

Board Paper

for Open session

Subject:

ARB's Scheme of Delegation

Board meeting:

6 December 2023

Agenda item:

9

Action:

- For noting
- For discussion
- For decision

Purpose

To approve the revised Scheme of Delegation.

Recommendations

It is recommended that the Board approves the revised Scheme of Delegation and that the revised Scheme becomes effective immediately.

Annexes

Annexe A – Existing Scheme of Delegation

Annexe B – Revised draft of the Scheme of Delegation [the revisions to the Scheme have not been tracked as this would have created a document which was too complex and difficult to read]

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1. Open Session

2. Background and Key points

- 2.1. The Scheme of Delegation is a core governance document and is reviewed on a regular basis. The Scheme was last updated in late 2022 to accommodate changes which had been made to the Architects Act 1997 in relation to the Chief Executive Officer & Registrar's powers to delegate relevant functions. The existing Scheme as it stands can be found at **Annexe A**.
- 2.2. Since that point, further legislative changes have occurred, several of the committees' responsibilities have been changed and updated committee terms of reference have been implemented. Furthermore, some of our day-to-day operations have changed and developed. Taken together, the Scheme is in need of some significant revision and updating.
- 2.3. We have taken the opportunity to benchmark the way in which the Scheme is structured against a small number of other regulatory bodies, including the General Pharmaceutical Council and the Royal College of Veterinary Surgeons. The results of the benchmarking exercise have led us to restructure the Scheme (**see Annexe B**) so that it deals with delegations and decisions which fall into four key categories, which are:
- The Board and its Committees – Statutory delegations and decisions
 - The Board and its Committees – Operational delegations and decisions
 - The Chief Executive Officer & Registrar – Statutory delegations and decisions
 - The Chief Executive Officer & Registrar – Operational delegations and decisions
- 2.4. As part of the review, we have also taken the opportunity to merge some items, e.g., decisions around the appointment of solicitors or barristers to deal with professional conduct work or title regulation work have now been subsumed within the relevant entries relating to procurement.
- 2.5. We have added in new items, e.g., an entry to cover decisions regarding mutual recognition agreements.
- 2.6. We have removed any duplicate or obsolete entries, e.g., entries relating to the approval of the staff headcount by the Board (which is now determined by the Chief Executive Officer & Registrar within the annual budget approved by the Board).

2.7. We have additionally sought to change some of the levels of authority to bring Managers into some of the decision-making processes and where they are closer to the relevant business, e.g., signing off Non-Executive Associate expenses.

2.8. The Senior Leadership Group considered the proposed adjustments at its meeting on 28 September 2023. Some minor points were picked up in relation to consistency, but no significant amendments were made to the revised Scheme as a result of discussions at this level.

2.9. The Audit and Risk Assurance Committee considered the revised Scheme at its meeting on 24 October 2023. The Committee provided valuable feedback in relation to the proposed changes to the Scheme and recommended that the Executive should check:

- that the delegations within the Scheme worked effectively in tandem with the Procurement policy;
- that the delegations around instances of additional expenditure outside of agreed budget limits, specifically where this exceeded £50k, were clear
- the levels of approval for the Chair and the Chief Executive Officer & Registrar's expenses were clear

The Committee also agreed that the Board should also continue to have responsibility for agreeing the banking arrangements including the banks to be used and signing requirement.

The points raised by the Committee have all been actioned.

2.10 The Board is now asked to consider and approve the revised Scheme of Delegation.

3. Resource Implications

3.1. Having clear lines of authority for decision making and the delegation of decisions will assist in fostering a culture of transparency and efficiency.

3.2. The inclusion of clear systems, processes and controls which enable the Chief Executive Officer & Registrar to delegate some of their functions which will enable the organisation to operate safely and effectively, delivering its core statutory functions when the Chief Executive Officer & Registrar is unavailable.

4. Risk Implications

- 4.1. The Architects Act 1997 sets out ARB's responsibilities and in some cases states that certain decisions must be made by the Board, the Registrar and/or can be made by others. It is therefore essential that ARB has a scheme of delegation which sets out the decisions that need to be taken, who has the authority to make such decisions and crucially where these decisions can be delegated.
 - 4.2. Failure to set this out in a clear and transparent way could lead to internal confusion and inefficiencies within the organisation, as well as a failure to deliver key statutory and operational decisions. This in turn could lead to reputational damage to ARB.
 - 4.3. The development and adoption of a clear scheme of delegation as a cornerstone of an effective governance framework within an organisation will mitigate the risks in relation to this.
 - 4.4. We also recognise that the approach to delegation can become overly bureaucratic and stifle timely and agile decision making. We want to strike the right balance so that decisions can be made at the 'lowest safe level' in the organisation, and we can support a culture of distributed leadership.
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5. Equality and Diversity implications

- 5.1. We have not identified any equality and diversity implications when reviewing and revising the Scheme.
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6. Recommendations

- 6.1 It is recommended that the Board approves the revised Scheme of Delegation and that the revised Scheme becomes effective immediately.

