

# **Equality Scheme**

## **Registrar's introduction**

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Diversity means embracing a culture and philosophy that is free from any form of unlawful discrimination. It values and recognises differences in everybody with whom we come into contact, and offers equality of opportunity to all. Promoting equality and recognising and valuing people's differences is not just a "tick box" exercise for us. It places equality and diversity firmly at the heart of ARB's agenda.

In meeting our general duties under the legislation, we will act in accordance with our responsibility as a statutory body. We will continue to review our policies regularly, and test new policies we plan to introduce to make sure that they do not contain any elements of unlawful discrimination and are fair to all.

We are committed to promoting equality and diversity, and we will continue to ensure that equality good practice is central to our work.

**Karen Holmes**  
**Registrar and Chief Executive**

## Section 1

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### 1. Who we are and what we do

1.1 The Architects Registration Board – ARB – maintains the UK statutory register of architects. We were established in 1997 by an Act of Parliament (the Architects Act 1997) and it is from this Act that our duties and responsibilities are derived.

1.2 ARB is governed by a Board of 11 members (five architects, five non-architects and one Chair), all appointed by the Privy Council.

### 1.3 Our key responsibilities

1.3.1 As a statutory body, ARB has a duty to deliver its responsibilities under the Architects Act. These are:

- Prescribing (or recognising) the qualifications needed to become an architect
- Keeping the UK's register of architects
- Ensuring that architects meet our standards for conduct and practice
- Investigating complaints about an architect's conduct or competence
- Making sure that only people on our register offer their services as an architect
- Acting as the UK's competent authority for architects.

### 1.4 Purpose and Objectives

1.4.1 ARB's primary purpose is to deliver the Act. The ARB Board has identified two objectives from the Act which underpin all of our ARB's work. These are:

- Protect the users and potential users of architects' services
- Support architects through regulation

1.4.2 The core values are:

#### **Proportionality**

ARB's actions are proportionate and demonstrate the efficient and effective use of its resources, taking into account the issues and risks involved.

#### **Objectivity**

ARB is objective in taking decisions, and its actions are based on evidence.

#### **Openness**

ARB welcomes, encourages and considers the opinions of others.

#### **Transparency**

Wherever possible, ARB is transparent in its actions, makes information accessible to others and takes decisions in public.

#### **Integrity**

ARB is professional and honest, and treats everyone with respect.

#### **Consistency**

ARB's rules, guidance and procedures will be harmonised and implemented fairly.

## Section 2

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### 2. Where we are now and our future work

- 2.1 ARB has an ongoing commitment to implementing action that will improve its performance and outcomes in effective equality practice. We appreciate that there are different responsibilities and requirements laid down by the legislation that affects us as a regulator and as an employer. We have made no distinctions within our equality scheme, but the differences are reflected in our policies and procedures.
- 2.2 **General issues and ethos**
- 2.2.1 ARB has a commitment to equality and diversity that goes further than complying with the law; there are benefits to both ARB and those that we come into contact with for us to value diversity. We promote equality, diversity and inclusion not because we have to, but because we want to.
- 2.2.2 We regularly carry out a programme of appropriate and relevant equality and diversity training for our staff. Our intention is to broaden learning and development opportunities not only for our staff, but also for Board members, advisers and those who provide a service on our behalf, to enable ARB to deliver its statutory equality and diversity responsibilities across all functions.
- 2.2.3 When developing or reviewing our policies, we will consider whether it is proportionate to undertake an equality assessment to ensure that discrimination is avoided and equality is promoted.
- 2.2.4 We will continue to publish our policies, consultations and other documents online, including the outcomes of equality assessments. Our website is our major information and communication resource, and we will continue to develop it to the recognised standards for accessibility. We have achieved a great deal of progress in improving our external communications, for example, by ensuring that our consumer and information leaflets follow the principles of plain English. While we don't currently have any plans to offer these in different formats we would seek to respond positively to any such request we might receive. We have also committed to make our premises accessible and to provide a pleasant environment for our staff and visitors. As part of effective consultation exercises, we are committed to reaching a diverse range of stakeholders and listening to voices that are seldom heard. This may include surveys and organising small focus groups.
- 2.2.5 We have reviewed our recruitment processes for service providers so that, over time, the diversity of representation in the membership of ARB's different panels will fairly represent those we engage with. We continue to seek out opportunities to widen those we receive applications from, by engaging with special interest groups where possible.
- 2.2.6 We have collected equality and diversity information since 2012. We include an equality monitoring request with every application to register, and in every significant interaction with our service users and stakeholders. This allows us to build up a picture of the composition of the Register and those who use our services from a diversity viewpoint. We report annually on the diversity make-up of the Register, and have committed to publishing diversity information in relation to recruitment when appropriate.
- 2.2.7 As part of the strategy to mainstream equality principles, we have a standard paragraph in all Board papers on the equality implications of proposals. Equality and diversity issues and updates are also included on all-staff meeting agendas and management meeting agendas. Our equality policy is included in the staff handbook and is attached to this scheme as **Appendix 1**.
- 2.2.7 In procurement, and subject to any Government instructions applying at the time, we will work towards ensuring that our contracts are accessible to a wide pool of suppliers. The Operational Management Group will keep this area under review.

