth Street<br>London<br>W1W 5BU | J Bill, R Levenson, S McCarthy,<br>R Parnaby (Vice Chair), S Roaf,<br>J Singh, D Walker, S Ware,<br>A Wright, G Maxwell, N Zulfiqar<br>(Chair) | K Holmes (Registrar)<br>E Matthews<br>M Stoner<br>S Howard<br>R Jones<br>H Swanston (Minutes) |

Note

Action

### 1. Apologies for Absence

Apologies were received from Alice Hynes, Caroline Corby, Carol Bernstein and James Grierson.

### 2. Members' Interests

The updated Register of Interests was noted.

Soo Ware, Alex Wright and Guy Maxwell made additional declarations in respect of the open session agenda item 5 on the basis that they were existing members of the Prescription Committee. It was agreed that they would leave the room for this item.

### 3. Minutes of the open session meeting of 29 November 2018

**The Board approved the minutes of the meeting held on 29 November 2018.**

**Proposer: Richard Parnaby**

**Seconder: Sue Roaf**

**The decision was unanimous.**

### 4. Matters Arising Report

#### Investments

The Board noted an update from the Head of Finance & Resources in relation to investments. The Board was advised that the Broker had reduced ARB's exposure to equities to de-risk the portfolio, following the uncertainty around Brexit and the debate of 'no confidence' in the Prime Minister. The Board was also advised that the



Broker would de-risk the portfolio further with the exposure to equities reduced from 50% to 40% with immediate effect due to the current political climate.

The Board noted the update from the Head of Professional Standards on the continued appointment of the Chair and Vice Chair to Hackitt Working Group 7, and that the Chair of the Competency Steering Group, Graham Watts, was happy for them both to continue regardless of whether they were reappointed to the Board.

The Registrar provided an update in relation to the recruitment of the new Board, and reported that MHCLG had broadly managed the recruitment within the time lines outlined and that it was envisaged that the names of the successful candidates would be announced in the New Year. The Board discussed the interim measures if a new Board was not in place by 7 January 2019, and the Registrar referenced the measures previously agreed at the November Board meeting. She provided assurance that ARB would be able to operate without a Board for a short period of time if necessary.

#### **MATTERS FOR DECISION**

##### **5. Prescription Committee's Terms of Reference and Agreement of Membership to the Prescription Committee**

*Soo Ware, Alex Wright and Guy Maxwell left the room for this item.*

The Head of Qualifications and Governance introduced the paper. It was noted that one response had been received in relation to the consultation. This related to the constitution of the Board rather than the Prescription Committee and staff had responded directly to the consultee to clarify the issues referred to. No amendments were suggested to the draft as presented and it was agreed that the decision would need to be ratified via write round as any decision in respect of this item would not be quorate.

#### **The Board:**

- i. noted the details of the representations received;**
- ii. agreed the changes to the Terms of Reference and that they should become effective from 7 January 2019; and**
- iii. agreed the membership of the Committee as set out in key point below, and that the revised membership should become effective from 7 January**



2019 until 30 April 2019 (or until the new Board agreed the revised membership, whichever takes place first).

iv. Noting that the Board was not quorate in respect of this decision, it was agreed that a write round via email should be undertaken to ratify the decision following the meeting.

6.

### **ARB's General Rules**

The paper was presented by the Head of Qualifications and Governance and the Board noted that no consultation responses had been received in respect of the proposed amendments to the General Rules.

**The Board agreed the changes to the General Rules as outlined in Annexes A and B, and that these would become effective from 7 January 2019.**

**Proposer: Richard Parnaby**

**Seconder: Sue Roaf**

**The decision was unanimous.**

### **7. Board member, Committee member, Panel member and Adviser Attendance Allowance and Travel and Subsistence Policy**

The Head of Finance and Resources introduced the paper and confirmed that following queries from Board members in advance of the meeting in relation to dependency/careers allowance, he had tabled some further suggested adjustments to section 6.2 of the policy for consideration.

The Board agreed the amendments and requested that the policy be reviewed in 12 months.



**The Board agreed:**

- i. to increase the half day rate for Board and Committee members from £187.00 to £187.50;**
- ii. to remove the hourly reading rate for Professional Conduct Committee Chairs and Members and amend to reference claiming at the day/half day rate in line with current practice;**
- iii. include reference to dependency/carer's allowance within the policy, in line with the tabled amendments to make it clear that it related to a recognised care provider**
- iv. amend the wording in relation to the use of taxis to state that ARB will not reimburse tips;**
- v. to place a requirement to obtain prior approval for overseas air travel and cap the claimable amount for overseas flight bookings to £200 for a return journey; and**
- vi. to reference exchange rates for claims made in currency other than GBP.**

**Proposer: Guy Maxwell**

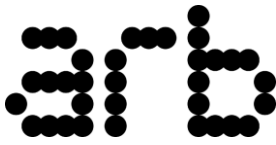
**Seconder: Richard Parnaby**

**The decision was unanimous.**

## **8. Scheme of Decision Making**

The Registrar introduced the paper. The Board considered the amendments to the Scheme of Decision Making and queried the amendment referring to the Chair's expenses being agreed by the Chair of the Audit Committee and vice versa. The Registrar and the Chair of the Audit Committee confirmed that the amendment had been proposed as a result of advice given by the Board's internal auditors, Grant Thornton, which was that a segregation of duties was considered best practice. The Chair of the Audit Committee explained that the Committee had discussed this matter in detail and clarified the issues raised.

The Registrar further clarified that the Board members' expenses were included in the end of year audit and were also published on the website which gave additional oversight and transparency.



**The Board agreed amendments to the Scheme of Decision Making as set out in Annex A of the paper.**

**Proposer: Jagtar Singh**

**Seconder: Ros Levenson**

**The decision was unanimous.**

## **STANDING ITEMS FOR NOTE**

### **9. Chair's Report**

The Board noted the Chair's Report.