Annexe A – Existing Scheme (Approved in October 2022)
SCHEME OF DELEGATION



The Scheme of Delegation sets out responsibilities for decision making in the ARB.

Note: for the purposes of Section 3(ZA) of the Architects Act 1997, which states that:

‘The Registrar may, further to section 2(3ZA) of the Act, delegate any of their functions to a member of staff nominated by the Board’

The Board has nominated and agreed that the Registrar may be delegate their functions to one or more of the following as described below in the Scheme of Delegation:

- Director of Resources
- Director of Governance and International
- Director of Registration and Accreditation
- Director of Policy and Communications
- Director of Standards

Item	Action	Level of Authority	Narrative
Strategy			
1.	Approval of the Board’s Strategic Objectives	Board	
2.	Approval of the Annual Business Plan and strategic objectives.	Board	
3.	Operational management of the Board’s Business Plan	CEO/Registrar	The CEO/Registrar supervises and manages the organisation’s Business Plan with regular reports provided to the Board, including a mid-year review of progress and an end of year report.
Financial Matters			
4.	Approval of annual report and accounts	Board	The annual report and accounts are reviewed by the Audit and Risk Assurance Committee and then submitted to the Board for approval.
5.	Reserves Policy	Board	

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Item	Action	Level of Authority	Narrative
6.	Annual budget, including capital programme	Board	The annual budget (covering Jan – Dec) is submitted to the Board for approval in September of the preceding year.
7.	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.
8.	Remuneration, travel and subsistence for Board members, panel members and advisers	Board	Remuneration and Appointments Committee advise the Board annually on the remuneration of all non-executives and advisers, including travel and subsistence payments.
9.	CEO/Registrar's expenses	Chair of the Board	All expenses of the CEO/Registrar are submitted for approval by the Chair of the Board after having been checked by the Director of Resources.
10.	Authorisation of Board members' travel and subsistence claims	Authorised by the CEO/Registrar or one of the following members of the Senior Leadership Group: Director of Standards Director of Governance and International Director of Registration and Accreditation Director of Resources or Director of Policy and Communications	The CEO/Registrar to raise any concerns around Board member claims with the Chair of the Board.
11.	Authorisation of Chair's travel and subsistence claims	Authorised by the CEO/Registrar	The Director of Resources will check the claim. The CEO/Registrar authorises payment of the Chair's expenses and attendance allowance claims in line with the policy on travel and subsistence.

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Item	Action	Level of Authority	Narrative
			<p>Any concerns around Chair claims to be raised with the Chair of the Audit and Risk Assurance Committee.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
12.	Approval of non-executives attendance allowance, travel and subsistence claims	Any one of: CEO/Registrar Director of Standards Director of Governance and International Director of Registration and Accreditation Director of Resources or Director of Policy and Communications	
13.	Authorisation of staff travel and subsistence	Any one of: CEO/Registrar Director of Standards Director of Governance and International Director of Registration and Accreditation Director of Resources or Director of Policy and Communications	Not able to authorise their own travel and subsistence claims.
14.	Transfers between budget headings (virement)	CEO/Registrar	The Board sets the overall budget and delegates to the CEO/Registrar the ability to move funds between budget headings. The Board is updated on amounts over £50,000 via the management accounts.
15.	Additional capital and revenue expenditure not within budget (up to £30,000) or where savings have been identified within the operational budget.	CEO/Registrar	The Board is updated on any such spend via the management accounts.

Annexe A – Existing Scheme (Approved in October 2022)

SCHEME OF DELEGATION



Item	Action	Level of Authority	Narrative
16.	Net Expenditure which will exceed the annual budget by more than £30,000	Board	Variiances are explained/reported as part of the management accounts. If the additional expenditure exceeds £30k then approval is required from the Board prior to the spend occurring.
17.	Banking arrangements	Board	The Board will agree the banking arrangements including the banks to be used, and signing requirements.
18.	Transfer of funds between ARB's bank accounts	Director of Resources	
19.	Bank Payment Authorisations	<p>All payments, irrespective of amount, require two authorised signatures.</p> <p>For Bank payments under £9,999.99p, bank signatories are any two of the following: CEO/Registrar, Director of Standards Director of Governance and International Director of Registration and Accreditation Director of Resources or Director of Policy and Communications</p> <p>For bank payments over £10,000, one of the signatories must be the CEO/Registrar.</p> <p>In the event of an emergency, or in the absence of the CEO/Registrar, members of the Senior Leadership Group will be authorised signatories with a limit of £100,000. Upon return, the CEO/Registrar will review and countersign all payments made by the Senior Leadership Group for clarification and transparency. Any instances of this policy must be reported to the Audit and Risk Assurance Committee.</p>	Enables bank payments to be authorised in line with the Bank Mandate, as agreed by the Board.