## Section 3

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### 3. ARB's equality scheme

- 3.1 ARB prides itself on continuous improvement in all aspects of its business. In this regard, equality is no exception.
- 3.2 We recognise the importance of having a scheme in place that both values and recognises differences in our staff, our Board, our registered architects, our advisers and, crucially, members of the public who use our services. Our first scheme laid the foundations for us to implement a number of processes that began to embed equality throughout the organisation. We will continue to operate these under our scheme which sets out our responsibilities under the public sector equality duty.

### 3.3 The public sector equality duty (PSED)

3.3.1 The PSED is a duty on public bodies insofar as they carry out public functions. It is designed so that public bodies consider the needs of all individuals in their day-to-day work. It encourages public bodies, such as ARB, to understand how different people will be affected by their activities to ensure that policies both support and open up opportunities for people.

3.3.2 The PSED replaces three previous public sector duties, those for race, disability and gender. The PSED covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – including ethnic or national origins, colour, nationality or caste
- religion or belief – including lack of belief
- sex
- sexual orientation

The duty also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

3.3.3 The PSED has three aims. These are to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **advance equality of opportunity** between people who share a protected characteristic and people who don't;
- **foster good relations** between people who share a protected characteristic and those who don't.

3.3.4 We will have due regard to the three aims of the PSED every time we exercise our decision-making powers. This means that consideration of equality issues must influence the decisions we reach, for example, how we act as an employer; how we develop, evaluate and review policies; and how we commission and procure services.

3.3.5 We will also give due consideration to advancing equality of opportunity by ensuring that:

- we remove or minimise disadvantages suffered by people due to their protected characteristics;
- we meet the needs of people with protected characteristics; and
- we encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

- 3.3.6 We will tackle prejudice and promote understanding between people who share a protected characteristic and others to foster good relations.
- 3.3.7 Complying with the PSED doesn't mean that everybody is treated the same. This may involve making use of the positive action provisions to provide a service that is appropriate for people who share a protected characteristic – for example, employing someone with a protected characteristic where that characteristic is under-represented. Another example is where the duty explicitly recognises that the needs of disabled people may be different from those of non-disabled people. As a public body, we should therefore take into account any impairment that a disabled person might have when we make decisions about policies or services, which may mean making reasonable adjustments or treating disabled people differently so that their needs are met.
- 3.3.8 Because ARB is not listed under Schedule 19 of the Equality Act (this is the section that requires public bodies to adhere to the specific duties as well as the general duties required by the PSED), there is no expectation for us to produce an action plan. Instead, we will report periodically to the Board on equality and diversity issues.

#### 3.4 **Demonstrating compliance with the PSED**

There is no explicit requirement to refer to the PSED in the decision-making process, but it is good practice to do so. By keeping records of how decisions were reached, we will be able to demonstrate that the three aims of the duty were given full consideration.

#### 3.5 **What the legislation means for ARB**

In our scheme, we have tried to capture all the requirements of the PSED. We will continue to keep a watchful eye on the changing landscape and make further relevant changes to the scheme to reflect the current provisions as the need arises.

For the purposes of the scheme, the main functions, policies and procedures that appear to be relevant in promoting equality and tackling discrimination are attached as Appendix 2 to this scheme.

#### 3.6 **The Human Rights Act 1998**

In addition to the equality legislation, we will pay due regard to the provisions of this Act. The Act makes it unlawful for a public body to breach convention rights, unless an Act of Parliament meant it could not have acted differently.

In general, the effect of this legislation is that in carrying out their duties, public bodies are required to take into account the convention on the rights of an individual.

