

Version

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

Minutes of Board Meeting held on 28 February 2024

Location: Online

Present

Alan Kershaw (Chair)
Mark Bottomley
Emeritus Professor ADH Crook (item 7)
Will Freeman
Professor Elena Marco
Dr Teri Okoro
Liz Male
Stephen McCusker
Cindy Leslie
Samantha Peters
Adeyinka Adeladun (Boardroom
Apprentice)

In attendance

Hugh Simpson (CEO & Registrar)
Emma Matthews
Simon Howard
Brian James
Rebecca Roberts-Hughes
Marc Stoner
Alice Pun (Minutes)
James Farrar (Policy and Public Affairs
Manager, Item 8)
Teresa Graham (Registration Manager,
Item 8)
Joeris Morgan (Registration team leader,
Item 8)
Jodie James (Observer, Item 9)
Alex Hindley (Investigations Officer,
Observer)
Helen Gordon (Observer, Vice President
of Council, Reading University,
Independent External Reviewer)
Kathryn Parry (Observer, Regulator
Sponsorship team)

Private Meeting of the Board

The meeting started with a confidential meeting between the Board members and the Chief Executive and Registrar. No staff members were present.

ARB staff members joined the meeting.

Open Session

1. Apologies for absence

Apologies had been received from Tom McDermott.

Tony Crook had provided comments in advance of the meeting which would be addressed by the Executive under the relevant items. Professor Crook would be joining the meeting for item 7 (Reappointment of Temporary Lay Board Member). Item 7 would be taken out of sequence to accommodate Professor Crook's availability.

Other members of staff joined the meeting for 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.

Samantha Peters declared an interest in Item 7 (Reappointment of Temporary Lay Board Member); it was agreed that Ms. Peters would leave the room for this item.

STANDING ITEMS

3. Update from the Chair

The Chair reported that he had met with the Housing Minister (Lee Rowley MP) to provide an update on Mutual Recognition Agreement (MRA) matters. The Department for Levelling Up, Housing and Communities (DLUHC) had been keen to receive the update directly from the Chair and the Chief Executive and Registrar.

The Chair, with the Chief Executive and Registrar, had also met with the Chair of the RIBA Board covering issues that were important to the RIBA, such as Continuing Professional Development (CPD) and initial education and training. A robust exchange of views had taken place.

4. Minutes

The Board unanimously approved the Open Session minutes of the meeting held on 6 December 2023.

5. Report on Actions following the Previous Meeting

Board Members noted a report on actions from the previous meeting. The Director of Standards noted that work was ongoing in relation to action point 11 (Professional Conduct Committee Report). Initial analysis of the statistics had been conducted. An update would be provided at the meeting on 22 May 2024.

6. Updates since the board papers were issued

The Chief Executive (CEO) and Registrar responded to a series of comments and queries which had been provided by Professor Crook and included the following:

- Costs arising from the Grenfell Inquiry – this would be discussed in the confidential session of the Board meeting. Additionally, there may be policy work which ARB needed to undertake as a result of the forthcoming report.
- Feedback had been provided on the proposed sample for Continuing Professional Development (CPD). Professor Crook had given positive feedback about the sample size – the CEO and Registrar noted that sample size was set, not to get a statistically significant sample for analysis, but to ensure it was large enough that registrants' perception was that their CPD may be called by ARB, providing a strong incentive for completion. The necessary volume from research analysis was estimated to be about 1 in 40 (with most regulators settling for a sample between 2-5%).
- KPI for accreditation work – The Director of Registration and Accreditation noted that indicative KPIs were built into the Accreditation Rules in terms of response time and time between each stage. The accreditation approach was demand-led, so the timing would be unknown until information was received from the institutions. The first iteration of the report would include the overall figures and the length of time

required between stages. Accreditation KPIs along with more qualitative data would be presented at future Board workshop sessions.

The Chair noted that it would be important to get the KPI figures correct in order to know the actual position and what the ARB was accountable for.

MATTERS FOR DECISION

7. Reappointment of Temporary Lay Board Member

Professor ADH Crook joined the meeting. Samatha Peters left the room for this item.

