

Version

- Internal Draft for Approval
- Chair's Draft for Approval
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BOARD MEETING: MINUTES

Minutes of Board Meeting held on 19 July 2023

Location: Video Conference

Present

Alan Kershaw (Chair)
Mark Bottomley
Emeritus Professor ADH Crook
Professor Elena Marco
Dr Teri Okoro
Will Freeman
Liz Male
Stephen McCusker
Cindy Leslie
Tom McDermott
Samantha Peters
Shamoon Hussain (Boardroom
Apprentice)

In attendance

Hugh Simpson (CEO & Registrar)
Emma Matthews
Simon Howard
Brian James
Rebecca Roberts-Hughes
Marc Stoner
Alice Pun (Governance)
Mandy Kaur (Minutes)
Amber Merritt (Observer)
Nadine Schweitzer (Observer)
Omar Elkebir (Observer)
Jodie James (Item 8)
Rob Wilson (Item 9)

Open Session

1. Apologies for absence

The Chair welcomed everyone to the Board meeting and introduced Amber Merritt, who had recently been appointed as a Corporate Administrator, Nadine Schweitzer, who had recently been appointed as a Registration Team Leader and Omar Elkebir, one of the Registration Officers. Other members of staff would join the meeting for the relevant agenda items.

Jolyon Daw from the Department of Levelling Up, Housing and Communities (DLUHC), was welcomed to the meeting, which he observed throughout the whole of the Board meeting.

2. Members' Interests

The Chair confirmed that all Board members had been asked to declare any conflicts of interest in any of the agenda items prior to the meeting. The Register of Interests was noted; no further declarations had been made in relation to the Open Session items.

STANDING ITEMS

3. Update from the Chair

The Chief Executive & Registrar and Chair had met with RIBA President, Simon Alford and the Chair of the RIBA Board, Jack Pringle and discussions around education reform had taken place. There was a positive discussion about ARB's plans in relation to Continuing Professional Development and a further exchange of views about the Initial Education and Training Review. RIBA had asked for a more in-depth discussion on the Review later in the summer.

The Chief Executive & Registrar and Chair had also met with the President of the Royal Society of Ulster Architects (RSUA), Paul McAllister, and the immediate past President, Donald MacRandal, where a round-table discussion about education had been held. The meeting was particularly positive and constructive, and it was clear from the meeting that change in education was necessary.

Interviews had taken place for the new Accreditation Committee which, while linked, were separate from the key proposals in the recent consultation. The need for the Board to have the ability to delegate decision making in relation to the accreditation of qualifications to a

committee had been discussed over the last three years.

Interviews for the new Chair of the Accreditation Committee, lay and architect members, and visitors had all taken place, and decisions would be made in due course. A proposal regarding the appointment of the Chair of the Committee would be brought to the Board, along with other committee members, for approval in September 2023. The Accreditation Committee would therefore be in place by October 2023 and the final Prescription Matters Board meeting would be held in August 2023.

The ARB Annual Report and Financial Statements had been laid before Parliament. The Director of Policy & Communications thanked Mr. Daw and the team at the DLUHC for the smooth process. The Board was thanked for its support in implementing the changes within the report. There had been no media coverage on this, but the report would be sent out to all registrants and social media updates would be made, reporting on the key statistics. Mr Daw noted that the entire process had been streamlined and a 4300-word standard operating procedure for the process was now in place.

The Chair thanked the Policy and Communications team for their hard work on the annual report. The Chair of the Prescription Committee thanked members of the Committee for their work.

4. Minutes

The Board unanimously approved the open session minutes of the meeting held on 17 May 2023.

A Board Member suggested that it would be beneficial to offer outgoing Prescription Committee members the opportunity to provide feedback and undertake a formal reflection so that the Accreditation Committee could take on board any lessons learned. This point was noted and would be taken forward.

5. Matters Arising Report

There were no matters arising.

ITEMS FOR NOTE

6. Performance Monitoring Updates for Q2

The board paper provided an overview of the operational performance for quarter 2 of 2023. The report was clear in identifying the performance areas that were working well and the areas where there were challenges.