## Section 4

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### 4. Our commitment to equality

#### 4.1 Scheme governance arrangements

The Board has a statutory responsibility to ensure that ARB meets the specified requirements of the PSED. Equality and diversity implications for all policies and processes are drawn to the Board's attention so that consideration can be given to whether they meet the requirements of the equality duty. In discharging its responsibilities, the Board will pay due regard to the aims of the duty, and will encourage diversity and promote equality of opportunity.

#### 4.2 Management arrangements

The Registrar and Chief Executive leads the organisation on a day-to-day basis, and is accountable to the Board for the design, delivery and review of the equality scheme. More generally, the Registrar is responsible for ensuring that ARB operates within the law.

Equality and diversity is a standard item on Operational Management Group (OMG) monthly meeting agendas. It is in this forum that issues are raised, discussed and implemented where necessary.

Heads of department are accountable for the performance of their own portfolios. They are also responsible for ensuring that equality impact assessments are conducted where appropriate in the areas they manage.

## Section 5

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### 5. Equality assessments

Equality assessments are used as tools to analyse the potential or actual effects of a policy or service on specified groups of people. The aim is to ensure that an organisation's activities do not directly, indirectly or unintentionally discriminate against anyone, particularly target equality groups.

We will take a proportionate approach to conducting equality assessments, and will always consider equality implications regardless of whether a full EIA is carried out, by asking the following questions:

1. What is the purpose of the activity/policy/proposal/ service/change?
2. How are people affected?
3. Could people be affected differently?
4. Does the activity make a positive contribution to equality?

We will use the answers from the assessment to then shape our policy decisions.

We have developed an equality assessment form specifically for this purpose, and have provided training for staff who will undertake assessments.

## Section 6

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### 6. Collecting Equality & Diversity data

As a matter of course, we collect equality data on registrants, job applicants, staff, advisers and those who provide and use our services. We also collect equality information from those involved in our disciplinary work.

Equality monitoring data allows us to analyse whether there may be barriers in any of our processes that could be discriminatory. It also helps to give us an understanding of whether our communications, on whatever topics, are reaching a wide and diverse range of people. If, from studying the data, it appears that there are elements which create barriers, we can undertake an assessment to identify where the barriers are and how they might be removed so that we offer a barrier-free approach.

Providing equality data is voluntary, but we will encourage declarations. However, it should be noted that the data is only as good as the returns we receive, and we cannot guarantee a 100% response rate.

Where appropriate and in line with data protection legislation, we will publish the equality and diversity information we hold.

## Section 7

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### 7. Equality & Diversity Performance Plan

- 7.1 Measuring our success in delivering against the requirements of the PSED is not a straightforward task. While ARB can compare itself with other regulatory bodies, each has its own unique challenges in terms of resource, expectations and the needs of their service users.
- 7.2 In March 2018 the Board agreed a three year E&D Performance Plan. This allowed for objectives to be set along with measures of success, and gave the OMG the opportunity to plan and budget the specific work-streams into the Business Plans of the organisation.
- 7.3 The objectives of the Plan are to:
- ensure that ARB remains compliant with equality legislation in all our work;
  - engage with stakeholders from across society in our regulatory activities, including diverse members of the public and the profession;
  - communicate in a way that is accessible to all;
  - deal with complaints about architects' conduct and competence in a fair manner for all;
  - set standards for the profession that are inclusive and take into account Equality & Diversity considerations;
  - ensure that access to and retention on the Register of Architects is fair and non-discriminatory.

### Equality policy

#### 1. Introduction

- 1.1 ARB recognises that discrimination and victimisation is unacceptable. We believe that no employee or job applicant should receive less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of age, disability, gender/gender reassignment, marriage/ civil partnership, pregnancy/maternity, race, religion or belief, sex, or sexual orientation (the protected characteristics under the Equality Act 2010).
- 1.2 Our aim is to have a workforce that is truly representative of all sections of society, where each employee feels respected and able to give of their best. We oppose all forms of unlawful and unfair discrimination or victimisation. To that end, the purpose of this policy is to provide equality and fairness for all in our employment.
- 1.3 All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. We will help and encourage all our employees to develop their full potential, and their talents and resources will be fully utilised to maximise the efficiency of the organisation.
- 1.4 Our staff will not discriminate directly or indirectly, or harass anybody because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of ARB's services.
- 1.5 This policy shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice that the Equality and Human Rights Commission or any Government Departments may issue from time to time.

#### 2. Our commitment

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities will be made available to all staff.
- To promote equality in the workplace, which we believe is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness. The reviews will take place every three years, or when changes in legislation occur.
- Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

#### 3. Responsibilities

- 3.1 Line managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Each line manager will ensure that all their staff are aware of the policy, and the reasons for the policy. Any grievances concerning discrimination will be dealt with properly, fairly and as quickly as possible.

