Public business

Review of elements of the governance framework

Purpose
To consider updating a number of governance documents.

Recommendations

1. The Council is asked to agree revisions to:
   
   i. the Council values;
   ii. the code of conduct for Council members and GPhC associates;
   iii. the standards of education and training for Council members and GPhC associates;
   iv. the standards of attendance at meetings for Council members and GPhC associates;
   v. the Audit & Risk committee and Remuneration Committee terms of reference;
   vi. the non-statutory committee standing orders; and
   vii. the procedure for appointment of members of the Audit & Risk and Remuneration Committees.

2. The Council is asked to agree that the Underpinning Principles document will be retained in the governance framework but not updated in future.

1.0 Introduction

1.1 The policies and other governance documents in the Recommendations section above have remained largely unchanged since the GPhC was established and are either due for review or would benefit from review. They were approved in
the main between January and June 2010.

1.2 The Audit & Risk committee and Remuneration Committee terms of reference were last revised by the Council in January 2012. Each of the Committees reviewed them in February 2013.

2.0 Key considerations

2.1 In January of this year, the Committee of Standards in Public Life updated the seven principles of public life¹ (‘revised Nolan principles’). The original Nolan principles form the backbone of the Council’s values. The principles remain the same but have been tweaked primarily to emphasise the need for individuals in public life to take personal responsibility by:

- observing high standards themselves;
- demonstrating high standards to others through their own behaviour; and
- challenging inadequate standards when they see them.

2.2 The rest of the Council values statement contains matters that are not values in themselves. We propose that they be removed since they relate to the mission and behaviours and are now incorporated elsewhere in the governance framework, primarily in the behavioural framework at paper 04.10/C/09. A version showing the changes followed by a clean version of the new values is at appendix 1.

2.3 The Underpinning Principles document, which can be found at appendix 2, was adopted at an early stage in the Council’s existence as a way of embedding appropriate governance structures in the GPhC. Now that the other governance and strategic documents are fully developed the Underpinning Principles document does not add any value and sits rather oddly alongside other material. Accordingly, we propose that the document remains as a reference document but is not updated or reviewed in future.

2.4 The code of conduct applicable to both Council members and GPhC associates is due for review in June 2013. It has been included in this paper since it complements the other governance documents to be considered at this meeting. The code could be considered as a basic minimum standard whereas the behavioural framework is a standard to aim for. The only change proposed to the code of conduct is to update the reference to the Nolan principles, changes in job titles and to include a duty to report a conflict of interest. A

version showing the changes is at appendix 3.

2.5 The Council will note that the standards of education and training established pursuant to s.4 of the Constitution Order 2010 and applicable to both Council members and GPhC associates have been renamed standards of education and learning, although they contain a footnote noting their provenance. Minor changes are proposed to reflect the growing trend for Council members and associates to own their own development. A version showing the changes followed by a clean version of the proposed draft is at appendix 4.

2.6 Minor changes are also proposed to the standards of attendance at meetings to reflect the fact that the associates have different support arrangements to the Council members. The proposed draft showing the changes is at appendix 5.

2.7 With regard to the non-statutory committee remits, some modest changes are proposed. The common features are:

- The documents will be renamed terms of reference since the Committees’ remit form part only of the terms of reference.
- The committee members’ names will no longer feature in the terms of reference since the membership changes periodically.

2.8 With regard to the Audit & Risk committee, the committee wishes to be able to authorise the commissioning of non-audit services without reference to Council. This is discussed at minute 185.1 of the February meeting (see paper 04.10/C/13). A version showing the changes to the proposed Audit & Risk Committee terms of reference is at appendix 6. The proposed draft of the Remuneration Committee draft showing the changes is at appendix 7.

2.9 An issue has arisen whereby if short terms of service are chosen for members of the non-statutory committee, such as has happened recently, members of those committees may be prematurely prohibited from applying to be reappointed to the committees on which they serve owing to the provision in the procedure for appointment of members of the Audit & Risk and Remuneration Committees which stipulates at para 3.1.3:

    Each committee member is appointed for up to four years and may serve a maximum of two terms. A Council member shall not be appointed to a committee for a term that exceeds their term as a Council member. [Emphasis added].