The Chair reported that she and the Registrar had met with representatives from the Royal Institute of British Architects (RIBA) on 6 December 2018. It was noted that the RIBA had collated a report on the relationship between ARB and RIBA which was to be discussed at RIBA's council meeting. The Chair confirmed that she would approach the RIBA President for an update on the outcome of their discussion.

The Board discussed the relationship between the two organisations and how they differ being respectively a membership body and a statutory regulator. The Board discussed several ideas which might assist in sharing information with the RIBA which would build on the good relations that now exist between the executive and leadership including:

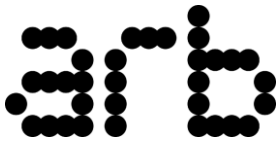
- attending open sessions of RIBA Council meetings;
- Informal networking between the two organisations;
- ARB circulating the open session Board minutes either via email with attachment or website link once they have been uploaded.

The Registrar confirmed that these suggestions would be considered.

### **10. Operational Activities Report**

The Board noted the operational activities report. The Registrar and the executive team summarised some of the key activities outlined in the report.

The Head of Qualifications and Governance noted that she had hoped for more information to be available regarding Brexit, but that it was hoped to know more once



the meaningful vote had taken place in January 2019. It was confirmed that in the meantime ARB had been working with government departments to ensure they had all the information they required from ARB. The ARB staff team had also been working on a dedicated website page with the relevant information for registrants and those wishing to join the register from the EU.

The Head of Qualifications and Governance reported that ARB had recently attended an EU Architecture Sub Group meeting to discuss the mutual recognition of qualifications and several issues which had arisen from the notification procedures. The UK was due to submit a series of updates to its listing under Annex V of the Directive and work would be undertaken to progress these in the New Year.

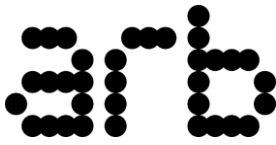
The Board discussed the apprenticeship scheme and queried how it might be perceived by the European Commission and other member states when a UK notification involving apprenticeship provision was notified. The Head of Qualifications and Governance confirmed that apprenticeship provision did not appear to be commonplace across other European member states. Because it essentially consisted of part-time qualifications it was felt that the UK should not encounter too many issues when notifying this kind of provision. It was understood that a full explanation of the UK's approach to apprenticeships in architecture would be provided to the Commission and other member states in due course so that they were aware of the framework.

The Head of Registration provided an update on the current number of EU applicants, and explained that as the year had gone on, the numbers registering each month had reached an equivalent level to 2017. The Board noted that the number of architects on the Register had increased, but that the number of applications received from individuals with EU qualifications had decreased across 2018 as a whole.

Further discussion ensued over an immigration paper which had been released by Government and whether the current minimum salary level for Tier two visas of £30,000 would impact the architectural industry if applied to EU architects in future. It was noted that the salary level for Part 1 and Part 2 architectural assistants was often considerably less. Further discussion took place in relation to the registration of EU students in the UK with their UK qualifications prior to returning to their home countries and whether their qualifications would be recognised there.

It was noted that how UK qualifications would be treated in each EU member state after the UK's departure from the EU was not yet known.

A Board member queried the RIBA's role in terms of the allocation of Tier 1 visas to those with outstanding architectural talent. The Registrar confirmed there would be a



meeting between representatives of the RIBA, the Home Office and the ARB in relation to this area to learn more about the position, to clarify ARB's position and to ensure that the correct information was provided to relevant individuals regarding registration in the UK. It was noted that the Head of Registration had prepared a summary note setting out the position in relation to this area and would circulate this to Board members following the meeting.

The Board also raised the issue of whether there were sufficient architects on the UK Register to meet the UK's needs. It was noted in the discussion that the numbers on the Register tended to reflect the levels of economic stability as with most areas of the construction industry. A Board member indicated that information in relation to the labour market and the breakdown of how many architects were working on projects might be available, but it was noted that it was not appropriate for ARB as a regulator to determine whether there was a sufficient number of architects on the Register.

The Head of Professional Standards provided an update on a misuse of title case concerning Mr Priestley, which was heard at Westminster Magistrates' Court on 14 December 2018. Mr Priestley was fined £3,000 and ordered to pay £3,400 in costs and it was reported that the prosecution was reported in the architectural press.

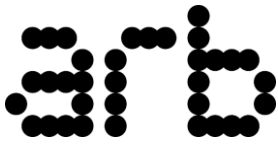
An update on the MHCLG's response to Dame Judith Hackitt's report on safer buildings was provided to the Board. The significance to ARB was the focus on raising the competency of individuals working on higher risk residential buildings (HRRB) and whether regulating this competence would require additional regulation and/or legislation.

## **11. Business as Usual Review of the Criteria Procedures for the Prescription of Qualifications**

The Head of Qualifications & Governance provided an update and reported that a draft set of Criteria had been developed with the RIBA. Key stakeholders had now had sight of the draft and some had had the opportunity to provide initial, high level feedback. It was confirmed that the Chair of ARB's Task and Finish Group, the Board's Vice Chair, the Head of Qualifications and Governance and the Registrar routinely attended the meetings and additional individuals from ARB's Task and Finish Groups were added to the ARB's representation depending on the agenda.

## **12. AOB**

There was no further business. The Chair noted that this was the last meeting of the Board as it was currently constituted and thanked the staff for all their work in



Note

Action

supporting the Board.

**Dates of meetings 2019**

14 February 2019

12 April 2019

16 May 2019 (development day)

17 May 2019

18 July 2019

19 September 2019

28 November 2019 (development day)

29 November 2019

DRAFT