A Board Member asked if there were any trends behind the growth in the cases relating to the misuse of title. The Director of Standards explained that the misuse of title cases that were alluded to within the board paper referred to third-party complaints and did not cover the breadth of the misuse of title cases. They were almost exclusively architects complaining about non-architects and represented a small section of the misuse of title cases. The difficulty in dealing with such cases was that the Architects Act 1997 was outdated, and our powers were not designed for the growth of the misuse of title cases. The only leverage was to use criminal prosecution, but the courts were overfilled with cases, and so ARB tried, usually successfully, to resolve a lot of the cases by consent.

Another Board Member enquired about the low pass rates for the Part 1 and Part 2 Prescribed Examinations. It was noted that the pass rate was indicative that the process required fundamental reform. There were outdated elements including competencies which had been set a long time ago and in an inflexible way. A literature review had been undertaken this year which highlighted a number of challenges particularly around equality, diversity and inclusion (EDI). The assessment model needed to change and a rapid move to redesign it and look at the competency assessment was being planned. It was noted that the initial pass rate was around 38% but a further 25% of candidates were carrying out additional work to complete the assessment process; however, it was clear that fewer than 40% passed first time. A further Board Member reported that, although pass rates were low, they were not inconsistent with other regulators and statutory bodies.

The Accreditation Committee would need to consider how casework would be reported to the Board to ensure that the Board remained informed. The Chief Executive & Registrar suggested that the proposals that were being put in place would significantly reduce bureaucracy for universities and providers and the Board would need to consider the feedback and data once it was being collected. There were currently no KPIs for the accreditation process, but indicative times had been included. The CRM system allowed monitoring of key areas, and these would be reported to the Board to provide reassurance.

A Board Member commended the work of the Policy and Communications team on their KPIs and reports and was pleased that these were all steadily going in the right direction. A query was raised about whether ARB had registered on Threads, given the increasing growth on Instagram. It was confirmed that although not yet active, ARB had set up an account on Threads which the team were working on before activating the account.

A Board Member requested reassurance during the review that EDI elements would be

considered fully. They had received several complaints from people from diverse backgrounds who had concerns about the Prescribed Examination. The Board paper stated that there were 'no EDI implications', however this was misleading. The CEO acknowledged the wider EDI implications, and that the Board's commitment was a major driving force behind the education reforms. The CEO reported that extensive feedback had been received from individuals and groups (including those representing Nigerian qualified architects based in the UK) who had helped to highlight issues and provide insight into parts of the model that were found to be difficult. There had been discussions about those who had completed different elements, for example Part 2 and Part 3 level qualifications but did not hold a Part 1 level qualification. Data on failure rates was available and would be provided to the Board at a future meeting. Guidance had been considered with regard to international candidates who took the examinations as there were EDI implications, particularly language implications. Options to make adaptations were necessary and this would need to be consulted on; these factors had been included in the review plans.

A further Board Member asked for insight into the rise in staff absences compared to last year. Board Members were reminded that ARB was a small organisation where a small number of staff absences disproportionately impacted on the organisation's absence rates. The mental health related absences had been considered and it was found that most of the absences represented staff who were struggling with their mental health for reasons outside work, but which had an impact on their work. There were no concerns that workload was the cause of the problems and stress, and this was further supported by the findings from the staff survey. There was a need to consider how ARB should approach mental health issues which were not work-related. Work was under way to consider the additional support that could be provided.

A Board Member noted some negative feedback that had been received about the way in which ARB had communicated some recent initiatives. It was important that we recognised progress we had made but reflect on how some of the recent announcements had 'landed' with parts of the profession. The Chief Executive & Registrar welcomed such feedback. With the volume of communication, there was at times, a challenge in the way people perceived it and ARB were trying to strike a balance in communicating effectively. Feedback would also be taken outside of the meeting. The Director of Policy & Communications reported that polls were always conducted at the end of webinars and events, and they had been uniformly positive responses.

The Chair noted that there was a huge advantage of having a professional communications department within the organisation, however it was not solely the responsibility of that team to communicate; it was the responsibility of each person representing ARB to communicate and explain the Board's decisions externally when asked. There was an expectation of a collective response from Board Members to relay the views of the Board and their discussions to those outside the organisation; and to work actively to correct misunderstandings wherever they became aware of them.

7. Financial update

The Board noted the management accounts for 2023.

A Board Member suggested a presentational amendment to the spreadsheet which was noted and would be taken into consideration.