The Director of Governance and International noted that the Board had agreed to 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, at its meeting on 28 March 2023. Ms Peters' current tenure was due to expire on 31 March 2024. DLUHC had been unable to commence a recruitment campaign for a permanent Board Member during 2023; however, this was scheduled to commence in April/May 2024. Ms Peters would continue as a member of the People Committee subject to the Board's decision regarding the extension to her tenure.

The Board **unanimously agreed** to approve the extension of Ms Peters' appointment as Temporary Lay Board member from 1 April 2024 to 30 September 2024, subject to section 11.1 of the Board's General Rules.

Professor ADH Crook left the meeting.

8. Plagiarism Policy

The Policy and Public Affairs Manager introduced the paper. The Board had approved a draft policy for consultation at its meeting in October 2023. The consultation had run from 27 October to 17 December 2023. Nine responses were received. Five were from academics, three from registered architects and one was an architecture student. Overall, the respondents agreed with the statements and there were no significant concerns that implied a need for change in the substantial elements of the policy. Some suggestions were provided to include the clarification that plagiarism meant someone had not demonstrated their competence or knowledge in a particular area because their evidence for doing so had been plagiarised, rather than them having an overall lack of competence or knowledge. It was also suggested to remove the word 'grade' to better match the Prescribed Exam, UK Adaptation Assessment or any future assessments.

In addition, reference to third parties would be taken into consideration to encompass plagiarism more comprehensively, so as to reduce the potential to submit someone else's work as their own, such as AI generated pages, that were not plagiarised from others' work.

A Board member noted that implementation of this policy was an important step for ARB as a regulatory body. In response to a query about the use of plagiarism software, the Policy and Public Affairs Manager noted that it was being considered as part of the implementation options.

A Board member enquired about the future costs related to the implementation. The Director of Registration and Accreditation confirmed that the costs had not been included in the Prescribed Examination costs to date; wider discussion would be held around the costs of the Prescribed Examination and would be presented at a future Board meeting.

The CEO and Registrar noted Professor Crook's comment related to Prescribed Examinations and whether outsourcing would be considered. The Director of Policy and Communications was leading a project to overhaul ARB's international routes to registration which would encompass the Prescribed Examination and the UK Adaptation Assessment. It was within the scope of the project to review the structure, costs and the method of delivery of these assessments.

A query was raised about whether ARB's checks could be in potential conflict with the institutions' checking systems in place. The Director of Policy and Communications noted that the policy applied only to ARB's Prescribed Examinations and UK Adaptation Assessment (not accreditation). If individuals had submitted the same work elsewhere, that would be a separate institutional checking process which meant that it would not be in conflict with ARB's processes or policy.

Policies implemented by other academic institutions and regulators were also considered as part of the research process to ensure that ARB's plagiarism policy was aligned with other accredited institutions.

The Chair thanked the team for their work and noted the importance of achieving a balance and a sensible approach when implementing a plagiarism policy.

The Board **unanimously agreed** to approve the updated plagiarism policy, with small amendments following the consultation, along with accompanying changes to the Prescribed Examination Procedures and UK Adaptation Assessment Procedures.

ITEMS FOR NOTE

9. 2023 Business Plan Update

The CEO and Registrar updated the Board regarding the progress made in terms of delivering the 2023 Business plan, with a majority of items having been successfully completed. The Board noted the update.

10. Performance Monitoring Review for 2023, Q4

***i.* To note the performance monitoring data for 2023, Q4.**

The Board noted the operational performance details for Q4 as set out in the paper.

The Board enquired about the Professional Standards KPIs and the delays that had occurred in terms of meeting the KPIs for the final stages of investigations; 12 weeks were allocated for the investigation stage and 30 weeks for the hearing stage. It was important to be mindful of the issues that may arise at the later stages of the case; and aiming for a balance between stage 1 and stage 2 would be helpful. The Director of Standards noted that the KPIs would need to be revisited, taking into consideration the stages of the process; further information would be provided to the Board later in the year. The Chair added that this was one of the key indicators typically used to assess a regulator's performance.

