

Version

- Internal Draft for Approval
- Chair's Draft for Approval
- Chair's Approved Draft
- Confirmed

BOARD MEETING: MINUTES

Minutes of Board Meeting held on 18 October 2023

Location: Video Conferencing

Present

Alan Kershaw (Chair)
Mark Bottomley
Emeritus Professor ADH Crook
Dr Teri Okoro
Liz Male
Stephen McCusker
Will Freeman
Cindy Leslie
Tom McDermott
Samantha Peters
Shamoon Hussain (Boardroom
Apprentice)

In attendance

Hugh Simpson (CEO & Registrar)
Emma Matthews
Simon Howard
Brian James
Rebecca Roberts-Hughes
Marc Stoner
Alice Pun (Governance)
Mandy Kaur (Minutes)
Amalia Tihon (Observer)
Bipina Gharti (Observer)
Grant Dyle (Observer, Item 7)
Henry Asson (Observer, Item 8)
James Farrar (Observer, Item 8)
Anne Moynihan (NCVO, Observer)

Open Session

1. Apologies for absence

The Chair welcomed everyone to the Board meeting. Apologies were received from Professor Elena Marco.

Anne Moynihan, Senior Governance Consultant, from NCVO, was welcomed to the Board meeting. Ms Moynihan was part of the team conducting the Board and Committee Effectiveness review and observed the whole of the meeting.

The Chair also welcomed Amalia Tihon and Bipina Gharti, both recently appointed ARB Communications Officers. Other members of staff would join the meeting at the relevant agenda items.

2. Members' Interests

The Chair confirmed that all Board members had been asked to declare any conflicts of interest in relation to any of the agenda items prior to the meeting. The Register of Interests was noted. No further declarations had been made in relation to the Open Session items.

STANDING ITEMS

3. Update from the Chair

The Chair had met with the President of the RIBA, Muyiwa Oki, on his first day in the role. There had been a positive discussion about ARB's education reforms. An invitation had been extended to Mr Oki to address the ARB Board at a future meeting. The Chair was also due to attend the presentation of the Stirling Prize on 19 October 2023.

The Competency Outcomes and Standards for Providers had been published. Although many stakeholders were still trying to understand some of the changes, the Director of Policy and Communications reported that the general feedback following the briefing sessions and webinars that ARB had run to support stakeholders had been positive.

At the request of BD Online, the Chief Executive and Registrar had written an article about ARB's revised approach to its routes to registration. The general feedback on this had also been positive.

The Chair had met with the incoming President of the Royal Incorporation of Architects in Scotland. This had enabled the Chair to outline more in relation to the work that ARB had been and would be doing, particularly in relation to the education reforms.

The Chair and the Director of Standards had met with the Head of School from the University of Cambridge, who was strongly supportive of ARB's education reforms. There were still some fundamental misunderstandings amongst providers about ARB's new approach to accreditation and, as a result, ongoing communication around this area would be key.

The Chief Executive and Registrar had attended the inauguration of the new President of the RIBA.

The Chair thanked Board Members for setting aside time for their forthcoming annual review meetings. Some minor amendments would be made to the review forms and the feedback gathering process this year which would be discussed later in the meeting.

4. Minutes

i. **Minutes of the meeting held on 6 September 2023**

The Board unanimously approved the open session minutes of the meeting held on 6 September 2023, subject to a minor amendment to the date in the header of the page.

ii. **Write Round Decision of 19 September 2023 – Framework Agreement**

Discussions to update the Framework Agreement had been ongoing between the Executive and the Department of Levelling Up Housing and Communities (DLUHC) since last year. A final draft had been developed and had been circulated to the Board for review and agreement by write round.

The Board endorsed the following decision:

On 25 September 2023, the Board **unanimously agreed**, via write round:

- i. to approve the draft Framework Agreement and delegate responsibility for signing the Agreement to the Chief Executive Officer & Registrar; and
- ii. to delegate to the Chief Executive Officer & Registrar authority to make any minor adjustments to the Agreement identified by the Board or DLUHC.

Communication about the amendments to the Framework Agreement would be released once the document was signed by ARB and DLUHC. The Agreement would also be published

online.

A Board Member asked if there had been any update in relation to the recent departmental review. It was noted that this appeared to be less of a priority than previously.

5. Report on Actions following Previous Meetings

This was the first time that a report on actions arising from previous Board meetings had been brought to the Board. This would be a standing item on each Board agenda in future.

The process provided a way for the Board to track actions arising from each meeting in a transparent way, and to provide the Board with assurance that the Executive were taking action points forward.

