

Version

☐ Internal Draft for Approval

☐ Chair's Draft for Approval

☒ Chair's Approved Draft

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BOARD MEETING: MINUTES

Minutes of Board Meeting held on Tuesday, 11 February 2025

Location: Online via Video Conferencing

Present

Alan Kershaw (Chair)
Mark Bottomley
Will Freeman
Professor Elena Marco
Dr Teri Okoro
Liz Male
Stephen McCusker
Tom McDermott
Cindy Leslie
Samantha Peters
Francesca Bonnici (Boardroom Apprentice)

In attendance

Hugh Simpson (CEO & Registrar)

Emma Matthews (Director of Governance & International)

Simon Howard (Director of Standards)

Brian James (Director of Registration & Accreditation)

Rebecca Roberts-Hughes (Director of Policy & Communications)

Mandy Kaur (Governance Officer, Minutes)

Bijoux Senayah, (Communications Officer),
Observer

Alexei Allie, (Hearings Manager) *Item 7 - PCC Annual Report*
Andrew Bratt (ARB Chair's Independent Reviewer) *Observer*
Phoebe MacDonald (RIBA, Head of Policy & Public Affairs), *Observer, up to Item 9 - Accreditation Rule 4.2 – Consultation Responses only*

Margaret Obi, (Chair of PCC Committee), *Item 7 – PCC Annual Report*

Private Meeting of the Board

The meeting started with a confidential meeting of the Board members.
No staff members were present for this item.

Open Session

ARB staff members joined the meeting.

The Board agreed to take Item 7 of the agenda - Professional Conduct Committee (PCC) Annual Report out of sequence to allow for the Chair of the PCC Committee to attend for this item. The Board also agreed to move Item 8 of the agenda - Establishment of a new Finance, Risk and Audit Committee to the confidential session of the meeting. This was to allow the Board to hold a more in-depth policy discussion around this area. This item would then be brought back to the Board for decision in the open session of a Board meeting in due course.

1. Apologies for absence

There had been no apologies for the meeting. It was noted that Elena Marco would need to leave the meeting at around 1:30pm due to a personal commitment and would rejoin when possible.

Andrew Bratt, the ARB Chair's Independent Reviewer, would be observing the whole of the meeting, and was welcomed to the meeting.

Phoebe MacDonald, (RIBA) was also welcomed to the meeting. Ms. MacDonald observed the meeting up to and including *Item 9- Accreditation Rule 4.2 – Consultation Responses*.

Maragaret Obi, Chair of the Professional Conduct Committee would attend the meeting for *Item 7* of the agenda – *Professional Conduct Committee (PCC) Annual Report* to present the report.

Gail Fleming, Chair of the Accreditation Committee, would also join the meeting for *Item 13 of the agenda – Accreditation Committee Annual Report* to present the report.

Bijoux Senayah, newly appointed Communications Officer, would also be observing the whole of the meeting.

Other members of staff joined the meeting for the relevant agenda items.

2. Members' Interests

All Board members had been asked to declare conflicts of interest in any of the agenda items prior to the meeting. The Register of Interests was noted.

Elena Marco and Stephen McCusker declared an interest in *Item 7 – Accreditation Rule 4.2 – Consultation Responses* on the basis that they have connections to education providers offering ARB accredited qualifications. The declarations were noted; however, it was agreed that the connections did not constitute a significant interest, and as a result both Ms. Marco and Mr. McCusker should remain in the room and contribute to the discussions.

Elena Marco declared an interest in *Item 13 - Accreditation Committee: Annual Report* on the basis that she had various connections with some institutions listed within the report. It was agreed that these connections should be declared and noted but given that this was an overview report Ms. Marco should remain in the room and contribute to any discussion should there be one and if it was general in nature.

STANDING ITEMS

3. Professional Conduct Committee Annual Report

The Chair of the Professional Conduct (PCC) Committee provided an overview of the annual report from the PCC, which covered the work of the PCC in 2024.

The tenures of some PCC panel members had come to an end in 2024, and the Committee had recently recruited for those vacancies. The Chair felt assured that the current PCC members had the necessary knowledge and expertise to make robust decisions. The Chair thanked the members of the Executive staff that had worked alongside the Committee over the past year. There were steps being taken for continuous improvement particularly following a recent review.

The PCC had raised concerns around the use of experts and inquirers. These concerns had been acknowledged by the Executive and steps had been taken to review and improve the current model around the use of experts and inquirers.

There had been an increase in the length of hearings; a contributing factor to this was more cases having legal representation at hearings, which was positive. It was positive that architects continued to be legally represented. Where a registrant appeared unrepresented, they would always receive a fair hearing, although they would engage in a different way. Allowances were made to ensure that those who were unrepresented received a fair hearing, in that they were allowed more hearing time, received more explanations on certain aspects, and were signposted to representations and pro bono advice and other guidance.

The Board thanked the PCC for their work. The Board were particularly reassured with the training for PCC members for dealing with neurodiversity matters.

