

Board Paper

for Open session

Subject: **Chief Executive's Report**

To note a report from the ARB's Chief Executive on matters relating to the running of the Board's business

Board meeting:

28 February 2024

Agenda item:

11

Action:

- For noting
- For discussion
- For decision

Purpose

To provide an update from the Chief Executive on matters relating to the Board's business.

Recommendations

The Board is asked to note this paper

Annexes

None.

Author/Key Contact

Hugh Simpson, Chief Executive and Registrar, Hughs@arb.org.uk

1. Open Session

- 1.1. This item will be noted in the open session of the Board meeting.
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2. Background and Key points

- 2.1. This paper updates the Board on key operational developments including progress to delivery of our key strategic priorities.

Update on Strategic Priorities

Continuous Improvement: Annual retention fee period.

- 2.2. Further information is provided within the performance monitoring report, but we completed the annual retention fee process. Key headlines are:
- Fewer people removed than we predicted and fewer than at the end of 2022.
 - Resignations higher than last year, with explicit focus on retirement/age (60% of all resignations), and economic situation (not working, not in UK, not using title) = 30% of resignations.
 - Total removed from Register (resignations and removals) only marginally higher than last year (200 architects) and within budget assumptions
 - Numbers of re-joins higher than expected, meaning Register numbers remain within budget predictions (Marc to confirm) - currently 41,048 with 200+ applications in progress.
 - 8% of current Register is on or above UK retirement age, and we may see numbers of leavers in 2024 increase because of this, and feeling of threat of CPD. May need softer comms to emphasise reflective element of CPD for this group?

Modernisation of Initial Education and Training

- 2.3. The key focus since the last Board meeting has been on engagement with learning providers both individually and through the education transition reference group.
- 2.4. We have also been understanding extensive analysis of our costs base to review the accreditation fees in response to feedback. An update is provided in a separate paper to the Board.
- 2.5. The Education Transition Reference Group met on 6 February with representatives from SCOSA, APSA and the Apprenticeships Trailblazer Group.
- 2.6. Issues covered included: Apprenticeships and transition; CPD and links to education and training; and, accreditation transition including the work of the Accreditation Committee.

Continuing Professional Development

- 2.7. The scheme went live 1 January 2024. The CPD portal went live 22 January 2024.

- 2.8. 1,282 users have used the CPD section as of 16 February. Numbers are slow but steady. Following the email campaign there was a surge in use and numbers are expected to rise again following a CPD webinar being hosted 22 February.
- 2.9. Over 1000 have signed up to attend the webinar. The webinar will be recorded and a copy shared with all those who signed up for the session. A copy of the webinar will also be uploaded to our YouTube channel.
- 2.10. There have been teething problems, an issue was identified for users accessing the portal with their mobile phones. A fix has been identified. The fix deployment was delayed by a week and is now expected to be released 22 February.
- 2.11. There have been over 200 enquires received regarding the CPD scheme since January 1st. Initially the majority of enquiries (75%) regarding the scheme were asking when the CPD section of the portal would open. Since the section has opened the three most common query are if CPD activities completed for another scheme can count for the ARB scheme (17%), if the record for another CPD scheme can be submitted (10%) and what to do when going on maternity leave (8%).

Eos' Strategic Transformation

- 2.12. The IAAS project (moving all our infrastructure from Weymouth St to the cloud) is now complete. As a result, a key strategic objective to de-risk Weymouth street office has been achieved. Only those IT resources directly linked to the offices remain on premise (e.g. door entry software).
- 2.13. Document management: We continue to make significant progress by moving from network storage to using Sharepoint with Teams integration. This is designed to improve collaborative ways of working across the organisation. There have been some technical challenges, particularly around coding of documents to enable automated retention and deletion, which means the project is temporarily paused while a technical solution is found.
- 2.14. CRM Phase 1: Phase 1 completion has been approved following the CPD module delivery in early February. The system has stabilised somewhat after a very challenging two months, however we are expecting further remedial work to be carried out to ensure that stability exists when we have the 2024 renewal period.
- 2.15. We are carrying out further analysis of the problems with our IT provider Intergence, before committing to Phase 2 of the CRM project, which involves implementing the case management system in MS Dynamics.
- 2.16. Sage HR/Finance: Work remains ongoing to review the solution proposal for the sage hr and finance system. The key aim here is to achieve greater integration and reporting to support financial controls and allow much better reporting to both ARAC and the People Committee.