Annexe A – Existing Scheme (Approved in October 2022)

SCHEME OF DELEGATION



Item	Action	Level of Authority	Narrative
20.	Disposal of Assets and removal of assets from the Asset Register	CEO/Registrar	A full Asset Register is kept; all disposals have to be authorised by the CEO/Registrar.
21.	Payroll authorisation, including the checking the new starter and leavers, changes in bank details.	Director of Resources and the CEO/Registrar	<p>Payroll payments are made in adherence to the internal controls. No payments can be made without the Director of Resources and the CEO/Registrar.</p> <p>The Registrar may take the decision to delegate this function to one of the following nominated individuals in addition to the Director of Resources:</p> <p>Director of Governance and Resources Director of Registration and Accreditation Director of Policy and Communications Director of Standards</p>
22.	Petty cash advances and Floats for Board members and staff	Director of Resources	Petty cash of £500 is held onsite with payments authorised by the Director of Resources. The Director of Resources is authorised to agree advance funds for out-of-pocket expenses for Board members and staff, if required for ARB business.
23.	Expenditure within the agreed specific budget headings	Any one of: CEO/Registrar Director of Standards Director of Governance and International Director of Registration and Accreditation Director of Finance or Director of Policy and Communications	In line with the organisation's procurement policy.
Contracts and Procurement			

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Item	Action	Level of Authority	Narrative
24.	Approval of purchases, tenders, leases and contracts up to £213,447.	The CEO may only sign or negotiate contracts with a value in excess of £213,447 once the Board has given explicit authority to the CEO to do so.	In line with the organisation's procurement and tendering policy.
25.	Authorisation to sign contracts, purchases and leases valued above £213,447.	The Board gives specific authority to the CEO/Registrar to sign contracts, or enter into formal contract negotiations, following necessary assurance around adherence to ARB's procurement and tendering policy.	In line with the organisation's procurement and tendering policy, the Board will authorise the CEO to proceed with contract negotiations with one or more suppliers following assurance that ARB policies have been followed, and the purchase is inline with agreed budgets.
26.	Insurance arrangements and policies	CEO/Registrar	The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
Organisational Structure			
27.	Appointment of CEO/Registrar	Board	The Board appoints the CEO/Registrar. The DLUHC/ARB Framework Agreement requires the Board to consult with the DLUHC before appointing.
28.	Dismissal and suspension of CEO/Registrar	Board	The Board in line with the Remuneration and Appointments Committee Terms of Reference can authorise the dismissal or suspension of the CEO/Registrar.
29.	Appointment and removal of Senior Leadership Group members	CEO/Registrar	The Remuneration and Appointments Committee can support and advise the CEO on the recruitment, appointment and structure of the Senior Leadership Group where required.
30.	Appointment of staff members	CEO/Registrar	The CEO/Registrar appoints staff members. The CEO/Registrar cannot appoint permanent members

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Item	Action	Level of Authority	Narrative
			<p>of staff over the agreed permanent headcount (as agreed by the Board, see item 35).</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above, provided the CEO/Registrar has previously approved the recruitment.</p>
31.	Dismissal and suspension of staff	The Investigation Officer is able to suspend staff once confirmed by the CEO/Registrar that the suspension is proportionate based on preliminary enquiries	<p>Process of suspension and dismissal carried out in accordance with ARB's staff disciplinary procedures.</p> <p>A person will be authorised to undertake the role of a hearing officer, as specified in ARB's staff disciplinary procedures.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
32.	Increases to the permanent headcount	Board	
33.	Principle and policies governing pay and reward of staff	Board	The Remuneration and Appointments Committee reviews and recommends to the Board the principles and policies governing the pay, incentivisation and all other aspects of the total reward package of ARB's staff.
34.	Annual salary increments for staff	Board	The Remuneration and Appointments Committee reviews and advises the Board regarding the pay and total reward package of the staff team.
35.	Pay and reward package of CEO/Registrar	Board	The Remuneration and Appointments Committee reviews and advises the Board regarding the pay and reward package of the CEO/Registrar.

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Item	Action	Level of Authority	Narrative
36.	Staff Benevolent Fund Trustees	Staff Benevolent Trustees appointed by the Board	Three members are appointed by the Board to administer the Fund in accordance with the Trust Deed.
37.	Staff requests for unpaid leave	Director of Resources and the CEO/Registrar	The Registrar may take the decision to delegate their part in this function to any of the nominated individuals listed in the note above.
38.	Salary advances	CEO/Registrar	The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
39.	Ex-gratia payments, bonuses and exceptional salary increases of staff	CEO/Registrar	Payments can be awarded by the CEO/Registrar, but should be reported to, and should be made in accordance with, the policies agreed by the Remuneration and Appointments Committee. Due regards to be paid to the requirements set out in 'Managing Public Money'
40.	Season ticket loans	Director of Resources (in the case of the Director of Resources, the CEO/Registrar)	The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
Appointments			
41.	Temporary Appointment of Chair	Board	Under the Act, the Board (advised by the Remuneration and Appointments Committee) may appoint someone to act as Chair of the Board for any period when there is no person to discharge their responsibilities.

