



**Subject** Extension of Appointment of Temporary Chair  
**Purpose** For Decision  
**From** Marc Stoner, Director of Finance and Resources

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### 1. Summary

To agree to extend the appointment of the temporary chair of the ARB Board.

### 2. Recommendations

It is recommended that the Board:

- i. agrees to extend the temporary appointment of Alan Kershaw as the Chair of the Board until 11 December 2021, subject to General Rule 11.1; and
- ii. notes that a further extension of six months in line with General Rules 11.1 and 11.9 is likely to be needed in December 2021.

### 3. Open Session

### 4. 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 by giving consumers confidence in ARB's ability to prescribe qualifications.

Support architects through regulation by providing effective prescription processes to maintain the integrity of the Register.

Ensuring that the Board is fully populated will contribute to ensuring that ARB's objectives can continue to be delivered effectively.

### 5. Key Points

- i. The Board originally appointed Alan Kershaw as the Chair of the Board on a temporary basis, with effect from 11 June 2020 in line with the relevant provisions set out under Rule 11 of the Board's General Rules and until such time as the Ministry for Housing, Communities and Local Government (MHCLG) made a permanent appointment.

It was originally anticipated that Mr Kershaw's appointment would only be for a short period in light of delays in the MHCLG's appointments processes which had

occurred as a result of the national emergency. It is now understood that the MHCLG is unlikely to commence the recruitment process for a permanent chair until later in 2021, with a view to making a permanent appointment before the maximum term of a temporary Chair appointment has been reached.

- ii. Mr Kershaw's appointment as the temporary Chair of the Board is currently due to expire on 10 June 2021, having commenced on 11 June 2020. General Rule 11.1 sets out the conditions under which a temporary appointment will cease. General Rule 11.9 also explains the conditions under which the Chair's temporary appointment can be extended further where needed.
- iii. In line with the General Rules and on the basis that there will be a longer than anticipated delay to the commencement of the permanent appointment process, it is recommended that Mr Kershaw's appointment be extended, taking his appointment to the 10 December 2021, or until a permanent appointment is made (as set out under General Rule 11.1). It should be noted that it is likely that the Board will need to consider extending Mr Kershaw's appointment for a second time if no permanent appointment has been made by 11 December 2021.
- iv. Mr Kershaw has participated in an annual review since his appointment as Chair. Mr Kershaw's review was carried out by an independent external individual, Ms Alexandra MacKenzie, who is the Chair of the Chartered Society of Physiotherapy. The review consisted of Ms Mackenzie observing Mr Kershaw chairing the November 2020 Board meeting and meeting Mr Kershaw to discuss feedback provided by Board members and Senior Executives within the organisation as well as consideration of Mr Kershaw's review form. Ms MacKenzie has confirmed that Mr Kershaw is suitable for reappointment. The Senior Independent Board Member will provide further verbal feedback regarding Mr Kershaw's annual review at the Board's meeting.

The MHCLG is aware of the ARB's policy and General Rules in relation to the appointment and re-appointment of a Chair on a temporary basis. We have kept them informed of our process and they have expressed no concerns about the Board re-appointing Mr Kershaw as the Chair of the Board.

- v. The Board is asked to note the information provided both in this paper and via the verbal update to be given by the Senior Independent Board Member, and agree the recommendations set out in Section 2 of this paper.

## 6. Resource implications

All Board level expenditure is accounted for in the Board's budget for 2021.

## 7. Risk Implications

The Board should be properly resourced with membership selected from those who have appropriate skills, expertise and experience to ensure that the ARB's statutory responsibilities and objectives can continue to be fulfilled. Failure to appoint a chair and populate the Board appropriately could impact on the Board's ability to deliver its statutory functions. The original recruitment exercise identified that the individual

concerned has the skills, expertise and experience as set out in the essential competencies for the role. The temporary chair is subject to the annual review process if they are in post at the time the reviews take place.

**8. Communication**

Relevant updates will be made to ARB's website once the details of the extension have been finalised.

**9. Equality and Diversity Implications**

Careful consideration has been given to equality, inclusion and diversity implications. Equality and Diversity data is collected at part of our appointments process and reviewed annually to ensure the process is fair and accessible to as many people as possible.

**10. Further Actions**

Relevant updates will be provided to MHCLG and made to ARB's website once the extension to the appointment has been finalised.