

Open session

Board meeting: 28 March 2023

Agenda item: 3

Subject: Appointment of a Temporary Lay Board Member/Appointment to the People Committee

Action: For Decision

Purpose

To appoint a Temporary Board Lay Board member. To agree to appoint the Temporary Lay Board member as a member of the People Committee.

Recommendations

It is recommended that the Board agrees to:

- i. Appoint Samantha Peters as a Temporary Lay Board Member for a period of 12 months, with effect from 1 April 2023, subject to section 11.1 of the Board's General Rules and subject to the due diligence process being satisfactory completed, including the receipt of satisfactory references; and
- ii. Appoint Samantha Peters as a Lay Member of the People Committee, noting that Ms Peters will replace Alan Kershaw as a member of the Committee, with effect from 1 April 2023, subject to section 11.1 of the Board's General Rules and subject to the due diligence process being satisfactory completed, including the receipt of satisfactory references.

Annexes

N/A

Author/Key Contact

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1. Open Session

2. Background and Key points

- 2.1. At its meeting of 15 December 2022, the Board noted that a Lay Board member, Derek Bray, had tendered his resignation from the Board and wished to step down no later than 31 March 2023.
- 2.2. The Board has some significant strategic matters and important decisions to make during the remainder of 2023, and without a full complement of Board members, there is a risk that key policy decisions would be delayed. The Board agreed that a temporary Board appointment should be made until the Department for Levelling Up, Housing and Communities, who are responsible for the public appointments process to the Board, had successfully recruited a permanent replacement for the role. The Department proposes to begin the recruitment process in April 2023, which could take up to a year to successfully complete.
- 2.3. The Board noted an outline of the recruitment process and agreed that the selection panel should consist of:


Alan Kershaw, ARB Board Chair

Teri Okoro, Architects Board Member

Liz Male, Lay Board Member
- 2.4. Following a series of steps to take the recruitment process forward, applications closed on 15 February 2023.
- 2.5. From the pool of 18 applications which had been received by the deadline, four applicants were shortlisted for interview. Interviews took place online on 3 and 6 March 2023.
- 2.6. Section 11 of the General Rules state that,

'Pursuant to paragraph 1(3) of Part 1 of Schedule 1 of the Act the Board may make a temporary appointment of a person to act as a member of the Board in the event of any vacancy (however arising) but that appointment will cease on the earlier of

a. that person's resignation or their removal from the Board under Rule 12 or




b. the relevant vacancy is filled in line with paragraph 1(2) of Part 1 of Schedule 1 of the Act) or

c. the expiry of a period of one year from the date of the temporary appointment or

d. the completion by the appointee of the maximum period of membership permitted by paragraph 5(2) of Part I of Schedule I of the Act. 11.2.

The Board may extend the expiry period applying to a temporary appointment for the purposes of Rule 11.1 (c) on not more than two occasions by a period of not more than six months on each occasion.'

- 2.7 The Panel unanimously agreed that they wished to recommend that Samantha Peters be appointed as the Temporary Lay Board Member for a period of 12 months, subject to section 11.1 of the General Rules.
- 2.8 Due diligence are in the process of being carried out by the Executive, including checks regarding Samantha Peters' declarations of interest and social media activity. Rights to work and reference checks are also being undertaken. A further update will be provided at the Board meeting; if there are any outstanding checks to be completed it is recommended that the appointment to the Board be made pending the satisfactory conclusion of these checks.
- 2.9 Samantha Peters is a management practitioner with some twenty years' experience of leading organisations which represent the interests of professionals, their clients and the wider public. She was Chief Executive and Registrar of the General Optical Council, the UK's regulator for optical professionals and businesses, from 2011 to 2017. She is currently a lay director at the British Acupuncture Council and the British Dietetics Association. Samantha Peters has an MBA from Cass Business School, where she received the Tallow Chandlers Award for her research on the subject of blind or excessive trust. Samantha has also recently completed a PhD at the University of Bath. Her thesis looks at the role that institutions can play in promoting or inhibiting professionals' altruism towards their customers or clients.
- 2.10 Subject to the Board's appointment of Samantha Peters, the Board is also asked to consider appointing Samantha Peters as a lay member of the People Committee, in order to replace Mr Alan Kershaw, who notified the Board of his intention to step down from the Committee in February 2023. As with Samantha Peters' appointment to the Board, if there are any outstanding due diligence checks to be completed, it is recommended that the appointment to the Committee be made pending the satisfactory conclusion of these checks. Samantha Peters has the appropriate skills and experience to be an effective member of the People Committee. As Chair of the ARB Board, Mr Kershaw will periodically attend meetings of the People Committee as an observer, as he does with the Board's