The highest percentage of PCC cases were against architects in the older age brackets (50 to 70 years). The Board requested further detail regarding the types of practitioners and of cases, in order to help target those groups.

[Ms. M Obi left the meeting]

4. Update from the Chair

The Chair reported that interviews for the two lay vacancies were scheduled to take place in the last week of February 2025.

The Chair had recently met with the RIBA President, Muyiwa Oki. It was a positive meeting at which they had discussed collaboration and publication of the work on the Workplace Culture and Code of Conduct, and the continued roll out of the Continuous Professional Development (CPD) scheme. The RIBA was setting up taskforces to advance their work on workplace culture, which Mr. Oki felt offered scope for further collaboration.

5. Minutes

The Board unanimously approved the Open session minutes of the meeting held on 10 December 2024.

Report on Actions following the Previous Meetings

Board Members noted a report on actions resulting from the previous meetings.

6. Updates since the Board papers were issued

There were no matters to update on since the Board papers had been issued.

MATTERS FOR DECISION

7. Accreditation Rule 4.2 – Consultation Responses

The Director of Professional Standards introduced this paper. The consultation had received a small number of responses which was expected given the limited scope of the consultation. The responses had not provided any arguments which suggested that ARB should change its longstanding approach or the Rule itself. It was noted that Rule 4.2 did not impact on any existing providers of accredited qualifications, as those who did not have degree awarding powers had formal agreements with learning providers who did.

All respondents to the consultation were in support of the principle that ARB should seek appropriate assurances about a learning provider's capability and capacity to deliver accredited qualifications. Most respondents supported the requirement for a learning

provider to hold degree awarding powers or have a formal agreement with an organisation which does, if they were to deliver an accredited master's level qualification. There were two objectors to the rule – the Royal Institute of British Architects (RIBA) and the Royal Society of Ulster Architects (RSUA). While acknowledging that the rule would not affect any existing providers, they considered that the restriction would have the potential to limit routes to the Register and have a negative impact on widening diversity within architecture. RIBA suggested that this proposal was 'anti-competitive and contravened the Competition Act 1998'. RIBA also believed that the Rule would prevent private training providers entering the market, which could reduce the number of routes into the profession and limit competition.

The Board was advised that ARB's decisions were subject to competition law, and that any decision that prevented, restricted or distorted competition must be objectively justified as a proportionate means of achieving justified aims. The Board noted however that no existing providers would be affected by the rule, and that non-degree awarding organisations could still provide accredited qualifications, because they already did.

The Board considered the risks and the implications around equality, diversity and inclusion, taking particular note of its obligations under the Public Sector Equality Duty. Rule 4.2 under consideration was only a narrow part of its wider reform on the initial education and training of architects, which included removal of the requirement for accreditation of Level 6 (undergraduate level) qualifications, as well as work commissioned through the Professional Practical Experience Commission to look at possible reforms to the experience requirements for registration. The Board was reminded of the policy intent: the central importance of assurance that accredited qualifications met the required standards appropriately so as to provide confidence for the public that all architects registering with the regulator were competent.

The Board would be commissioning research in the future on the education and training reforms to assess the impact on access to the Register. This research would also inform policy work including how risk could be managed in the development of alternative routes, such as practice-based routes. The Board was assured that this would be considered within the broader international strategy as there was an intention to complete the work on international routes which considered different routes to registration. The Framework for Higher Education Qualifications was part of the Quality Assurance Agency (QAA) framework and was not a requirement in terms of MRAs, but it was one of the factors that expert advisors considered to test and check that there was a broad alignment, however it was not mandatory.

The Board noted the consultation report within Annexe A.

The Board **unanimously agreed** to make no change to the Accreditation Rules as set out in Annexe B.

8. ARB's Scheme of Delegation

The Director of Professional Standards explained that the proposed update to the Scheme of Delegation more accurately reflected the operational processes of ARB in respect of investigations and would ensure that decisions were made by the right people, at the right time.

Work was currently under way on various aspects that linked to the Scheme of Delegation, such as the Committee Terms of References, the Procurement Policy and the financial procedures. The Scheme of Delegation would be updated accordingly once the work in these areas had been completed.

The Board **unanimously agreed** to amend the Scheme of Delegation, to allow the Investigations Manager and Head of Professional Standards to refer disciplinary allegations against architects to the Investigations Panel, or relevant criminal convictions to the Professional Conduct Committee.

9. EDI Strategy Update

The strategy had been discussed by the Board in two workshop sessions in 2024 with Purpose Union, and the proposal outlined within the Board paper reflected the Board's input following its most recent workshop session.

The paper addressed the Executive's recommendation and the intent to avoid virtue signalling and set goals that ARB could deliver and measure, and that aligned with current legal requirements.

The new strategy included four goals:

- A more inclusive ARB
- To increase access to the register for underrepresented groups
- More inclusive workplace cultures that removed barriers to career progression
- An end to discrimination and sexual harassment in the profession.