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Item	Action	Level of Authority	Narrative
42.	Temporary Appointment of Board Members	Board	Under the Act, the Board (advised by the Remuneration and Appointments Committee) may make a temporary appointment of a person to act as a member of the Board in the event of a vacancy.
43.	Appointments of Board Members to Committees	Board	
44.	Appointment of Non-Executive Committee members	Board	
45.	Appointment and re-appointment of all non-executives and advisors	Authority as set out in the Board agreed schedule of appointment and performance of non-executives.	<p>The Board, on the advice of the Remuneration and Appointments Committee sets the policy on the recruitment, re-appointment and performance management policy of all non-executives and advisors (including statutory committee members).</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above. The nominated individual must however be from outside of the relevant area of business.</p>
46.	Provision of external audit services	Board	The Audit and Risk Assurance Committee recommends to the Board proposals for the provision of external audit services; the service provided by external audit and whether it meets the standards specified within the international standards on auditing.
47.	Provision of internal audit services	Board	The Audit and Risk Assurance Committee recommends to the Board proposals for the provision of internal audit services and the service provided by internal audit.

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Item	Action	Level of Authority	Narrative
48.	Appointment of ad hoc technical advisors to assist with projects/task and finish groups	The CEO/Registrar with one of the following: Director of Standards Director of Governance and International Director of Registration and Accreditation Director of Resources or Director of Policy and Communications	To assist in the smooth running of the organisation the inclusion of ad hoc technical advisors may be required.
49.	Appointment of independent Investment Manager	Board	The Board appoints the Investment Manager every three years, subject to satisfactory performance.
50.	Appointment of benefits advisors	CEO/Registrar	<p>ARB uses the services of pension and staff benefits advisors. The CEO/Registrar appoints the advisors. The performance of the pension advisor is considered by the Remuneration and Appointments Committee on an annual basis.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
51.	Appointment of solicitors/barristers in relation to professional conduct matters	CEO/Registrar	<p>Legal contracts will normally be appointed through a tender process, although alternative appointments can be made on individual cases by the Director of Standards to deal with business needs.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
52.	Appointment of solicitors/barristers and agents for title regulation cases	CEO/Registrar	<p>Legal contracts will normally be formed after a tender process, although alternative appointments can be made on individual cases by the Director of Standards to deal with business needs.</p>

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Item	Action	Level of Authority	Narrative
			The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
Registration Decisions			
53.	Decision not to Register or Register when Registrar decides it is not appropriate to take decision Entry on to the Register – Decision to Register	Board CEO/Registrar	The Scheme of Delegation reflects statutory responsibilities specified within the Architects Act 1997. In relation to decisions regarding ‘Entry on to the Register – Decision to Register’, the Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
54.	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.
55.	Appeals: Part 2 of the Register	County Court in 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.
56.	Removal following failure to notify change of address procedure (Section 11 of the Act)	CEO/Registrar	Authority specified within the Architects Act 1997 to remove individuals on the Register who fail to keep their address up to date. The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
57.	Removal from the Register for non-payment (Section 8 of the Act)	CEO/Registrar	Authority specified within the Architects Act 1997 to remove individuals who fail to make payment of the annual retention fee.

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Item	Action	Level of Authority	Narrative
			The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
58.	Removals from the Register (resignations, deaths etc.)	CEO/Registrar	<p>Authority specified within the Architects Act 1997 to remove individuals who have passed away or who make a request to resign from the Register.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
59.	Reinstatement to the Register (Section 8 of the Act)	CEO/Registrar	<p>Authority specified within the Architects Act 1997 to reinstate applicants to the Register.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
60.	Certificate of registered status	CEO/Registrar	<p>Authority specified within the Architects Act 1997 to issue a certificate of registered status.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
61.	Recommendations of the Prescribed Examination panels for equivalence to Part 1 and Part 2	CEO/Registrar	<p>Authority specified within the Prescribed Examination Procedures.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>

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Item	Action	Level of Authority	Narrative
62.	Publication of the Register	CEO/Registrar	<p>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.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
63.	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.
Procedures			
64.	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.
65.	Prescribing qualifications	Board (after consultation with appropriate representative bodies in the case of new qualifications)	The Board, in line with its statutory responsibilities, specified in the Architects Act 1997, makes the decision to prescribe or renew prescription of a qualification.
66.	Investment strategy	Board	The Board annually sets the Investment Strategy. The Board's Investment Broker then ensures ARB's investment portfolio aligns with the agreed strategy.
67.	General Delegation	<p>General Rule 8.1 states:</p> <p>Except to the extent of a Board decision to the contrary, the Registrar (as Chief Executive), the Chair and other officers shall (so far as permitted</p>	General delegation enabling the smooth running of the organisation's business in line with its General Rules, as agreed by the Board.

