

Council meeting 12 April 2012

04.12/C/04

Public business

## Statutory committee competences

### Purpose

To advise Council on the minimum competences required for appointment and membership to a statutory committee.

### Action required:

### The Council is asked to agree:

- i. **The revised statutory committee competences at Appendix 1, as recommended by the Appointments Committee.**

#### 1.0 Introduction

- 1.1 The GPhC (Statutory Committees and their Advisers Rules) 2010 Rule 9 states that the Appointments Committee is to advise Council on the minimum competences it considers are required for appointment to a statutory committee. The Council is then to determine the minimum competences required for appointment as a chair, deputy chair, or other member of a statutory committee. In giving advice the Appointments Committee is to have best regard to best practice on competences required for membership of quasi-judicial committees, as disseminated by the Judicial Studies Board of the CHRE (or any successor bodies).
- 1.2 The current competences were inherited from the RPSGB. The Council first reviewed them in September 2010 and felt that there were too many and they were too complex to be able to judge committee members against.
- 1.3 To aid development of the current competences, we considered with the Appointments Committee what the Judicial Appointments Commission refers to

as the 'qualities and abilities' of those seeking appointment to the judiciary. Members may know that the JAC is responsible (subject as appropriate to approval from the Lord Chancellor) for appointing to a wide range of judicial posts, for example, senior circuit judges, deputy district judges and members of the 1<sup>st</sup> Tier Tribunal. However, the qualities and abilities required remain the same, regardless of post, other than in relation to any specialist knowledge required.

- 1.4 The Appointments Committee's advice is that the high level competences, with additional requirements for chairs and deputies, lend themselves well to the requirements of the GPhC, both in identifying the right candidates, testing their abilities and managing the performance of existing committee members.

## 2.0 **Key Considerations**

- 2.1 When considering the revised competency framework for statutory committee members Council should take into consideration the skills, knowledge and behavioural attributes needed to perform the role of chair, deputy chair and member of a statutory committee.

- 2.2 A competency framework should aid the performance review process of statutory committee members and should support a competence based approach to training to ensure that an individual's ongoing development needs are met effectively.

## 3.0 **Equality and diversity implications**

- 3.1 The competences will not disadvantage any person or group from membership of a statutory committee; each competency is fundamental to the effective performance of a committee member.

Clearly defined competences will support an objective assessment of the extent to which an individual demonstrates the attributes necessary for appointment and re-appointment as appropriate.

## 4.0 **Communications implications**

- 4.1 Once agreed the revised competences will be communicated to all statutory committee members and the Appointments Committee.
- 4.2 The performance review process for statutory committee members will be updated taking into account the revised framework.

## 5.0 Resource implications

5.1 There are no immediate resource implications.

5.2 Updating the performance review process will be covered under current staffing levels.

## 6.0 Risk implications

6.1 The statutory committees perform a crucial role in protecting patients and the public and poor decisions could jeopardise those protections, as well as having an adverse impact on the reputation of the council and the regulated professions.

6.2 Although the council is accountable for the statutory committees, to preserve independence in decision-making, of necessity it has an arm's length relationship with the committees, facilitated through the office of the chair of the appointments committee.

6.3 The development of robust competences against which suitable appointments can be made and performance managed is a key factor in mitigating the patient safety, public protection and reputational risks.

## Recommendations

**The Council is asked to agree:**

- i. **The revised statutory committee competences at Appendix 1, as recommended by the Appointments Committee.**

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**Appendix 1****Statutory committee members****Competences**

Applicants will be assessed and members' performance will be reviewed against the following qualities and abilities:

**1. Intellectual Capacity**

- Quickly absorbs and analyses complex information with ease.
- Knowledge of the GPhC's legislative framework, case-law and underlying principles, *or* the ability to acquire this knowledge.
- *For registrant members:* current expertise in pharmacy practice.

**2. Personal Qualities**

- Integrity and independence of mind.
- Commitment to equality, diversity and inclusion.
- Aware of own biases and manages these appropriately.
- Sound judgement.
- Decisiveness.
- Objectivity.
- Learns and develops professionally.
- Maintains up to date knowledge of issues relevant to the role.
- Personal commitment to the Nolan principles, the values set by the GPhC Council and the principles of good regulation.

**3. An ability to understand and deal fairly**

- Shows awareness of the diversity of the communities which pharmacy professionals serve and an understanding of differing needs.
- Committed to public interest, impartiality, and fair treatment.
- Listens with patience and courtesy.

**4. Authority and Communication Skills**

- Inspires respect and confidence.

- Questions effectively.
- Engages constructively in debate and challenges others appropriately.

## **5. Efficiency**

- Works at speed, including when under pressure.
- Manages time effectively and produces clear reasoned decisions expeditiously.
- Works constructively with others.
- Makes effective use of technology, including computers, video- and telephone-conferencing.

## **Additional requirements for Chairs/Deputy Chairs**

### **6. Effective Chairing**

- Sound knowledge of the GPhC's legislative framework, case-law and underlying principles.
- Commitment to and understanding of the GPhC's policies and procedures.
- Maintains firm and effective control of hearings.
- Explains the procedure and any decisions reached clearly and succinctly to all those involved.
- Maintains authority when challenged.
- Challenges Committee members' biases and supports them in managing these appropriately.
- Understands and applies the rules of evidence.
- Excellent interpersonal skills involving all members of the Committee in a facilitative, enabling manner.
- Excellent drafting skills, with the ability to produce clear, accurate, well structured determinations
- Effectively appraises members.

## **Additional requirements for legally qualified Chairs/Deputy Chairs**

- Expertise in regulatory law and practice and human rights issues.
- Expertise in the laws of evidence, relevant to regulatory proceedings.