The effect of this is more stringent than for membership of the Council itself, with the General Pharmaceutical Council (Constitution) Order 2010 which
makes no reference to a maximum number of terms but merely stipulates at s.3 (2):

No member of the Council may hold office as a member of the Council for more than an aggregate of 8 years during any period of 20 years.

While recognising that it remains important to specify the length of a term of service and to acknowledge that it is rarely if ever appropriate for a Council member to serve on a committee for the whole of their length of service, we propose that this provision be removed from the relevant procedure and that the non-statutory committee standing orders using the same wording with the necessary changes as for membership of the Council. A clean version of the proposed draft followed by a version showing the changes is at appendix 8. The changes to the procedure for appointment of the members of the Remuneration and Audit & Risk Committee consequent on the other changes proposed by this paper are at appendix 9.

2.10 We propose that the review date for the each of the documents be two years except for the Underpinning Principles document, which will not be reviewed.

3.0 Equality and diversity implications

3.1 Having Council values and other governance documents that are based on the Nolan principles will help ensure that the GPhC itself promotes equality and diversity.

4.0 Communications implications

4.1 The revised documents will be published on the website.

5.0 Resource implications

5.1 There are no specific resource implications arising out of this paper.

6.0 Risk implications

6.1 Having governance documents that are fit for purpose will help mitigate the risks that the GPhC faces.
Recommendations

1. The Council is asked to agree revisions to:
   
   i. the Council values;
   ii. the code of conduct for Council members and GPhC associates;
   iii. the standards of education and training for Council members and GPhC associates;
   iv. the standards of attendance at meetings for Council members and GPhC associates;
   v. the Audit & Risk committee and Remuneration Committee terms of reference;
   vi. the non-statutory committee standing orders; and
   vii. the procedure for appointment of members of the Audit & Risk and Remuneration Committees.

2. The Council is asked to agree that the Underpinning Principles document will be retained in the governance framework but not updated in future.

Alison Readman, Interim Head of Governance
General Pharmaceutical Council
alison.readman@pharmacyregulation.org, tel 020 3365 3450

21 March 2013
Appendix 1

Values of the GPhC Council

The Council adopts the following Nolan principles of public life as its own values, as distinct from those of the organisation, and undertakes to apply them in the exercise of its role as governing board of the GPhC:

1. **Selflessness**
   Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

2. **Integrity**
   Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

3. **Objectivity**
   In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

4. **Accountability**
   Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

5. **Openness**
   Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

6. **Honesty**
   Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

7. **Leadership**
   Holders of public office should promote and support these principles by leadership and example.
(1) **Selflessness**
Holders of public office should act solely in terms of the public interest.

(2) **Integrity**
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

(3) **Objectivity**
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

(4) **Accountability**
Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

(5) **Openness**
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

(6) **Honesty**
Holders of public office should be truthful.

(7) **Leadership**
Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

These principles apply to all aspects of public life. The Committee has set them out here for the benefit of all who serve the public in any way.

[Excerpt from the Nolan Committee’s First Report on Standards in Public Life, 1995]

2. Upholding the purpose for which the GPhC has been created by Parliament—*to protect, promote and maintain the health, safety and well-being of members of the public, and in particular of those members of the public who use or need the services of registrants, or the services provided at a registered pharmacy, by ensuring that registrants, and those persons carrying on a retail pharmacy business at a registered pharmacy, adhere to such standards as the Council considers necessary for the safe and effective practice of pharmacy.*

4. Good personal behaviour—courtesy, listening and respect in Council members’ dealings with each other, with the organisation’s staff, and with stakeholders.

See paras 2.1 and 2.2 of the paper for the explanation of the proposed changes
Values of the GPhC Council

The Council adopts the Nolan principles of public life as its own values, as distinct from those of the organisation, and undertakes to apply them in the exercise of its role as governing board of the GPhC:

(1) **Selflessness**
Holders of public office should act solely in terms of the public interest.