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Item	Action	Level of Authority	Narrative
		by law) have such delegated authority act on behalf of the Board in implementing its policies: a. as may be expressly given by the Board; or b. as is desirable or necessary for the efficient operation of the Board’s activities; or c. as relates to matters customarily delegated to such persons.	
68.	Consider and approve the plans for internal and external audit	Audit and Risk Assurance Committee	In line with the ARAC Terms of Reference.
69.	Responding to legal challenges/judicial reviews	CEO/Registrar	The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
70.	Prosecution in respect of title regulation issues	Director of Standards	A judgment is made to decide whether the case meets the two stage test (evidential test & public interest test).
71.	Decision to refer an allegation of UPC/SPI to an Investigations Panel	CEO/Registrar	Authority given to the CEO/Registrar under the Investigations Rules. The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.
72.	Referral to the Professional Conduct Committee in respect of a criminal conviction	CEO/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. The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.

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Item	Action	Level of Authority	Narrative
73.	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.
74.	Instruction of Queen's Counsel	CEO/Registrar	<p>The CEO/Registrar authorises the procurement of Queen's Counsel for legal opinion on matters of points of law.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note above.</p>
75.	Custody of Board's papers and authorising release	Director of Standards	To ensure the appropriate release of Board papers and information the Director of Standards is responsible for the release of requested information in accordance with FOI Data Protection Principles.
76.	Sealing documents on behalf of ARB	CEO/Registrar	The Architects Act 1997 requires the Board to have a Common Seal.
77.	Review and agreement of Scheme of Delegation	Board	Biennially the Board reviews and agrees the Scheme of Decision making.

Schedule of Amendments	
Amendment	Authority
Biennial review as required	Board – 19 June 2020
Items 32, 48 – amended to reflect changes to the RaAC ToR	Board - 7 September 2020
Housekeeping amendment to reflect current job titles and add Director of Comms role	Housekeeping – January 2021
Housekeeping amendments to reflect current job titles	Housekeeping – February 2022
Items XXX 0 amended to reflect changes to procurement	Board – 9 February 2022

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Items XX amended to reflect Registrar's Delegation	ARAC – 10 August 2022 Board – 19 October 2022
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ANNEXE B – Revised Draft for Board Approval
SCHEME OF DELEGATION



The Scheme of Delegation sets out responsibilities for decision making in the ARB.

Note: for the purposes of Section 3(ZA) of the Architects Act 1997, which states that:

‘The Registrar may, further to section 2(3ZA) of the Act, delegate any of their functions to a member of staff nominated by the Board’

The Board has nominated and agreed that the Registrar may be delegate their functions to one or more of the following as described below in the Scheme of Delegation:

- Director of Resources
- Director of Governance and International
- Director of Registration and Accreditation
- Director of Policy and Communications
- Director of Standards

Matters for the Board or its Committees – Statutory Regulatory Delegations and Decisions

Item	Action	Level of Authority	Narrative
1.	Appointment of Chief Executive Officer & Registrar	Board	<p>The Board appoints the Chief Executive Officer & Registrar in line with Section 2 of the Architects Act 1997.</p> <p>The ARB/DLUHC Framework Agreement requires the Board to consult with DLUHC before appointing the Chief Executive Officer & Registrar.</p> <p>The People Committee, in line with their terms of reference, make recommendations to the Board about the appointment, induction, performance oversight and removal of the Chief Executive Officer & Registrar.</p>
2.	Dismissal and suspension of the Chief Executive Officer & Registrar	Board	<p>The People Committee, in line with their terms of reference, make recommendations about the</p>

ANNEXE B – Revised Draft for Board Approval
SCHEME OF DELEGATION



Item	Action	Level of Authority	Narrative
			performance oversight and removal of the Chief Executive Officer & Registrar.
3.	Pay and reward package of Chief Executive Officer & Registrar	Board	<p>Section 2 of the Act states that the Board shall decide on the terms on which the Registrar is appointed; and that in addition to paying the Registrar a salary or fees, the Board may pay pensions to or in respect of them, or make contributions to the payment of such pensions, and pay them allowances, expenses and gratuities.</p> <p>People Committee makes recommendations to the Board in relation to the Chief Executive Officer & Registrar's remuneration, including providing advice and feedback on relevant benchmarking and other data.</p>
4.	Temporary Appointment of the Board Chair	Board	Under Schedule 1 of the Act, and in line with General Rule 11, the Board may make a temporary appointment of a person to act as a member of the Board in the event of a vacancy.
5.	Temporary Appointment of Board Members	Board	Under Schedule 1 of the Act, and in line with General Rule 11, the Board may make a temporary appointment of a person to act as a member of the Board in the event of a vacancy.
6.	Appointment of Board Members to Committees	Board	<p>Under Schedule 1 of the Act, the Board may appoint Board members to its committees.</p> <p>A skills audit will be conducted to identify the knowledge, skills, attributes and experience of individual Board members so that these can be used</p>

ANNEXE B – Revised Draft for Board Approval
SCHEME OF DELEGATION



Item	Action	Level of Authority	Narrative
			effectively. This assessment may be used to populate the Board's committees.
7.	Removal of Board Members	Board	The People Committee makes recommendations in relation to the removal of Board members in line with the General Rules.
8.	Appointment (and re-appointment) of Non-Executive Associate Committee members	Board	Under Schedule 1 of the Act, the Board may appoint non-Board members to its committees.
9.	Registration decisions which cannot be taken by the Registrar because it is inappropriate for the Registrar to do so (for instance because the Registrar is connected with the applicant)	Board	The Scheme of Delegation reflects statutory responsibilities specified within Section 4(5) of the Architects Act 1997.
10.	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.
11.	Agreeing the Board's Rules or changes to the Board's Rules	Board	In line with Section 23 of the Act, the Board may make rules for carrying out or facilitating the purposes of the Act. When developing new Rules or amending existing Rules, the Rules have to be agreed by the Board, having undertaken public consultation where applicable.