A Board Member enquired whether the actions included within the Chief Executive's report were captured within the report and was assured that this would be built into the process. All actions resulting from the minutes and Board papers would be included within the report.

6. Matters Arising

There were no matters arising for the open session. Noting the new standing item regarding the action points arising from previous meetings, the Chair requested that the title of this item be adjusted for future meetings so that it reflected its content more clearly.

ITEMS FOR NOTE

7. Accreditation Rules and Procedures

The Director of Registration and Accreditation advised that the Accreditation Rules were the final element of the suite of documents that were needed to implement the new accreditation process. The Rules would provide the Accreditation Committee with delegated decision-making powers for accrediting qualifications.

The draft Rules has been included in the consultation materials that had been issued earlier in the year. There had been no significant feedback on the Rules following an analysis of the consultation responses. The 'causes for concern' process had been carried over from the outgoing prescription procedures and had been included within the Rules.

A Board Member referred to Annex 1, point 5.2 and asked for an example of when a variation from the Accreditation Procedures would be applied in exceptional cases and how this would be applied equitably across different institutions. The Director of Registration & Accreditation explained that this was unlikely to be used frequently; however, it provided ARB with the ability to react to any exceptional circumstances. Where a variation was to be applied, the Accreditation Committee Chair and Committee would need to understand and maintain a detailed record of the occurrence. An exceptional variation of timescale was a typical example; however, the outcomes and standards would still need to be met. The Board Member suggested that such an occurrence would need to be monitored carefully, and there was a need to ensure that exceptions were applied equitably.

A Board Member commended the work that had been carried out on the Accreditation Rules and asked whether there was likely to be an evaluation of the process once they had been established. The Director of Registration and Accreditation confirmed that there would be a full evaluation of the Accreditation process including the rules and policies; this would need to be factored into the workplan.

A further Board Member noted that there was no proposed appeals process and asked how ARB would quality assure the accreditation process from both an internal and external perspective. In addition, a query was raised about how ARB ensured that boundaries were maintained with the 'regulator' and the 'regulated' throughout the new accreditation approach to ensure that ARB maintained its independence.

In terms of the new accreditation process, there was a need to be able to demonstrate that ARB was delivering value for money and adopting good practice; and that relevant information was shared across the sector. The new process would be evaluated following its implementation and likely subject to internal audit once it had become established. The Director of Registration and Accreditation reported that the Associates employed on the visitor team were also experts in terms of methodology and delivery. During the visits, there would be a focus on the data provided by the institution as a focal point for relevant questions rather than for more subjective matters. The Accreditation team would manage the process and would not be associated with specific Associates; instead, the team of Associates allocated to an institution would be rotated on a regular basis.

A Board Member asked if learners would be included in the visit process. It was noted that the visits were a quality assurance mechanism to consider the infrastructure and context of the standards and learners were not always included within a visit process. Visitors to an institution would not be assessing student work, but rather the process by which students learned; external examiners would consider students' work.

The Chief Executive and Registrar reported that the policies and procedures were risk based and targeted areas for concern. It was anticipated that the new procedures would mitigate some of the challenges highlighted by the former Prescription Committee.

A new student engagement programme had been launched which involved speaking to and hearing directly from students to gather intelligence. Whilst this would not be part of the formal accreditation process, the aim was to attempt to open those channels of communications with students. Initially engagement would take place with Part 3 students to gather their concerns and inform them about the role of ARB.

A Board Member asked whether there would be an annual report from the new Accreditation Committee to the Board to ensure that Board Members remained updated, and enquired whether visits would take place regularly regardless of if there were any causes for concerns at an institution. It was confirmed that periodic visits to institutions would take place in line with the Rules, regardless of any concerns. The Board would receive an annual report, the Accreditation Committee minutes and regular updates.

A Board Member enquired whether Board Members would be eligible to observe a visit to a provider, as part of the Board Members' ongoing development. It was noted that there was an expectation for members of the Accreditation Committee to observe visits, as part of the approach taken by ARB. This invite could also be extended to Board Members for the purpose of development. As a result, a slight amendment to the wording of the text in paragraph 3.3.3 of the Accreditation Rules was suggested, so that it additionally included the opportunity for Board Members to observe visits.

The Board **unanimously agreed** to approve the proposed Accreditation Rules, to come into effect on 19 October 2023, subject to the amendment agreed in paragraph 3.3.3.

The Board **unanimously agreed** to formally delegate the decision-making powers for accrediting qualifications to the Accreditation Committee, who will apply the Accreditation Rules.

