

Board Paper

for Open session

Subject:

Board and Committee Members' Annual Performance
and Development Review Process

Board meeting:

16 July 2024

Agenda item:

8

Action:

- For noting
- For discussion
- For decision

Purpose

To seek further feedback on the proposed Board and Committee members' Annual Performance and Development Review process and documentation, noting the amendments which have been made to the review process forms following the Board's meeting of 22 May 2024.

Recommendations

The Board is asked to discuss the revised Board and Committee members' Annual Performance and Development Review process and supporting documentation, providing any further feedback before the process and the supporting documentation is considered by the People Committee for approval at its meeting of 28 August 2024.

Annexes

Annexe A – Annual Performance and Development Review Guidance for Board and Committee Members

Annexe B – Board Members' Annual Review Form

Annexe C – Nominated Reviewers Feedback Form

Author/Key Contact

Eleri Jones, Head of People – elerij@arb.org.uk

Emma Matthews, Director of Governance & International – emmam@arb.org.uk

1. Open Session

2. Background and Key points

- 2.1. The approach and operation of annual performance and development reviews for Board Members are fundamental to good governance. They provide an important structure for improvement and support, enabling Board and Committee members to be as effective as possible. They are becoming an increasingly prominent feature of other statutory regulatory bodies, e.g., the General Medical Council and the Health and Care Professions Council, and are being encouraged by central Government departments, e.g., the Cabinet Office's Guidance on Non-Executive Director Appraisals which is specifically aimed at Arm's Length Bodies.
- 2.2. Keeping pace with and adhering to good practice in this area plays an important role in upholding confidence in our organisation, as well as supporting delivery of ARB's strategic aims, particularly in relation to continuous improvement within the organisation.
- 2.3. Board members, including the Chair, are appointed and re-appointed in line with the Architects Act 1997 and through the Public Appointments process. Because of this there are certain requirements and expectations around Board members' annual reviews which ARB needs to ensure are fulfilled. These are set out in the ARB/Department for Levelling Up, Housing and Communities Framework Agreement and have been incorporated into the process and approach being proposed.
- 2.4. At its meeting of 22 May 2024, the Board discussed proposed revisions to the Board and Committee Members' Annual Review Form process and noted the People Committee's feedback.
- 2.5. The Board recognised the work that had been carried out to develop the process and the supporting documents, i.e., the annual review and feedback forms. However, there was a shared view that more substantial amendments should be made to ensure that the revised process was efficient and more proportionate, reflecting the non-executive roles that Board members held. The appropriateness of the proposed scoring system for those providing feedback was queried and concerns were expressed that it could inadvertently impact relationships across the Board.

- 2.6. It was agreed that further work should be undertaken in relation to the review process, particularly the supporting documentation, based on the Board's feedback, and that an update should be provided to the Board at its meeting of 16 July.
- 2.7. The Board are invited to provide any additional feedback before the revised process and supporting documentation is presented to the People Committee in August for approval in line with its current terms of reference.
- 2.8. Following feedback, the Executive has revised the Nominated Reviewers Feedback form (**Annexe C**). Updates to the Annual Review process and guidance document (**Annexe A**) and the Board Members' Annual Review Form (**Annexe B**) were made following the People Committee's feedback in May 2024 and have been appended so that the Board has the full suite of documents. Advice and feedback were also sought from the Chair of the People Committee in mid-June 2024, who provided further valuable insights which have been incorporated within the revised Nominated Reviewers Feedback form.
- 2.9. A number of changes in response to specific feedback have been made to this form:
- We have removed the proposal for a rating around performance and outcomes (e.g., areas to improve/develop; delivering or exceeding).
 - The general feedback question on overall performance as a Board Member has been modified to be clearer with illustrations on the typical behaviours that we would expect.
 - The Values and Behaviours section reflects the recently approved Board Values and asks the reviewer to comment through providing examples.
 - The overall comments section also enables final comments regarding any suggestions around development, what to start, stop and continue doing.
 - There is also additional guidance at the end to support the reviewer in identifying examples.
- 2.10. Following approval of the process and the forms, the guidance notes will be updated to reflect what has been approved.
- 2.11. The revised process, subject to approval by the People Committee in late August 2024, will be run as a full prototype during the 2024 round of annual reviews, which will commence in late September and run throughout the Autumn.
- 2.12. A detailed briefing session will be provided to all Board and Committee members in September 2024, which will include taking members through the process and how it will operate, providing and receiving feedback, opportunities to raise queries, and to provide relevant feedback before the model is rolled out.

2.13. Feedback will not only be gathered as part of the briefing sessions, but also once all appraisals has been completed and all Board and Committee members have undertaken their annual reviews for this cycle. At the end of the 2024 cycle, we will review and make any further developments and improvements.