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Item	Action	Level of Authority	Narrative
12.	Prescribing qualifications	Accreditation Committee	<p>The Board, in line with its statutory responsibilities, specified section 4(1)a of Act, makes the decision to prescribe or renew prescription of a qualification.</p> <p>The Board may however, under Schedule 1 of the Act decide to delegate this function to one of its Committees.</p> <p>This function has been delegated to the Accreditation Committee.</p>
13.	Entry into regulator recognition agreements, e.g., mutual recognition agreements or memoranda of understanding	Board	<p>The Board will consider and agree whether to authorise the Chief Executive Officer & Registrar to sign mutual recognition agreements or memoranda of understanding.</p>
14.	General Delegation	<p>General Rule 8.1 states:</p> <p>Except to the extent of a Board decision to the contrary, the Registrar (as the Chief Executive Officer), the Chair and other officers shall (so far as permitted by law) have such delegated authority to act on behalf of the Board in implementing its policies:</p> <ul style="list-style-type: none"> a. as may be expressly given by the Board; or b. as is desirable or necessary for the efficient operation of the Board’s activities; or c. as relates to matters customarily delegated to such persons. 	<p>General delegation enabling the smooth running of the organisation’s business in line with its General Rules, as agreed by the Board.</p>

Matters for the Board and its Committees – Operational Delegations and Decisions for the running of ARB

Item	Action	Level of Authority	Narrative
15.	Approval of the Board’s Corporate Strategy	Board	The Corporate Strategy is developed with support from the Executive, and approved by the Board.
16.	Annual budget, including capital programme	Board	<p>The Board agrees the annual budget, including the staff budget, and the capital programme.</p> <p>The Board agrees the annual retention fee, and any other fees in line with the relevant sections in the Act.</p> <p>The Chief Executive Officer & Registrar determines the staff headcount within the budget.</p>
17.	Remuneration, travel and subsistence for Board members, Committee members and other Associates	Board	<p>The People Committee makes recommendations to the Board in relation to the remuneration of Board and Committee members as well as other Associates including appropriate expenses and subsistence, providing advice and feedback on relevant benchmarking and other data.</p> <p>The Framework Agreement between the Sponsoring Government Department and ARB notes that Board and Staff expenses policies must be the same.</p>
18.	Approval of the Annual Business Plan	Board	

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Item	Action	Level of Authority	Narrative
			The Business Plan is developed with support from the Executive, and approved by the Board.
19.	Approval of the Annual Report and Financial Statements	Board	<p>The Annual Report and Financial Statements are reviewed by the Audit and Risk Assurance Committee and subsequently submitted to the Board for consideration and approval.</p> <p>Following Board approval, the Chair of the Board and the Chief Executive Officer & Registrar sign the letter of representation relating to the Annual Report and Financial Statements.</p>
20.	Risk Management Strategy	Board	The Audit and Risk Assurance Committee will provide advice to the Board regarding the risk management strategy, and internal and governance controls; the Committee also scrutinises, monitors and provides assurance to the Board in relation to these areas.
21.	Reserves Policy	Board	The Board approves the organisation's reserves policy.
22.	Net Expenditure which will exceed the annual budget by more than £50,000	Board	Variances should be explained and reported via the Management Accounts. If the additional expenditure exceeds £50,000, then Board approval is required prior to the spending occurring.
23.	Procurement and Tendering Policy	Board	The Board approves the organisation's procurement and tendering policy. The Executive then ensure that

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Item	Action	Level of Authority	Narrative
			the relevant steps are followed in line with the policy, bringing relevant decisions back to the Board.
24.	Pay and reward	Board	People Committee makes recommendations to the Board in relation to the overall approach to executive pay and reward including any proposed increases and any performance related pay provision, taking into account external economic data, any relevant benchmarking data and wider organisational requirements.
25.	Associates Appointments, Induction Performance Approach and Removal Policy	People Committee	<p>The People Committee approves the appointments, induction, performance approach and removal policy for the Associates.</p> <p>The appointment of Associates should be conducted in line with the policy.</p>
26.	Performance Process of Board and Committee members	People Committee	The People Committee approves the performance process of Board and Committee members.
27.	Provision of external audit services; internal audit services and investment broker services	Audit and Risk Assurance Committee	The Audit and Risk Assurance Committee appoints, reappoints or removes the external auditors, the internal auditors and the investment brokers in line with their Terms of Reference. The Committee will agree the annual internal and external audit programme.