3.2 Responsibility for ensuring that there is no unlawful discrimination rests with all staff, and their attitudes are crucial to the successful operation of fair employment practices. In particular, all members of staff should:

- comply with the policy and arrangements
- not discriminate in their day to day activities or induce others to do so
- not victimise, harass or intimidate other staff or groups who have, or are perceived to have, one of the protected characteristics
- ensure that no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic
- inform their manager if they become aware of any discriminatory practice.

#### **4. Third parties**

4.1 Third-party harassment occurs where an ARB employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients or customers. ARB will not tolerate such actions against its staff, and the employee concerned should inform their line manager at once if this occurs. We will investigate such instances fully, and take all reasonable steps to ensure such harassment does not happen again.

#### **5. Rights of disabled people**

5.1 ARB attaches particular importance to the needs of disabled people. Under the terms of this policy, we will ensure that we:

- make reasonable adjustments to maintain the services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours;
- include disabled people in training/development programmes;
- give full and proper consideration to disabled people who apply for jobs.

5.2 We will take reasonable steps to reduce or remove any substantial disadvantage which a physical feature of our premises or employment arrangements could cause to a disabled employee or job applicant. Examples of "reasonable steps" would be putting Braille information in lifts, or providing an adapted telephone for someone with a hearing impairment.

5.3 ARB recognises that people with disabilities are often denied a fair chance at work because of misconceptions about what they are and are not capable of doing. Equally, the need for physical modifications to office equipment or even restructuring the jobs may often present difficulties. The aim of the policy will be to attempt to overcome these difficulties where possible, and so enhance the opportunities available to people with disabilities.

#### **6. Rehabilitation of Offenders**

6.1 In accordance with the Rehabilitation of Offenders Act 1974 (as amended), ARB will not unlawfully dismiss an application on the grounds of a spent conviction.

#### **7. Recruitment and Selection**

7.1 It is ARB's intention to recruit high quality candidates whose skills and experience are most suited to the job.

7.2 ARB will encourage applications from all sections of the community irrespective of gender, race, colour, ethnic origin, nationality, sexual orientation, marital status, religion, belief, age or disability. In addition, equality of opportunity will be emphasised during all stages of the recruitment process.

## **8. Training**

- 8.1 Training is an important factor and can lead to opportunities at work. Training opportunities will be assessed, and if appropriate, offered to the individual.
- 8.2 ARB will seek to ensure equal access to training, and will consider the need for special training for those groups who may be disadvantaged as a result of any protected characteristic.

## **9. Flexible Working Patterns and Facilities**

- 9.1 Subject to operational needs, ARB will continue to encourage flexible working patterns and facilities to attract and retain staff. These will include flexibility in starting and finishing times, special leave, and the provision of special adaptations to help those with special needs.

## **10. Positive Action**

- 10.1 Although it is unlawful to discriminate positively in favour of certain groups on the grounds of race or gender, positive action to enable greater representation of under-represented groups is permitted by law and will be encouraged by ARB
- 10.2 ARB is opposed to the introduction of quotas, but where there are serious under-representations of a particular group, a real effort will be made to rectify the imbalance. Selection for interviews and jobs will continue to be competency-based.

## **11. Disciplinary and Grievance Procedures**

- 11.1 Acts of discrimination, victimisation, bullying or harassment on the grounds of race, gender, sexual orientation, religion, belief, age or disability by members of staff will be dealt with under ARB's Dignity in the Workplace Procedure and/or the Disciplinary Procedure.
- 11.2 Any member of staff who perceives a problem in recruitment, selection, promotion, the application of conditions of service, or who considers that they have been subjected to any form of discrimination, victimisation, bullying or harassment, should raise the matter through ARB's Dignity in the Workplace Procedure or the Grievance Procedure.

## **12. Individual Responsibilities**

- 12.1 This policy will apply to all staff at ARB. Each member of staff has a duty, both morally and legally, not to discriminate against individuals or disadvantaged groups. ARB will not tolerate discrimination by any of its staff. Cases of discrimination will be dealt with under the Dignity in the Workplace Procedure and/or the Disciplinary Procedure as appropriate.

### Functions, policies and procedures relevant to the public sector equality duty

The following are examples of those of our functions that are subject to the public sector equality duty, and are given for illustration. It is not an exhaustive list.