8. Plagiarism Policy

The Director of Policy and Communications introduced the paper which set out the proposed changes to ARB's plagiarism policy. The current policy included a zero-tolerance approach towards plagiarism and cheating.

The proposed changes would help to ensure the policy would be applied fairly and consistently and continue to treat plagiarism seriously. They had been designed to improve ARB's approach in four key areas:

- A clearer new definition of what was considered to be plagiarism.
- A clearer declaration for applicants.

- A clearer process for examiners and ARB staff with a new standardised approach to identify plagiarism.
- A new range of discretionary penalties that escalated based on the severity of the offence.

Subject to the Board's approval, ARB would launch a consultation which would close on 13 December 2023.

A Board Member asked for assurance in relation to equality, diversity and inclusion (EDI) and whether students who were dyslexic or had needs where the use of technology was required to assist them, would not be penalised by the rules within the policy, as this needed to apply to everyone equally. It was noted that this had been considered; there were various elements within the proposed policy which provided for requests for reasonable adjustments.

A Board Member suggested that ARB's approach to plagiarism needed to extend beyond that in an examination and application and should also include plagiarism in professional conduct and CPD submissions. It was clarified that this policy would not itself apply to registered persons; but all architects were bound by the Code of Conduct and Practice, which included honesty and integrity within the standards. It would also be the Code that would govern architects' conduct in respect of their CPD submissions.

A Board Member enquired whether 'fabrication' was considered to be plagiarism. It was noted that using false figures, for example, would be called plagiarism under this definition. The Board Member requested that the policy wording regarding fabrication was clarified.

A Board Member noted that the architectural profession was moving toward the use of Artificial Intelligence (AI) and enquired about how this would impact on ARB's interpretation of plagiarism. This would need to remain under review, and it was agreed that the plagiarism consultation would invite respondents to share information about the potential impact of AI and how ARB should take it into account.

The Board **unanimously agreed** to approve the proposed updated Plagiarism Policy for consultation, along with its accompanying proposed changes to the Prescribed Examination Procedures and UK Adaptation Assessment Procedures.

9. Chief Executive's Report

The Board noted the report from the Chief Executive and Registrar on matters relating to the running of the Board's business. A summary of Workshop discussions had been included within the report.

The report included updates on the IT Transformation Project, the People Strategy, and an update on the Board and Committee Effectiveness review.

A Board Member asked if organisational health and resilience had been considered. Reflection on whether change management had been carried out effectively had been considered; there were some areas that had been carried out exceptionally well and other areas of change management that required further consideration. Co-creation had been considered throughout the process, and the learning, development and upskilling of staff had also been carried out. Staff turnover had reduced, but sickness absence had increased in certain areas. Robust conversations were ongoing amongst the senior leadership team about capacity and staff resources. The Chair of the People Committee confirmed that this had been considered at the last meeting of the People Committee and would continue to be monitored in terms of mental health and sickness absences in particular.

A Board Member asked for an update on the 'causes for concern' issues raised at the Bartlett School of Architecture. The Director of Registration and Accreditation advised that a number of visits had been made to the institution, and the School had submitted a range of information about the systems that were in place to support students and staff. This would be picked up in the next round of annual monitoring which was due to take place in January 2024. A commentary about the measures in place had been provided by the institution. There was evidence that the necessary steps had been taken by the provider, and ARB had asked for a measure of the impact of those steps which would be evidenced in the annual monitoring submission. Once this had been received it would be evaluated, and an update would be provided to the Board. It was noted that, although the Board had delegated the powers for decision making to the Accreditation Committee, Board Members would require assurance as they had managed this process prior to the Accreditation Committee. For that reason an update would be provided to the Board.

The Director of Governance and International reported on the minor amendments that had been made to the Board Members' annual performance and development review process. An email sent to the Board on 11 October 2023 set out the changes proposed for the 2023 round, which included adjustments to the feedback mechanism as part of the reviews. There had also been some small amendments to the annual performance review forms. A wider set of changes to the process would be brought to the Board in 2024; the proposals for this would be considered by the People Committee in November 2023 and brought to the Board in December. The Chair of the People Committee was in favour of the interim adjustments to the annual review process. It was confirmed that the process would apply to the Committee Chairs and Independent Committee Members.

10. Any Other Business

There was no other business.

11. Dates of Future Board Meetings

The Board was reminded that the next Board meeting would take place in person at the ARB office on 6 December 2023.

The Board Workshop on 22 November 2023 would be held in person at Hallam Conference Centre.