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Item	Action	Level of Authority	Narrative
28.	Investments Strategy	Board	<p>The Board annually sets the Investment Strategy. The Board's Investment Broker then ensures ARB's investment portfolio aligns with the agreed strategy.</p> <p>Audit and Risk Assurance Committee reviews the risks relating to the ARB's investments.</p>
29.	Banking Arrangements	Board	<p>The Board will agree the banking arrangements including the banks to be used, and signing requirement.</p>
30.	Review and agreement of Scheme of Delegation	Board	<p>The Board reviews and agrees the Scheme of Decision making. The Scheme of decision making is reviewed by the Audit and Risk Assurance Committee prior to the Board's consideration of the Scheme.</p>
31.	Accounting, Fraud and Bribery, Whistleblowing and Data Protection policies	Audit and Risk Assurance Committee	<p>The Audit and Risk Assurance Committee agrees the policies in these areas.</p>

Matters for the Chief Executive Officer and Registrar – Statutory and Regulatory Delegations and Decisions

Item	Action	Level of Authority	Narrative
32.	Entry on to the Register – Decision to Register	Chief Executive Officer & Registrar, or delegated authority	In relation to decisions regarding ‘Entry on to the Register – Decision to Register’, the Registrar may delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.
33.	Removal following failure to notify change of address procedure (Section 11 of the Act)	Chief Executive Officer & Registrar, or delegated authority	<p>Authority specified within the Architects Act 1997 to remove individuals on the Register who fail to keep their address up to date.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
34.	Removal from the Register for non-payment (Section 8 of the Act)	Chief Executive Officer & Registrar, or delegated authority	<p>Authority specified within the Architects Act 1997 to remove individuals who fail to make payment of the annual retention fee.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
35.	Removals from the Register (resignations, deaths etc.)	Chief Executive Officer & Registrar, or delegated authority	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
			The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.
36.	Reinstatement to the Register (Section 8 of the Act)	Chief Executive Officer & Registrar, or delegated authority	<p>Authority specified within the Architects Act 1997 to reinstate applicants to the Register.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
37.	Certificate of registered status	Chief Executive Officer & Registrar, or delegated authority	<p>Authority specified within the Architects Act 1997 to issue a certificate of registered status.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
38.	Recommendations of the Prescribed Examination panels for equivalence to Part 1 and Part 2	Chief Executive Officer & Registrar, or delegated authority	<p>Authority specified within the Prescribed Examination Procedures.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
39.	Recommendations of the UK Adaptation Assessment panels for entry to the Register under the Mutual Recognition Agreement route	Chief Executive Officer & Registrar, or delegated authority	Authority specified within the UK Adaptation Assessment Procedures.

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Item	Action	Level of Authority	Narrative
			<p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
40.	Publication of the Register	Chief Executive Officer & Registrar, or delegated authority	<p>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.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
41.	Sealing documents on behalf of ARB	Chief Executive Officer & Registrar	<p>Schedule 1 of the Act requires the Board to have a Common Seal.</p>

**Matters for the Chief Executive Officer and Registrar – Operational Delegations and Decisions
for the running of ARB**

Item	Action	Level of Authority	Narrative
42.	Authorisation of Board members' travel and subsistence claims	Director of Governance & International	<p>The Governance Team checks claims; the Director of Governance & International then approves claims.</p> <p>The Director of Governance & International will raise any issues or queries with the Chief Executive Officer & Registrar and/or the Chair of the Board.</p> <p>We will publish the details relating to Board members' travel and subsistence claims annually.</p>
43.	Authorisation of Chair of the Board's travel and subsistence claims	Director of Governance & International	<p>Governance Team checks claims; the Director of Governance & International then approves claims.</p> <p>The Director of Governance & International will raise any issues or concerns with the Chair of the Audit and Risk Assurance Committee.</p> <p>In the absence of the Director of Governance & International, the Governance Manager may approve the claims.</p> <p>We will publish the details relating to the Chair's travel and subsistence claims annually.</p>
44.	Approval of Associates' attendance allowance, travel and subsistence claims	Any member of Senior Leadership Group, including the Chief Executive Officer & Registrar, or the relevant Head of Service	<p>The relevant Contract Manager will check the associates' attendance and/or related claim; the attendance record sheet or related claim will then be</p>

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Item	Action	Level of Authority	Narrative
			approved by the relevant member of the Senior Leadership Group, which for this purpose includes the Chief Executive Officer & Registrar, or the relevant Head of Service.
45.	Chief Executive Officer & Registrar's expenses	Director of Resources	<p>The Chief Executive Officer & Registrar's expenses are checked by the Executive Officers in the Chief Executive Officer & Registrar's Department, and are then authorised by the Director of Resources.</p> <p>We will publish details of the Chief Executive Officer & Registrar's expenses annually.</p>
46.	Transfers between budget headings	Chief Executive Officer & Registrar	<p>The Board sets the overall budget; the Chief Executive Officer & Registrar has the ability to move funds between budget headings.</p> <p>The Board should be updated on the movement of amounts over £50,000 via the Management Accounts.</p>
47.	Transfer of funds between ARB's bank accounts	Director of Resources plus another member of the Senior Leadership Group	
48.	Invoice approval	<p>All payments, irrespective of amount, require two authorised signatures.</p> <p>For invoices over £25,000 one of the signatories must be the Chief Executive Officer & Registrar.</p>	All proposed bank payments need to have been checked appropriately prior to authorisation.