(2) **Integrity**
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

(3) **Objectivity**
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

(4) **Accountability**
Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

(5) **Openness**
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

(6) **Honesty**
Holders of public office should be truthful.

(7) **Leadership**
Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.
Appendix 2

Underpinning Principles for the GPhC

1. The Council should uphold the purpose of the organisation as established by Parliament, determine its values and keep both its purpose and its values in mind at all times, with mechanisms in place for annual review. (According to Art.6(1) of the Pharmacy Order, the main objective of the Council is “to protect, promote and maintain the health, safety and well-being of members of the public, and in particular of those members of the public who use or need the services of registrants, or the services provided at a registered pharmacy, by ensuring that registrants, and those persons carrying on a retail pharmacy business at a registered pharmacy, adhere to such standards as the Council considers necessary for the safe and effective practice of pharmacy.”)

2. The Council should determine the desired outcomes and outputs of the organisation in support of its purpose and values.

3. The Council should ensure that the organisation’s exercise of its regulatory duties is consistent with the principles of good regulation.

4. The Council should be forward and outward looking, focussing on the future, assessing the environment, engaging with the outside world, setting strategy and assuring itself as to the organisation’s risk management.

5. The Council must speak to the outside world with one voice.

6. The Council must ensure that issues of equality and diversity are considered as part of all its work.

7. The Council should decide the level of detail to which it wishes to set the organisation’s policy in relation to its desired outcomes or outputs. Any more detailed policy decisions should then be a matter for proper delegation and monitoring.

8. The means by which the desired outcomes and outputs of the organisation are achieved should be a matter for the Chief Executive and staff, provided that they are consistent with the Council’s policies and the scheme of delegation.

9. The Chief Executive should be accountable to the Council for the achievement of the organisation’s outcomes and outputs.
10. In assessing the extent to which the outcomes and outputs have been achieved, the Council must have a framework of pre-determined criteria against which performance is reported both internally and externally.

11. The Council should ensure that the organisation and the Council itself engages effectively with key stakeholders including patients, the public, registrants, professional bodies, employers, educators, governments, the NHS, other health professional regulators and other interested groups, and be confident that it understands and takes into account their views and priorities.

12. The Council should continuously seek to develop its capacity to understand the priorities of each of these key stakeholder groups.

13. Information received and considered by the Council should support one of three goals – to allow informed decision making, to fulfil control and monitoring processes or to enable the Council to co-operate with CHRE and to be accountable to Parliaments.

14. The Council must govern itself effectively, with clear role descriptions for itself, its Chair, and its members, with agreed methods of working, an appraisal process and self-discipline to ensure that time is used efficiently.

Christine Gray, Head of Governance
Reference: GG/2010/10
Effective date: June 2010
Review date: November 2013
Agreed by: Council April 2010
Appendix 3

Code of Conduct for Council members and GPhC associates

1.0 Introduction

1.1 This code of conduct is a core element of the GPhC’s governance and assurance framework. The adoption of, and adherence to, the code demonstrates that the GPhC’s Council members and associates are applying high standards of corporate behaviour and living up to them.

2.0 Scope of application of the Code

2.1 As well as Council members, there are a number of non-employee groups who help the GPhC to fulfil its regulatory functions. We use the broad term ‘associate’ to describe these groups. Associates fill a variety of roles, providing a wide range of knowledge and skills to support the GPhC’s work. These include: external members of non-statutory committees and working groups; statutory committee members, including fitness to practise panellists; visitors; CPD reviewers; assessors; evaluators & overseas panel members for registration applications; legal & clinical advisers, and medical assessors.

2.2 Council members and associates are required to observe the same code of conduct, although not all provisions may be equally relevant to all groups. This is intended to promote consistency in standards of behaviour and enhanced performance throughout the GPhC. Where appropriate, associates may also need to comply with requirements relevant to their specific functions.