Development of International Routes/Mutual Recognition Agreements (MRA'S)

Canada

- 2.17. We have completed our due diligence work in relation to the development of a potential MRA with the Regulatory Organizations of Architecture in Canada (ROAC).
- 2.18. ROAC represents the eleven provincial and territorial regulators of the profession of architecture in Canada. These regulatory bodies are responsible for setting the standards for entry into the profession and for issuing registration/licenses to those who meet established standards of qualifications and practice. These regulators individually regulate the practice of architecture so that the public interest is protected within their respective province or territory.
- 2.19. ARB has been working closely with the Architectural Institute of British Columbia (AIBC), which ROAC has nominated as one of the 11 provincial and territorial regulators to act on its behalf in relation to the MRA discussions.
- 2.20. On the basis of the due diligence exercise, and based on the evidence and findings which demonstrated that ARB's principles and criteria regarding the development of MRAs were being met, the CEO & Registrar has authorised the Executive to begin drafting an MRA with ROAC, through the AIBC. We will be working with our Canadian partners to develop the MRA so that we can take it through our respective governance processes in due course. We will continue to keep the Board updated on developments and will publish relevant updates on our website.

Hong Kong and European Union

- 2.21. Our discussions with our Hong Kong and EU counterparts are progressing. We are seeking to conclude discussions with the Hong Kong Institute of Architects/Architects Registration Board Hong Kong regarding the development of our Memorandum of Understanding with them later this year.

USA, Australia and New Zealand

- 2.22. Our existing MRAs with the National Council of Architectural Registration Boards (NCARB) in the USA, and with the Architects Accreditation Council of Australia (AACA) and the New Zealand Registered Architects Board (NZRAB) will all have been operating for a year in the late Spring 2024. Our agreements make provision for the parties involved in the agreements to meet on at least an annual basis to formally discuss the agreements, their operation and any issues that any of the parties wish to raise. These are referred to as annual monitoring committee meetings within the agreements. We are now in the process of organising our first annual monitoring committee meetings with our respective partner organisations and anticipate that these will take place online in May and/or June 2024. We will provide further updates to the Board following those meetings.

Mutual recognition and EFTA countries (the European Free Trade Association)

- 2.23. The UK Government signed a Free Trade Agreement with the EFTA countries in 2021; following on from this and to ensure that the terms of the Free Trade Agreement are implemented appropriately, the UK Government has recently passed regulations which apply to regulatory bodies such as ARB.
- 2.24. The regulations set out a framework for the recognition of qualifications from Iceland, Lichtenstein and Norway; supporting guidance provides further information for regulatory bodies regarding this framework and the expectations around how it should operate.
- 2.25. The Board will be aware that the Executive are developing a bespoke route to registration in order to meet the requirements set out in the regulations. We anticipate that this route will be fully operational in the next two to three months. In the meantime, EFTA applications will continue to be considered on a case by case basis. Further details will be published on our website.
- 2.26. It is likely that we will need to develop and operate a similar route to registration to facilitate the recognition of Swiss qualifications; we are currently awaiting the UK Government's approval of the relevant regulations and guidance before we take that work forward.