#### 1. Human resources

##### 1.1 Recruitment and selection

The method for recruiting staff differs according to the level of staff we are recruiting for. We will assess whether the position to be filled is one we manage ourselves through our HR services provider, or whether it is one where we need to bring in a recruitment agency.

Candidates are generally asked to complete an online application form, and indicate how they meet the person specification for the post. An online Equality monitoring form is collected, and that information will be collected and analysed to inform future recruitment campaigns, and highlight any statistical anomalies that may require addressing.

The decision to shortlist for interview is made in ignorance of any equality and diversity information, purely on merit in how well the candidate indicates that they may meet the requirements for the post.

Interview panels will always include a member of the OMG and always include an exploration of the candidate's appreciation of equality and diversity principles.

As with the selection process, appointments are made on the basis of the candidate's skills abilities, knowledge and previous experience set against the requirements of the role. Interviewers must record the reasons for their decision, which will be available for auditing.

##### 1.2 Training and development

It is a feature of every job description that staff should be proactive in identifying any training needs, either to help them to do their job or to help them develop their existing skills. There is also provision within the staff handbook for financial assistance for staff who wish to undertake development training. Training needs are also explored with staff during the annual and mid-year reviews.

We are committed to ensure that our staff can develop their fullest potential, which benefits the individual, their team and the organisation as a whole. However, any form of training that attracts a cost will depend upon ARB's ability to pay at the time the training is requested.

All staff will periodically receive basic E&D training, for example on the requirements of the Equality Act, and the benefits to ARB of valuing diversity. Staff and service providers will also receive job specific E&D training that is relevant to their particular duties.

#### 2. Communication

##### 2.1 Website

ARB's website, [www.arb.org.uk](http://www.arb.org.uk), is our primary source of communication, both for architects and members of the public.

## **2.2 eBulletin**

The eBulletin is aimed at architects. It is produced after each Board meeting (usually five times a year) and it contains updates on what is happening at ARB, and other information considered to be of interest to the profession. The eBulletin is only available electronically, and architects can opt out of receiving it if they prefer.

## **2.3 Annual report**

The annual report is produced in June/July each year. As a result of efficiency savings and our “green” agenda, the report is produced electronically. Recipients are able to download a pdf copy if they wish. A copy is sent to every architect whose email address we hold, and the report is available on our website. We also send the report to interested stakeholders. Again, architects can opt out of receiving the report if they wish.

The annual report will include information on the E&D statistics that ARB holds.

## **3. Professional standards**

### **3.1 Complaints against architects**

The Architects Act gives us the power to investigate complaints about an architect’s conduct or competence. After the initial preparatory work by the Professional Standards department, a complaint is passed on, in the first instance, to the Investigations Panel. This panel assesses the complaint to establish whether there are issues of unacceptable professional conduct or serious professional incompetence that warrant referral to the Professional Conduct Committee (PCC) for a public hearing. The independent PCC is separately constituted under the Act, and has the power to impose disciplinary sanctions in cases where an architect is found guilty of the charge or charges brought against them.

### **3.2 Regulation of title**

Our work in regulating use of the title “architect” is covered by Section 20 of the Architects Act. Use of the title “architect” is restricted to those individuals who have had the education, training and practical experience needed to register with ARB and become an architect. It is a criminal offence in the UK to use the title unlawfully, and anyone who does so faces prosecution in the magistrates’ courts and a fine.

## **4. Prescription of qualifications**

### **4.1 Prescription procedure**

The Architects Act requires ARB to prescribe the qualifications that lead to registration as an architect. The process is paper-based, and schools and institutions of architecture submit a selection of documents to ARB (the documents they can submit are set out in the Prescription Procedures), which allows ARB’s Prescription Committee to decide whether all the appropriate information is contained within the submission. The submission is then considered by the Board for a decision on whether the qualification meets the relevant objectives.

### **4.2 Presentations to students**

For many years, we have run a programme of visits to schools/institutions of architecture to introduce ARB to students at Parts 1, 2 and 3 of their architectural education. The visits are a mix of talks, presentations and workshops, and cover a wide range of ARB-related topics from registering as an architect to the duties and obligations that sit with being a registered architect.

## **5. Registration**

### **5.1 Registering as an Architect**

There are three routes to registration:

- UK-qualified
- EU-qualified
- Overseas and non-recognised qualifications

Where the qualifications held by an individual aren't prescribed by ARB, we run our own examination to assess whether these qualifications are equivalent to our own. The process involves the applicant having their skills and experience examined by a panel of examiners, all of whom are architects.