3.0 The Code of Conduct

3.1 The GPhC is committed to protecting, promoting and maintaining the health, safety and well-being of members of the public, and in particular those who need or use the services of pharmacy professionals or the services provided at a registered pharmacy.

3.2 The code of conduct applies to all Council members and associates of the GPhC. If you are not sure whether this code applies to you, please contact the Head of Corporate Governance for information and advice.
3.3 Members and associates are committed to fully upholding the principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership\(^2\). In addition, they are committed to ethical and lawful conduct.

3.4 Members’ and associates’ behaviour must be businesslike and professional in all their activities relevant to the GPhC.

3.5 Members and associates must demonstrate their duty to the public, unconflicted by loyalties to other organisations, to staff or any personal interest.

3.6 Members and associates must not attempt to exercise individual authority within the organisation, unless expressly authorised by the Council.

3.7 Members and associates must co-operate and work collaboratively with colleagues.

3.8 Members and associates must distinguish clearly, when speaking or writing, between their personal views and the views of the organisation. Notwithstanding this distinction, members and associates must demonstrate their adherence to the principle of collective responsibility in respect of all decisions to which they are party. This includes, for members, decisions of the Council and, for associates, decisions of any committee or working group to which they are appointed. Members of the Council or a committee or working group are collectively responsible for its decisions whilst they are a member even if they vote against a particular decision; abstain from voting or are absent.

3.9 Members and associates must not make use of information acquired by virtue of their position at the GPhC for personal gain.

3.10 Members and associates must respect the confidentiality of business items and information designated as confidential.

3.11 Members and associates must avoid any behaviour that may impair the ability of the GPhC, the Council or a committee to perform its functions or to enjoy the confidence of stakeholders such as the public and patients, registrants and parliaments.

3.12 Members and associates must keep in mind the competencies required for their role and seek to demonstrate these throughout their tenure.

---

3.13 Members and associates must be properly prepared for Council or committee deliberations.

3.14 Members and associates must promote equality and diversity and treat others with respect in accordance with the GPhC’s equality, diversity and inclusion policy.

3.15 Members and associates must observe Council standards and policies in respect of:

- Conflicts of Interests
- Gifts & Hospitality
- Education & training
- Attendance at Meetings
- Performance Appraisal.

3.16 As soon as the situation arises members and associates must disclose to the Chair or the Associates Manager any commitment or activity which may be perceived as a potential conflict of interest in respect of the role they undertake with the GPhC.

3.17 Members and associates must challenge any action or behaviour by a fellow member or associate which appears not to comply with this code.

3.18 Members and associates must inform their Chair of any reason why they may be liable to be suspended or removed from the Council or a committee under the provisions of the GPhC (Constitution) Order, the GPhC’s rules and the standing orders. The Chair must inform the Chief Executive & Registrar of any reason why he or she may be liable to be suspended or removed from the Council under the provisions of the GPhC (Constitution) Order and the standing orders.

3.19 Any action which may be a breach of this code will be considered in line with the GPhC’s governance framework and may be dealt with in accordance with the GPhC’s ability to suspend or remove its members and associates.

Christine Gray, Head of Governance
Reference: GG/2010/001
Effective date: 16 June 2010
Review date: 16 June 2013

3 The Raising Concerns policy describes the mechanisms for: Council members or staff to raise concerns about a Council member; Council members to raise concerns about staff, and associates to raise concerns about any aspect of the GPhC’s operations.
See paras 2.4 of the paper for the explanation of the proposed changes
Appendix 4

Standards of education & training for Council members and GPhC associates

1. Introduction

1.1 The Council sets standards of education & training for Council members and GPhC associates to meet its statutory obligations and also:

(a) to ensure that members and associates possess the opportunity to gain the skills and knowledge necessary to perform their functions effectively;

(b) to encourage members and associates to take responsibility for identifying their training and development needs; and

(c) to promote and establish a culture where ongoing education & training is seen as an essential part of the success of the GPhC.