other committees. In line with the General Rules, Samantha Peters' appointment to the People Committee will cease when she ceases to be the Temporary Board Member or the Board opts to review the membership of the Committee.

- 2.11 Subject to the Board's decisions, and in line with the Board-approved Terms of Reference, the membership of the People Committee with effect from 1 April 2023, would be as follows:

Chair, Lay Board Member	Liz Male
Lay Board Member	Samantha Peters
Architect Board Member	Stephen McCusker
Architect Board Member	Teri Okoro
Independent External Member	Ian Muir

3. Resource Implications

- 3.1. The costs of the recruitment process, as well as the Temporary Board Member's remuneration will be covered by the Governance Department's budget for 2023.
- 3.2. Significant staff time has been dedicated to the running of the recruitment process, which we estimate to be in the region of 21 days (this includes Director, Manager and Officer level time). We additionally incurred costs of approximately £1750 in relation to the advertisement of the role as well as dedicated independent expert advice.
- 3.3. The remuneration for the role is £8,360 per annum, paid in monthly instalments.

4. Risk implications

The Board should be properly resourced with membership selected from those who have appropriate skills, expertise and experience to ensure that the ARB's statutory responsibilities and objectives can continue to be fulfilled. Failure to populate the Board appropriately could impact on the Board's ability to deliver its statutory functions. This risk is identified in the corporate risk register and in particular the risk that delays in making a permanent appointment to the Board could impact quoracy and our ability to delivery our corporate strategy. This appointment is specifically designed to mitigate this risk.


The recruitment exercise has identified the candidate who has the skills, expertise and experience as set out in the essential competencies for this temporary role. The selection panel are confident that the individual identified above will make an effective contribution to the work of the Board during their tenure. Briefing sessions will be provided to the new member to ensure that they fully understand their role and responsibilities. Temporary Board members are subject to the annual review process if they are in post at the time the reviews take place.

5. Communication

- 5.1 We will confirm Samantha Peters' appointment with a short update on our website.

6. Equality and Diversity implication

- 6.1. We undertook a series of steps to ensure that the Temporary Lay Board Member role attracted as wide and diverse a pool of applicants as possible. We made extensive use of all our contacts and networks, as well as those recommended to us by the Department for Levelling Up, Housing and Communities to advertise and promoted the role widely. We will be analysing the impacts of the places where we advertised, which included Evenbreak, Women on Boards, the Equality and Diversity Forum, Gender Matters, the Age Employment Network and the Association of Chief Executives/Public Chairs Forum amongst others, carefully to determine whether we should continue to use these in future.
- 6.2. We also reviewed the role overview and selection criteria; ran an online information session during the course of the application period so that applicants could learn more about the organisation and its work; offered applicants the opportunity to meet with the Chief Executive & Registrar online, as well as ARB's independent HR consultant in order to prepare for an online interview; and all interviews were run online.

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- 6.3. We collect equality and diversity data at each stage of the appointments process and reviewed annually to ensure the appointments process is fair and accessible to as many people as possible.
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7. Recommendations

- 7.1. It is recommended that the Board agrees to:
- i. Appoint Samantha Peters as a Temporary Lay Board Member for a period of 12 months, with effect from 1 April 2023, subject to section 11.1 of the Board's General Rules and subject to the due diligence process being satisfactory completed, including the receipt of satisfactory references; and
 - ii. Appoint Samantha Peters as a Lay Member of the People Committee, noting that Samantha Peters will replace Alan Kershaw as a member of the Committee, with effect from 1 April 2023, subject to section 11.1 of the Board's General Rules and subject to the due diligence process being satisfactory completed, including the receipt of satisfactory references.
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