Board and Committee Effectiveness Review

- 2.27. In 2023, we appointed the NCVO to undertake an externally facilitated Board and Committee Effectiveness Review. The effectiveness review was completed by the end of 2023 as planned. We had then planned to present the findings, including the recommendations and proposed action points to the Board for consideration at its meeting on 28 February 2024.
- 2.28. Due to the availability of key ARB staff and key members of the consultancy team, there has been a short delay to review report being finalised. We will make the report available to the Board, with an opportunity to discuss the recommendations and proposed action points, at the next meeting.

Update on Board's Workshop Meeting held on 30 January 2024

Key Points

- Board members received a brief overview of the Boardroom Apprentice Programme for 2024, and the 2024 Boardroom Apprentice, Adeyinka (Wonu) Adeladun, also provided the Board with information about their background and aspirations during the year.
- The Board was provided with an update on the formation and work of the PPE Commission and its immediate priorities.
- The Chair of the PPE Commission, Chris Husbands and PPE Commissioner, Felicity Atekpe, provided their views and reflections, and group discussions were held to consider the work of the PPE Commission and the challenges and opportunities in reforming the practical professional experience required of future architects.
- Muyiwa Oki, RIBA President provided an insight into his role, his vision for the future of the architects profession and discussed the challenges facing the built environment. Board Members had the opportunity to raise any questions with Muyiwa, who was also joined by Jack Pringle, Chair of the RIBA Board.
- The remainder of the Workshop was dedicated to development of Board Values and behaviours; the session was facilitated by an external consultant and no Staff members were present. A follow up session would be taking place as part of the Board's Workshop in late March.

Actions

- Board Members were invited to provide their feedback (via email to the Director of Policy & Communications) to any areas which they would like to ensure that the PPE Commission's call for evidence covers, or any visits / meetings that they would like included in the Commission's engagement.

Strike-off audit – misuse of the title 'architect'

- 2.29. We periodically carry out a review of architects that have been removed from the Register for non-payment, or refused registration, to ensure that they are not continuing to use the title architect in business or practice.
- 2.30. In 2023 we identified 962 individuals who had been removed from the Register or refused registration. That group was triaged to identify higher risk elements that would require further investigation (for example those with an overseas address were not considered because of jurisdictional restrictions).
- 2.31. Of the remaining group, 19 were identified as being high-risk (current evidence of using the title in business or practice), 187 as medium-risk (limited or historic evidence) and 343 as low or no-risk (i.e. there was no evidence of them using the title architect).
- 2.32. Many cases remain under investigation, but solicitors have been instructed to pursue Magistrate's Court summons against two individuals/companies for title misuse.
- 2.33. Over 30 individuals have been reinstated to the Register because of our investigations. Most will have been because of them failing to notify us of a change of address and did not realise they had been removed from the Register.
- 2.34. Others will have amended their business style to remove the word architect, most of which will be present in online directories.

Professionalism and the Code of Conduct

- 2.35. In the Board's workshop in November we presented the findings of Thinks Insight's research into the expectations members of the public and small scale clients have of the architects' profession. The Board discussed the findings and the proposed next steps, which included:
- engagement with additional stakeholder groups;
 - further research into workplace culture and behaviours, to better understand some of the concerns stakeholders have raised with us about mistreatment; and
 - a conference in London and online workshop with architects, to provide opportunities for the profession to co-create a new Code.
- 2.36. Our stakeholder engagement is underway and we've recently met with RICS, RIBA and BuildUK to discuss the research findings on professionalism and hear their initial thoughts. We've recorded key points from the discussions, which will be shared with the Board as part of our evidence base for a new Code. We've also contacted several construction firms to request meetings, supported by a Board Member with existing contacts in these organisations.
- 2.37. We've conducted early market engagement around the research by meeting Thinks Insight to hear about similar research they've undertaken in other sectors. We're now writing the brief for the research and considering whether we can include

(within on research project) further work to support the PPE Commission. This additional aspect of the research would look into the experiences of early career architects and how this informs their perceptions of the sector, including whether they decide to continue to qualify as architects.