2. Scope of application of the standards

2.1 As well as Council members, there are a number of non-employee groups who help the GPhC to fulfil its regulatory functions. We use the broad term ‘associate’ to describe these groups. Associates fill a variety of roles, providing a wide range of knowledge and skills to support the GPhC’s work. These include: external members of non-statutory committees and working groups; statutory committee members, including fitness to practise panellists; visitors; CPD reviewers; assessors; evaluators & overseas panel members for registration applications; legal & clinical advisers, and medical assessors.

2.2 The standards of education & training apply to Council members and GPhC associates. If you are not sure whether this standard applies to you, please contact the Head of Corporate Governance for information and advice. Further provisions on training which apply to members of statutory committees appear in the GPhC’s Statutory Committees and their Advisers Rules 2010 (rule 10).

---

4 These are the standards of education and training referred to in s.4 of The General Pharmaceutical Council (Constitution) Order 2010.
3. **Induction training**

3.1 Members and associates must undertake induction training to ensure that they are aware of and understand:

(a) the purpose and accountability of the General Pharmaceutical Council;

(b) its functions and duties;

(c) its stakeholders;

(d) members’ or associates’ role and functions;

(e) effective team working;

(f) how the GPhC’s governance policy works;

(g) the GPhC’s equality, diversity and inclusion policy & diversity scheme; and

(h) the specific requirements and processes of any committees, panels or groups to which they are appointed.

4. **Continuing development**

4.1 In addition to induction training upon joining the organisation, all members and associates are required to undergo continuing training and development learning throughout the duration of their appointment.

4.2 Members and associates should ensure that they:

(a) identify any training and development needs they may have;

(b) make suitable arrangements with the executive of the GPhC to facilitate undertake any training and development required; and

(c) complete their own continuing development plan (attached) make the executive aware of any learning and development they have undertaken which may be relevant to the performance of their role.

5. **Review**

5.1 Members’ and associates’ performance against these standards will be reviewed as part of their appraisal performance feedback and development review.
Continuing development plan for Council members and GPhC associates

<table>
<thead>
<tr>
<th>What do I need to learn?</th>
<th>When will I need to have achieved this learning?</th>
<th>What might I do to achieve this learning?</th>
<th>What will my success criteria be?</th>
<th>Target dates for review and completion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See para 2.5 of the paper for the explanation of the proposed changes
Standards of education & learning\(^5\) for Council members and GPhC associates

1. Introduction

1.1 The Council sets standards of education and learning for Council members and GPhC associates to meet its statutory obligations and also:

(a) to ensure that members and associates possess the skills and knowledge necessary to perform their functions effectively;

(b) to encourage members and associates to take responsibility for their learning and development needs; and

(c) to promote and establish a culture where ongoing education & learning is seen as an essential part of the success of the GPhC.

2. Scope of application of the standards

2.1 As well as Council members, there are a number of non-employee groups who help the GPhC to fulfil its regulatory functions. We use the broad term ‘associate’ to describe these groups. Associates fill a variety of roles, providing a wide range of knowledge and skills to support the GPhC’s work. These include: external members of non-statutory committees and working groups; statutory committee members, including fitness to practise panellists; visitors; CPD reviewers; assessors; evaluators & overseas panel members for registration applications; legal & clinical advisers, and medical assessors.

2.2 The standards of education & learning apply to Council members and GPhC associates. If you are not sure whether this standard applies to you, please contact the Head of Governance for information and advice. Further provisions on training which apply to members of statutory committees appear in the GPhC’s Statutory Committees and their Advisers Rules 2010 (rule 10).

---

\(^5\) These are the standards of education and training referred to in s.4 of The General Pharmaceutical Council (Constitution) Order 2010.
3. **Induction training**

3.1 Members and associates must undertake induction training to ensure that they are aware of and understand:

(a) the purpose and accountability of the General Pharmaceutical Council;

(b) its functions and duties;

(c) its stakeholders;

(d) members’ or associates’ role and functions;

(e) effective team working;

(f) how the GPhC’s governance policy works;

(g) the GPhC’s equality, diversity and inclusion policy; and

(h) the specific requirements and processes of any committees, panels or groups to which they are appointed.