2.14. The Board is asked to discuss the revised documents and provide any further feedback on these. A final version of the proposed documents will then be taken to the People Committee for consideration and approval at its meeting of 28 August 2024.

3. Resource Implications

3.1. Provision for the briefing and training of the Board and Committee members has been made in the Governance budget for 2024.

4. Risk Implications

4.1. Providing opportunities for Board and committee members to meet with the Chair of the Board/Chair of the Committee, and Associates to meet with a member of the Executive, at least once a year to review their performance and development is an important part of maintaining robust and effective governance processes. It offers the opportunity to discuss areas of development that may be beneficial as well as identifying ways to improve performance and contributions to the organisation and enables the organisation to support this. Failure to provide adequate and structured opportunities to discuss these matters could lead to poor performance and ultimately a failure to deliver ARB's core functions. The proposed process and guidance will assist in mitigating against this risk.

4.2. Incorporating the relevant requirements and expectations from the ARB/Department for Levelling Up, Housing and Communities Framework Agreement should mitigate any risks around Board members' re-appointments and ensure that we can provide the right information at the appropriate points in the re-appointment process.

4.3. Securing support and buy-in from those who will be participating in the process is an important factor as the process is revised; lack of opportunities to contribute and provide feedback may lead to dissatisfaction and a lack of engagement with the revised process once it is rolled out. To mitigate this risk, we have as mentioned

above, built in opportunities for Board members and where possible Committee members to feed into the development process.

- 4.4. We recognise that there is a very specific concern around time commitments to complete documentation and hold review meetings. We will ensure a post implementation review is held in 2025 to ensure the process is both effective and proportionate.

5. Communication

- 5.1 Following a decision to approve the revised Review process by the People Committee, we will organise briefing sessions during September 2024 for Board and Committee members.
- 5.2 As noted above, the briefing sessions will enable us to take Board and Committee members through it, to provide further guidance on giving and receiving feedback, and answer any queries they may have at that stage.
- 5.3 The process will then be implemented from early Autumn 2024, and with effect from the 2024 round of annual reviews.

6. Equality and Diversity implications

- 6.1. We have taken Equality and Diversity implications into consideration throughout the review process and have sought feedback from our Board and Committee members throughout the development process.
- 6.2. We are aware that there are potential risks around unconscious and gender bias; we are launching an EDI tender to support our work in this area; we have appointed an independent consultant through a tender process, we will be seeking advice on how we can best mitigate these risks as we implement the revised Review process.

7. Recommendations

- 7.1 The Board is asked to discuss the revised Board and Committee members' Annual Performance and Development Review process and supporting documentation, providing any further feedback before the process and the supporting documentation is considered by the People Committee for approval at its meeting of 28 August 2024.

ANNEXE A

Annual Performance and Development Review Guidance

ARB Board and Committee Members

Introduction

1. This document provides Board and Committee members (including the externally appointed members of the Audit and Risk Assurance and People Committees) with guidance on completing the Performance and Development Form as part of the Annual Performance and Development Process. The guidance follows each section as it appears on the form, so that it can be easily followed and is accessible.

When do I fill this form in?

2. You are encouraged to complete the form at least 3 weeks before your scheduled meeting. You are also encouraged to use this form during the course of the year where you can capture achievements and thoughts as they arise. This will help to ensure that all relevant information is recorded. It is your form to capture information on your performance, as well as the evidence and information that you wish to share with your reviewer.
3. You will be expected to share your form at least a week before the meeting so that the reviewer can consider what you have presented.

Quick guide on the process and timings

4. At the beginning of the process (usually around September) each member will be sent the following by the Director of Governance and International or members of their team:
 - a. Your Role Profile
 - b. ARB's Values and Behaviours (and the Behaviours that apply to Board and externally appointed Committee Members) Information around meeting attendance.
 - c. Previous year performance management form where the objectives, progress against these, any relevant actions and development activities for this review period will be noted;
 - d. Performance Management Guidance Notes (this document); and
 - e. Nominated Reviewer Form.
5. The following summarises the timings of actions and who completes what section.
 - a. **Sections 1-3** – Board and Committee Member completes this **prior** to the meeting. Reviewer will consider this before the meeting and reflect on what has been shared.
 - b. **Section 4** – Board and Committee Member to give this **some thought ahead** and in preparation for a discussion with the Reviewer. The Reviewer will also prepare thoughts around this area.
 - c. **Section 5** – The Reviewer will complete this **after the meeting**, setting out their overall view and confirming whether the Board Member is suitable for re-appointment as required. Completion of the form will take place where both parties have agreed the form and signed it.