Another Board Member asked if there was an expected increased income from investments as a result of the rise in interest rates. It was reported that this was higher than originally anticipated. Investment income had been forecast to be approximately £120,000 but was likely to be approximately £165,000.

A further Board Member noted the downturn in income from those joining the Register and enquired about the overspend related to employee costs. The Director of Resources explained that there had been fewer people than expected paying the annual retention fees, but then there had been a rise in those rejoining the Register who also paid an additional fee to do so; the gap had therefore decreased.

8. Mid-Year Business Plan Update

Last year there had been a move towards a more systematic approach to reporting. The Board paper provided a progress update for the delivery of the 2023 Business Plan midway through the year.

It was noted that the amber areas did not highlight any causes for concern; these were 'in-flight' tasks which remained on track to be delivered. There were no areas for concern, however there were some commitments that had been highlighted which would be moved to action in 2024.

[Jodie James left the meeting]

9. UK Adaptation Pilot Assessment Update

The Director of Governance & International reminded Board Members that, as part of setting up the new international Mutual Recognition Agreement (MRA) route to registration, it had been agreed that the UK Adaptation Assessment would be put in place. Internationally trained architects seeking registration under this route would be required to pass ARB's UK Adaptation Assessment before they entered the UK Register.

A small pilot had been undertaken in May 2023; the procedure for this was set out within the report along with the actions taken in response to the feedback received from those who participated in the pilot sessions. As a result of the feedback, and amongst other things, the

set of guidance documents for assessors had been updated to provide greater clarity and clearer instructions for assessors.

The first live Adaptation Assessment had taken place in early July 2023, and the process had run smoothly. ARB would continue to monitor this and continue to gather feedback from candidates and assessors. There would be a reflection process at the end of each assessment to gather feedback and insight into lessons learned.

A Board Member enquired whether those that had taken part in the pilot were existing registered Architects. It was noted that they were not on the Register and were internationally trained architects who fulfilled the terms of the relevant MRAs.

A further Board Member requested that the assessment procedures be shared with the Board to enable them to consider the scope of what is covered. Board Members were reminded that the procedures had previously been shared with and approved by the Board, as well as the findings from the consultation. The procedures would be re-circulated to Board Members for information.

[Rob Wilson left the meeting]

10. Chief Executive's Report

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

A summary of previous Workshop discussions had been included within the CEO's report to ensure that external stakeholders had sight of the ongoing discussions and for transparency; and that any informal actions agreed were captured and reported to the Board. An update had been provided on the development of new and additional MRAs, and the Board had begun discussing the development of a strategy around the MRAs and ARB's international work. ARB had been approached by counterpart organisations in several countries, and the necessary 'due diligence' analysis for each potential agreement would be completed in order to determine whether to progress to the drafting of an MRA or MOU with these potential partners.

The People Committee had received and considered the full report from the staff engagement survey which demonstrated the positivity around the organisation and reflected the current low levels of staff turnover.

A Board Member was pleased to see the Board Workshop notes included within the report. The Chief Executive & Registrar expressed the importance of sharing information about the discussions that had taken place at the workshops, providing the opportunity to make requests for further information and track the actions of Board. This was fundamental to the delivery of statutory functions.

Another Board Member commended the work carried out in relation to the MRAs and noted the importance, for a regulator, of ensuring that those that worked in the UK had the competencies to do so. A question was raised in terms of longer-term impacts of the MRAs and whether this would inadvertently lead to significant numbers of architects migrating from a particular country to the UK. The Director of Governance & International explained that the longer-term impacts of the MRAs were under consideration. Significant due diligence had been carried out before MRA drafting took place and risks were considered as part of that process; this area was something that the Executive would continue to monitor and consider when looking at potential new agreements. The strategy around MRAs was being considered and would be brought to the Board for further input and consideration; these topics would factor in those considerations.

11. Any Other Business

There was no other business.

12. Dates of Future Board Meetings

The Board was reminded that the next meeting would take place in person on 5 & 6 September 2023.

The majority of meetings for the rest of the year remained in place, with the exception of the Prescription Matters Board meetings on 31 October and 12 December 2023, which would now be removed from the Board's diary as they would no longer be required as a result of the Accreditation Committee coming into effect, on schedule, in October 2023.