4. **Continuing development**

4.1 In addition to induction training upon joining the organisation, all members and associates are required to undergo continuing learning and development throughout the duration of their appointment.

4.2 Members and associates should ensure that they:

(a) identify any learning and development needs they may have;

(b) make suitable arrangements to undertake any learning and development required; and

(c) make the executive of the GPhC aware of any learning and development they have undertaken which may be relevant to the performance of their role.

5. **Review**

5.1 Members’ and associates’ performance against these standards will be reviewed as part of their performance feedback and development review.
Alison Readman, Interim Head of Corporate Governance
Reference: GG/2010/02
Effective date: 16 June 2010
Review date: 16 June 2013
Standard of attendance at meetings for Council members and GPhC associates

2.0 Introduction

2.1 Attendance at meetings is a fundamental requirement of good governance. Apart from the necessity for a quorum to be present before any business can be transacted by the Council or a committee, non-attendance can have repercussions relating to the breadth of input to decisions, members’ awareness of current issues, and members’ commitment to the successful fulfilment of the GPhC’s purpose and functions.

3.0 Scope of application of the standard

3.1 As well as Council members, there are a number of non-employee groups who help the GPhC to fulfil its regulatory functions. We use the broad term ‘associate’ to describe these groups. Associates fill a variety of roles, providing a wide range of knowledge and skills to support the GPhC’s work. These include: external members of non-statutory committees and working groups; statutory committee members, including fitness to practise panellists; visitors; CPD reviewers; assessors; evaluators & overseas panel members for registration applications; legal & clinical advisers, and medical assessors.

2.2 The standard of attendance at meetings applies to Council members and GPhC associates. If you are not sure whether this standard applies to you, please contact the Head of Corporate Governance for information and advice.

4.0 Standard of attendance

4.1 Members or associates must be present for at least half of the duration of a meeting to be considered to have attended that meeting.

4.2 Members or associates must attend at least 60% of meetings which they are expected to attend in any one year. Further provisions on attendance which apply to members of statutory committees appear in the GPhC’s Statutory Committees and their Advisers Rules 2010 (rule 10).

4.3 Members or associates must send their apologies to the secretariat team that supports them as soon as practicable if they are unable to attend a meeting.
4.4 Failure to attend the required number of meetings in any one year will be deemed a breach of the code of conduct, unless an explanation of the member’s or associate’s reasonable cause for non-attendance has been provided to their Chair. A breach of the code of conduct will be considered in line with the GPhC’s governance framework and may be dealt with in accordance with the GPhC’s ability to suspend or remove its members and associates.

4.5 Attendance records of Council members will be published annually.

4.6 Attendance records will form part of the appraisal of members and associates.

Christine Gray  
Alison Readman, Interim  
Head of Corporate Governance

Reference: GG/2010/03
Effective date: 16 June 2010
Review date: 16 June 2013

See para 2.6 of the paper for the explanation of the proposed changes
Appendix 6

Terms of reference Remit of the Audit & Risk Committee

1. Constitution
1.1 The Council has established the Audit & Risk Committee to support the Council by reviewing the comprehensiveness and reliability of assurances and internal controls in meeting the Council’s oversight responsibilities. The Committee is a non-executive committee and has no executive powers except as set out in these Terms of Reference.

1.2 Under the Council’s Scheme of Delegation, the Committee has delegated authority to:
   - Monitor the Council’s risk management arrangements
   - Approve the internal audit programme
   - Advise the Council on the comprehensiveness and reliability of assurances and internal controls, including internal and external audit arrangements, and on the implications of assurances provided in respect of risk and control.

1.3 The Committee may request the attendance of any employee or member, as set out in section 6 of these Terms of Reference, and may incur expenditure for the purpose of obtaining advice in terms of section 8 below.

2. Accountability and Reporting
2.1 The Committee is accountable to the Council. The minutes of each Audit & Risk Committee meeting shall be circulated to the Council. The Committee shall report to the Council annually on its work.