Preparatory Action – Nominated Reviewers Feedback Form

6. Prior to completing the form, you will be required to send the Nominated Reviewers Form to at least 2 individuals. These can be colleagues from your work with the Board and Committees. Feedback will additionally be provided to you from the executive team and/or staff that you regularly work with. The information will be collated by a member of the Governance Team and the feedback will be provided to you prior to your performance review meeting. Your Reviewer will also consider the areas and use the template form to share their feedback with you.

Completing Your Performance and Development Form

Section 1 – General reflections on the year – success and challenges

7. In this section you are encouraged to consider sharing some thoughts and examples of what has gone well, what may not have gone so well or that has been challenging during the reporting period.
8. This may be linked to particular areas of Board work that you have been leading on or more generally around matters that have been successful, or challenging, for the Board to work through. It may include feedback that you received from colleagues, stakeholders etc. Remember to write the account in the first person as you are the author, and they are your personal reflections.
9. There are some examples below may help you.

What went well?

- The Board has worked well during a difficult period for ARB, working to maintain stability and provide clear strategic guidance to the executive.
- I have been successful in making contributions to discussions about areas that were previously unfamiliar to me such as the CPD of architects.

What has not gone so well?

- I have not always felt able to challenge other board members when I did not necessarily agree with viewpoints on particular topics.
- The hybrid arrangement around some meetings has not always been successful due to technical issues which in turn has made me and us as a group less effective.

Section 2 – Reflection on Previous Year's Objectives and Progress against these

10. This is where you will comment and provide an update on your objectives and development actions that were agreed last year's performance review process. It will be helpful to capture these clearly on the form and then provide your narrative on progress.

Illustration

Objectives and/or Development Actions	Commentary and Update
To develop my knowledge in the area of CPD of architects.	<p>I have attended ARB staff briefings to understand more about what the team are doing in this area.</p> <p>I have attended external events/round table discussions to see what stakeholders and practising architects have to say on the topic.</p> <p>I have felt more comfortable in being able to contribute and form a view on what the future of CPD will look like.</p>

Section 3 – ARB’s Values and Behaviours

11. The Values and Behaviours for the Board (and externally appointed Committee members) are identified in the document ARB Board Values and reflected in the competencies for your role. Within this section you should reflect across all areas and provide illustrative examples of where you feel you have displayed the desired values and behaviours. You should think about where you have made an impact or clear contribution because of this value/behaviour.
12. There are some examples:
 - a. **Collaboration** – Where there have been differences of opinion, I have successfully and positively challenged colleagues and the executive to work through issues and seek agreement. Understanding others’ perspectives has been a key part of this and can be illustrated through the work I have been involved with the implementation of the strategy around CPD. This has been positively received and enabled the Board to track progress effectively.
 - b. **Innovation** – The transformation strategy has been a great success and with my background in business improvement and innovation, I have shared and provided advice on initiatives to drive the strategic outcomes.
 - c. **Commitment** – I have shown strong commitment to ARB through my contribution in developing with the Board the EDI strategy to encompass all stakeholders. This was a new area for me but I have sought to increase my knowledge and experience to contribute effectively.
 - d. **Value each other** – I have been able to adjust my style on many occasions to bring colleagues along, thinking about how we can work collaboratively to achieve our aims. Being aware of personal biases has been an enlightening experience this year.
13. During the discussion with your Reviewer, you will also discuss the feedback provided to you by your nominated reviewers. This information will have been provided to you ahead of your meeting.

Section 4 - Looking Ahead

14. This is to consider the future year and to note your thoughts and ideas whilst looking ahead. It will also include your views on areas that you would like to be involved in. Use this as an opportunity to have an open and honest discussion with your Reviewer on where you can make an effective contribution.

Section 5 – Reviewer’s Comments

15. This is where the Reviewer will capture the key messages and feedback. Where relevant it will also detail information about your reappointment. This is important and, for ARB Board members, is a requirement of the Public Appointments process, not only in the year running up to any reappointment, but on a year-on-year basis. Both parties should also sign the form in agreement and to bring the process to a close.

Who reviews who?

16. **Board Members** – all Board members will be reviewed by the Chair of the Board and the relevant Committee Chair will feed into the reviews of the Board member that sits on their designated Committee.
17. **Independent External Committee Members** – they will be reviewed by the Committee Chair.
18. **Chair of the Board** – they will be reviewed by an appointed External Reviewer.