The activities to underpin these goals had been set out in Annexe A and Annexe B, and would be delivered over a three-year period, through ARB's business plan starting in 2025. Work would be scheduled to ensure it was manageable and deliverable in that time.

The Board considered the use of the terms 'equity' and 'equality' within the EDI Strategy. In line with the Equality Act 2010, equality meant treating people the same, including affording them the same opportunities, regardless of their individual and protected characteristics. Equity would mean providing support and resources which were tailored to an individual's needs. Although some goals stretched towards 'equity', the term 'equality' would be used

to reflect the Equality Act and Public Sector Equality Duty.

The Board supported the direction of travel, and the realistic goals set within the EDI strategy, which were very targeted and specific.

The Board was pleased that ARB had introduced the new approach to Service Complaints. This would provide the opportunity to collate useful data about the nature of such complaints, which could also be taken into account to consider whether ARB was achieving the aims of the strategy.

The Board considered how the EDI strategy was embedded in wider areas of the organisation. The recent staff survey results considered how staff felt about working at ARB and there was positive feedback on inclusivity. There was a procurement review taking place, and this would be fed into the strategy. Work had been carried out on a more inclusive approach to the barriers to reporting concerns about conduct, as identified in the recent workplace culture research, which had led to changes to a new Code of Conduct and Practice and supporting guidance. A website accessibility audit had been carried out in recent years, and further work on this would be considered. The visits to institutions provided the opportunity for student engagement to help further inform ARB's work. More poll questions and the use of social media platforms would also help reach these groups.

A Board member highlighted that thresholds around international professional visas were impacting career progression, particularly at Part 3 level, as well as access to the Register. Individuals had been unable to complete their Part 3 examinations unless they were meeting a minimum threshold and being paid a certain amount. This was a complex issue and should be kept under review.

The Board **unanimously agreed** to:

- i. Adopt and publish the EDI Strategy in Annexe A
 - ii. Publish the supporting material to demonstrate how the strategy was developed, as set out in the Purpose Union report in Annexe B
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ITEMS FOR NOTE

10. Business Plan 2024 Update

The Board noted the end of year update on the delivery of the 2024 Business Plan.

There was an interdependence between CRM and areas such as education, accreditation and standards.

The Board considered the process for managing quality assurance and continuous improvement across ARB. The process worked to the framework of quality assurance, quality control and management oversight. It was not formally aligned with ISO9001 but some of the broader principles were considered within the organisation's quality assurance process.

11. Performance Monitoring Updates for Q4

This had been a late paper to allow data from the end of Q4 to be incorporated into the update. The paper provided an overview of the operational performance of ARB for Q4 of 2024.

The Board queried the sharp increase of staff absence levels through mental health, since the last meeting when absence levels through mental health had been considerably lower. It was noted that, in a relatively small organisation, when a small number of staff were absent for any length of time, this hugely impacted the absence figures. The Chief Executive confirmed that the Executive would keep a close eye on the absence figures and discuss them further at the People Committee, but there was no evidence to suggest the absence levels reflected a wider trend relating to work pressures. These figures would continue to be monitored.

The Board noted the management accounts for 2024, as set out within the Board paper.

12. Chief Executive's Report

The Board noted a report from the Chief Executive & Registrar on matters relating to the running of the Board's business.

As part of the wider strategy review, the international routes had been considered in line with the work on the consultation on routes to registration, to consider broadening the scope in terms of pathways to MRAs, for example including the prescribed examination routes.

There was an increasing amount of international travel for MRAs, and so it was important that an overseas travel policy was put in place in order to provide clarity when making travel decisions and budgeting for this. This would be benchmarked against other organisations. The People Committee would receive a copy of the interim policy at its next meeting. Data from travel was collected as part of ARB's sustainability reporting.

ITEMS FOR DISCUSSION

13. Accreditation Committee Annual Report

This was the first annual report of the Accreditation Committee, which was presented by the Chair of the Accreditation Committee who provided an overview of the work of the Committee in 2024.

The Committee had been in existence for just over a year and initially the Committee's time had been spent on induction and understanding the accreditation processes.

The majority of the Committee's work had been concerned with the annual monitoring, course changes and the new introduction of review visits.

The Chair provided a brief overview of some of the specific cases that the Committee had considered and provided assurances around the direction of travel in relation to these.

The annual monitoring next year would be more focused on the accreditation standards. Review visits were a new and recently introduced concept for ARB.

The Board was satisfied with the positive work of the Committee to date, and welcome further feedback on the work of the Committee, particularly with regards to the new accreditation standards and triangulation measures that would take place during visits in the future.

14. Any Other Business

There was no other business.

15. Dates of Future Board Meetings

The next meeting would take place on Wednesday, 21 May 2025. The meeting would be held in person at the *ARB Office, 70 Gray's Inn Road, London, WC1X 8NH*.