- 2.38. The conference on professionalism will take place on Tuesday 19 March in central London. We have invited members of the Employers Engagement Group and members of the Architects Engagement Group who work in large or medium sized practices. The agenda includes an address from the Chair, a presentation on research findings from Thinks Insight, and two workshop sessions to discuss the purpose of the Code of Conduct and Practice, and the values that should be reflected within it. The online workshop will be scheduled for April, to provide an engagement opportunity for architects from smaller practices, and those unable to travel to London.

International Routes and the Prescribed Exam Overhaul

- 2.39. In late 2023 we established an internal Project Team to rationalise international routes to registration and overhaul the prescribed exam. A core requirement of the project is that a new prescribed examination process to be in place by September 2027, in line with our new education framework. The project has initially focused on determining whether any interim changes could be made to the prescribed exam sooner than 2027, to improve access to the register for those who are competent.
- 2.40. We considered changes to the eligibility criteria to widen access to the prescribed exam to those with qualifications that differ in duration from our current requirements. We also assessed whether the requirement to sit the Part 1 prescribed exam can be removed early, to reflect the new approach to initial education and training. We reached the conclusion that it would not be proportionate to pursue these interim changes, given the number of candidates who would benefit from the changes compared to the resource needed to deliver them. We believe that our resources would be better spent accelerating our work to bring about a new prescribed exam in 2026, which would benefit more candidates and ultimately help to bring more qualified professionals onto the Register. We also noted that to remove the Part 1 requirement from the prescribed exam, and rely only on Part 2, would leave a competence gap in applicants pursuing this route.
- 2.41. The Project Team is now establishing a workplan to phase the detailed stages of policy development and implementation, to test and confirm that we can overhaul and replace the exam earlier than 2027. An engagement plan is also being developed, which includes the survey of EU architects which we ran in January 2024 to support our work on this programme, and on our MRA development. We have met with individual stakeholders with an interest in this area, including architects from a number of practices. We intend to hold listening sessions with a wider group of relevant stakeholders.

2.42. Later in 2024 a more detailed update will be shared with the Board, with data to support our conclusions on the limited benefits of pursuing interim changes, and a summary of the next steps we intend to take.

Professional Conduct Committee Chair

2.43. Paragraph 14(1) of Schedule 1, Part II of the Architects Act 1997 sets out that the members of the Professional Conduct Committee shall elect a chair from among themselves.

2.44. The incumbent PCC Chair was Emma Boothroyd, whose term is due to end in September 2024. At the PCC Review Day in January 2024, the PCC elected Margaret Obi to act as the new PCC Chair. Ms Obi has sat on the PCC for over a year; she is also a Deputy High Court Judge.

2.45. Emma Boothroyd will stand down as Chair at the end of March with Margaret Obi becoming the new PCC Chair from 1 April 2024.

2.46. Emma Boothroyd will continue to act as a legally qualified member of the PCC until the end of her contract in September 2024.

3. Resource Implications

3.1. There are no specific resource implications arising from the Chief Executive's report.

3.2. We are currently reviewing an audit of the CRM project and will need to consider the implications before making further decisions on phase 2. Current expenditure is within project tolerances, but estimates for phase 2 have increased significantly and we need assurances that remedial work required will be at no additional costs to ARB.

4. Risk Implications

4.1. Key risks relating to strategic priorities are captured in the Risk Register and highlighted in separate update papers.

4.2. The risks relating to IT Transformation are considered within the programme risk register, and also reflected in the corporate risk register. If as a result of further analysis the work completed, these need updating, we will convene an urgent meeting of the Transformation Assurance Group and update the Board accordingly.

5. Equality and Diversity implications

- 5.1. There are no specific EDI implications arising out of this paper, however a number of key strategic priorities are either directly or indirectly designed to support and promote EDI. The People Strategy update also references the Executive's work in this area.

6. Recommendations

- 6.1. The Board is asked to note this paper.