Next steps

19. Once the process has been completed, any necessary actions will be actioned by the Governance Team (and where appropriate the Resources team).
20. As noted above, confirmation that Board members are suitable for reappointment are a requirement of the Public Appointments process. Suitability for reappointment as an ARB Board member must be confirmed by the Chair of the Board for Board members and for the Chair by the Chair’s Reviewer for the Chair. This must be confirmed year on year and not solely in the lead up to a potential reappointment.
21. The Sponsoring Government Department’s Public Appointments Team may require ARB (via the Governance Team) to provide copies of your completed annual performance and development review forms as part of the reappointments process; they can also request these at any time during the course of your tenure.
22. Reviewers who carry out the annual reviews for the externally appointed Committee members will also need to include confirmation of suitability for reappointment as part of ARB’s internal reappointment process. The ARB Board will not reappoint any external Committee members without this confirmation.

Confidentiality and Document Storage

23. All material relating to your Performance and Development Process will be stored securely by the Governance Team. The Human Resources team will also have access to the information as required, this may include supporting the Governance team in collating feedback or carrying out a quality assurance check on the process.

Board and Committee Member Annual Review Form

Name		Board Member/ Committee Member Role(s)	
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Section 1 – General Reflection - Year in review

General reflections on the year – self assessment of your contribution to the work of the Board/Committee over the last year. You may wish to consider the successes and challenges looking at your responsibilities within the role specification for your role.

What has gone well/been successful this year?	What if any challenges have there been?

Section 2 – Reflection on Previous Year's Specific Development Actions or Objectives

Progress against ***specific development actions or objectives*** agreed in your last year's review meeting. Identify what these are with a short summary on outcomes.

Objectives and/or Development Actions	Commentary and Update

Section 3 – Values and Behaviours – Reflections

Considering the Board’s Values and behaviours, provide a summary on how you feel you have displayed the following.

Collaboration	
Innovation	
Commitment	
Value Each Other	

Section 4 - Looking ahead - Areas of focus, objectives and development actions for improving your performance in the year ahead.

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Section 5 – Reviewer’s Comments

The Reviewer should include confirmation as to whether the Board/Committee member is suitable for reappointment as part of their comments.

Signed by Board/Committee Member..... Date.....

Signed by Reviewer..... Date.....





Board/Committee Member's Name	
Review year	
Date of review	
Reviewer's name	

Please review the areas below and consider the performance and contribution of the person you have been asked to provide feedback on. Do complete the questions on the person's overall contribution to the work of the Board, and the Board's values and behaviours, providing examples where you can.

There is guidance at the end of the document to support you in forming and sharing your views and thoughts.

Feedback Questions	
Overall Board Contribution	<p>Definition: Consider their role in contributing to the effectiveness of the Board and its Committees in the governance of ARB.</p> <p>Typical behaviours:</p> <ul style="list-style-type: none"> • They support and challenge the Executive, whilst respecting the boundaries which exist between executive and non-executive roles. • They prepare in advance through reading papers and challenge through identifying questions. • In meetings: <ul style="list-style-type: none"> ○ They make effective contributions to decision making and strategy development. ○ They are focused in meetings and always engage.
Comments/Examples	

Values and Behaviours	

Collaboration	Working together in the best interest of the public and the profession seeking balance between competing perspectives, acknowledging, and learning from others' diverse experiences.
<i>Comments/Examples</i>	
Innovation	Being open-minded and receptive to new ideas and perspectives; sharing thoughts and contributing to discussions whilst also being proactive in creating change.
<i>Comments/Examples</i>	
Commitment	Taking responsibility for decisions, demonstrating a shared commitment to the effective achievement of collective goals and holding each other to account for living up to ARB's values.
<i>Comments/Examples</i>	
Value each other	Fostering a high trust environment, listening actively with empathy, encouraging open communication, and critically examining biases when making complex decisions.
<i>Comments/Examples</i>	
<p>Final comments:</p> <p>From your experience, does this person fulfil their Board role fully, to the benefit of ARB? Yes/No</p> <p>Where do you think this person might benefit from further development or support (if at all)? <i>You may wish to share thoughts on what they might start, stop and continue doing.</i></p>	

Supplementary Guidance

Description	Illustrations
Are there any areas of development?	<ul style="list-style-type: none">• They contribute to discussions and decision most of the time.• They may not have the knowledge around some areas and require support/development.• They don't always display the values and behaviours expected.•
Do they deliver successfully within their role?	<ul style="list-style-type: none">• They are truly competent in the role of a board/committee member.• They are a source of information for other colleagues.• They display all values and behaviours expected.•
Are they seen as exceeding, being proactive and are an inspiration to others?	<ul style="list-style-type: none">• They are pro-active in their contribution around discussions and decision making.• They seek to improve their own knowledge and share with colleagues in a supportive way.• They are seen as a role model in their engagement with others through their behaviours.

Please return the completed feedback form to governance@arb.org.uk
Your feedback will be collated anonymously and will be provided to the relevant Board/Committee member and the reviewer.