Positive progress on the Communications metrics was noted in terms of reach and levels of engagement. In response to a query about publishing a new public information section on the website, the Director of Policy and Communications reported on the use of THINKs Insight research on the issues that matter to consumers. All website pages that were aimed at informing the public about architects were being reviewed, removing regulatory language and aiming to provide simplified information for consumers. The next stage was to meet with consumer groups and contact local authorities asking to include links to ARB's consumer pages on their planning portals.

A Board member asked why Freedom of Information (FOI) requests had been submitted regarding ARB's wellbeing programmes provided to staff members. Those making FOI requests did not need to provide a reason for submitting their data requests and the requests were most likely for commercial reasons, in order to sell ARB a wellbeing programme, just as other FOI requests sought information on ARB's operational contract details. A Board member did however note that enquiries about wellbeing programmes could be for research purposes, and we should consider how we publish relevant information.

A further Board member asked for clarification regarding the invoicing system and the creation of a central invoicing email address. The Director of Resources noted that suppliers needed to follow the instructions to ensure all invoices were being sent to the centralised inbox to avoid delays in payment, rather than being sent to the individual staff members they usually dealt with for the relevant projects. This had significantly improved payment times for invoices in recent months.

A Board member referred back to item 8, Plagiarism Policy, enquiring about the statistics relating to the international routes to registration. It was suggested that further guidance may need to be provided to international architects preparing for any of ARB's assessment processes. The Director of Registration and Accreditation noted that the guidance had been revised several times and this would be looked at again in detail when the outcomes of the overhaul of ARB's international routes to registration were known.

ii. To note the Management Accounts and forecast year end outturn for 2023.

A Board member enquired about the forecast variance against the budget for employment costs of £80k, due in the main to maternity leave and an increased workload with the commencement of IT transformation; £720k more was budgeted for 2024 in comparison to 2023. The Director of Resources explained that two members of the Professional Standards team had been on maternity leave. The increased costs in transformation that were also unbudgeted were related to urgent temporary recruitment to address the volume of errors and emails as a result of problems with the roll-out of phase 1. A thorough review was being undertaken so that lessons would be learnt for implementation of phase 2 of the transformation project.

The Director of Resources highlighted that the paper provided a picture of how ARB was progressing against the budget as the year went on and invited feedback on any presentational aspects that would be helpful in future.

11. Chief Executive's Report

The CEO and Registrar noted that our infrastructure and network servers had now been moved from Weymouth Street to the Cloud. Document management was moving to the Sharepoint platform along with integration with Microsoft Teams channels.

The Director of Registration and Accreditation stated that the annual retention fee period had been extended by 2 weeks with the change to the CRM portal. The number of resignations was higher with reference to age, stage of career, new CPD rules; but the number of individuals removed for non-payment was lower than previous year. There were

approximately 900 individuals re-joining the Register since the removal. At the time of the meeting there were 41,600 architects on the Register.

A Board member asked if we collated information about the reasons individuals were leaving the Register. The Director of Registration and Accreditation explained that the data suggested there were a range of reasons. It was noted that each year a number of registrants would change their work location, however now ARB had both their employment and personal address to contact them about retention fees which was helping drive efficiencies. Approximately 10% of those returning to the Register were doing so after 2 years; this was most likely due to changes in other circumstances (for example new employment opportunities or returning from a period of time overseas). The team would continue to monitor these factors.

The Director of Governance and International reported that there were delays to the external Board Effectiveness review report from NCVO. The report was expected in the week commencing 11 March 2024. A workshop session would be held on 20 March 2024 to provide key headlines and recommendations resulting from the report. Action plans and the full report would be provided to the Board in May 2024.

A Board member noted that it was positive to see that ARB was leading in diversity with the appointment of the new Professional Conduct Committee Chair. The Chair of the Board added that it was crucial to draw attention to the success in this area as visibility of individuals in positions was important.

12. Any Other Business

There was no other business.

13. Dates of Future Board Meetings

The next meeting would take place in person on 22 May 2024 at ARB, 8 Weymouth Street, London, W1W 5BU.