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Item	Action	Level of Authority	Narrative
		<p>For Bank payments under £24,999 invoice signatories are any two of the Senior Leadership Group, which for this purpose includes the Chief Executive & Registrar.</p> <p>For invoice payments under £9999.99 invoice signatories can also include one member of the Senior Leadership Group, which for the purposes of this entry includes the Chief Executive & Registrar, with the other being the relevant contract manager.</p>	
49.	Bank Payment Authorisations	<p>Two members of the Senior Leadership Group, which for the purposes of this entry includes the Chief Executive Officer & Registrar.</p> <p>For any supplier payment of £50,000 or more, one of the Bankline approvers must be the Chief Executive Officer & Registrar.</p>	<p>Enables bank payments to be authorised in line with the Bank Mandate as agreed by the Board.</p> <p>All proposed bank payments need to have been checked appropriately prior to authorisation.</p>
50.	Disposal of assets and removal of assets from the Asset Register	Director of Resources and one additional individual as delegated by the Chief Executive Officer & Registrar	A full Asset Register is kept; a business case must be considered and agreed before any assets are disposed of or removed from the Asset Register.
51.	Payroll authorisation	Chief Executive Officer & Registrar and the Director of Resources	Payroll payments are made in adherence with the internal controls.

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Item	Action	Level of Authority	Narrative
			<p>No payments can be made without the Director of Resources and the Chief Executive Officer & Registrar</p> <p>The Registrar may take the decision to delegate this function to the Director of Governance & International.</p>
52.	Insurance arrangements and policies	Chief Executive Officer & Registrar, or delegated authority	The Chief Executive Officer & Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.
53.	Appointment and removal of Senior Leadership Group members	Chief Executive Officer & Registrar	The People Committee can support and advise the Chief Executive Officer & Registrar in relation to performance management and the total reward package for members of the Senior Leadership Group.
54.	Appointment of Staff Members	Chief Executive Officer & Registrar	The Chief Executive Officer & Registrar appoint staff members. This function can however be delegated to any of the nominated individuals listed in the note at the beginning of the Scheme, i.e., any member of the Senior Leadership Group, provided the Chief Executive Officer & Registrar has previously approved the recruitment.
55.	Dismissal and suspension of staff	Chief Executive Officer & Registrar, or delegated authority	Process of suspension and dismissal carried out in accordance with ARB's staff disciplinary procedures.

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Item	Action	Level of Authority	Narrative
		<p>The Investigation Officer is also able to suspend staff once confirmed by the Chief Executive Officer & Registrar that the suspension is proportionate based on preliminary enquiries.</p>	<p>A person will be authorised to undertake the role of an investigation officer, as specified in ARB’s staff disciplinary procedures. The selection of the investigation officer should be agreed by the Director of Resources.</p> <p>The Chief Executive Officer & Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
56.	Pay and reward package of the Senior Leadership Group	Chief Executive Officer & Registrar	<p>People Committee to provide the Chief Executive and Registrar with advice regarding performance and the total reward package, for members of the Senior Leadership Group.</p>
57.	Staff requests for unpaid leave and salary advances	Chief Executive Officer & Registrar and Director of Resources	<p>The Chief Executive Officer & Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme in conjunction with the Director of Resources.</p>
58.	Ex-gratia payments, bonuses and exceptional salary increases of staff	Chief Executive Officer & Registrar	<p>Payments can be awarded by the Chief Executive Officer & Registrar, and should be made in accordance with, the policies agreed by the People Committee.</p> <p>Due regard to be paid to the requirements set out in ‘Managing Public Money’</p>

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Item	Action	Level of Authority	Narrative
59.	Invocation of Disaster Recovery Plan and/or Business Continuity Plan, including instigating emergency telephone cascade	Chief Executive Officer & Registrar, or delegated authority	The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.
60.	Decision to refer an allegation of Unacceptable Professional Conduct/Serious Professional Incompetence to an Investigations Panel	Chief Executive Officer & Registrar, or delegated authority	<p>Authority given to the Chief Executive Office & Registrar under the Investigations Rules.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
61.	Referral to the Professional Conduct Committee in respect of a criminal conviction	Chief Executive Officer & Registrar, or delegated authority	<p>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.</p> <p>The Registrar may take the decision to delegate this function to any of the nominated individuals listed in the note at the beginning of the Scheme.</p>
62.	Custody of Board's papers and authorising release	Governance Manager	The Governance Manager is responsible for the release of requested information in accordance with FOI Data Protection Principles.

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Schedule of Amendments	
Amendment	Authority
V22: Re-organisation of the scheme; updating, consolidation and adding new matters to the scheme	ARAC – 24 October 2023; ARB Board – 6 December 2023