2.2 The Committee may also submit separately to the Council its advice on issues where it considers that the Council should take action. Where the Committee considers there is evidence of ultra vires transactions or evidence of improper acts, the Chair of the Committee should raise the matter at a formal Council meeting.

3. Membership
3.1 The Committee, including its Chair, is appointed through arrangements agreed by the Council. The Committee shall have five members, but may operate with fewer while a vacancy exists, provided the quorum is maintained. The Committee members shall include Council members, excluding the GPhC Chair and including at least one lay member and one registrant member, and may
include up to two external members with appropriate audit and risk management experience.

3.2 The Council will appoint one of the Council members serving on the Committee as Chair, based on relevant background and skills. In the absence of the Chair, the Committee shall elect another of its members to chair the meeting.

3.3 The following members have been appointed to the Audit & Risk Committee until 31 March 2013:
Cathryn Brown, John Flook (Chair), Keith Wilson, Judy Worthington.
Hilary Daniels (external member) has been appointed to the Audit & risk Committee until 31 March 2014

4. Remit
4.1 The duties of the Committee are as follows:

**Governance, Risk Management and Internal Control**

4.2 The Council is the governing body of the GPhC and determines the governance policy and framework for the organisation. The Committee supports the Council by reviewing and advising the Council on the operation and effectiveness of the arrangements which are in place across the whole of the Council’s activities that support the achievement of the Council’s objectives. In particular, the Committee will review the adequacy of:

- All risk and control related disclosure statements, together with any accompanying internal audit statement, external audit opinion or other appropriate independent assurances, prior to endorsement by the Council;
- The underlying assurance processes that indicate the degree of the achievement of corporate objectives, the effectiveness of the management of principal risks and the appropriateness of the above disclosure statements;
- The policies for ensuring compliance with relevant regulatory, legal, governance and code of conduct requirements;
- The policies and procedures for all work related to fraud and corruption.

4.3 In carrying out this work the Committee will primarily utilise the work of internal audit, external audit and other assurance functions. It will also seek reports and assurances from directors and managers as appropriate, concentrating on the over-arching systems of governance, risk management and internal control together with indicators of their effectiveness.

4.4 In reviewing risk management arrangements, the Committee should draw attention to areas where:
- risk is being appropriately managed and controls are adequate (no action needed)
• risk is inadequately controlled (action needed to improve control)
• risk is over-controlled (resource being wasted which could be diverted to another use)
• there is a lack of evidence to support a conclusion (if this concerns areas which are material to the organisation’s functions, more audit &/or assurance work will be required).

Internal Audit

4.5 The Committee shall:
• Ensure that there is an effective internal audit function that complies with any applicable standards and provides appropriate independent assurance to the Council, Audit & Risk Committee, and Chief Executive & Registrar;
• Consider the appointment of the internal auditors, the cost of the service and any questions of resignation or dismissal and make appropriate recommendations to the Council;
• Ensure that the Director of Resources makes adequate resource available to the internal audit function;
• Review Approve the internal audit strategy, operational plan and work programme proposed by the Director of Resources;
• Consider the major findings of internal audit work, and management’s response;
• Ensure co-ordination between the internal and external auditors;
• Annually review the effectiveness of internal audit.

External Audit

4.6 The Committee shall:
• Consider the appointment and performance of the external auditor, the audit fee and any questions of resignation or dismissal and make appropriate recommendations to the Council;
• Discuss and agree with the external auditor, before the audit commences, the nature and scope of the audit as set out in the external audit plan and their local evaluation of audit risks;
• Review the work and findings of the external auditor, consider the implications and management’s responses to their work;
• Review all external audit reports, including agreement of the annual audit letter before submission to the Council and any work undertaken outside the annual audit plan, together with the appropriateness of management responses.

Financial Reporting

4.7 The Committee shall:
• Review the statutory annual report and financial statements before submission to the Council, focusing particularly on:
• The statement on internal control and other disclosures relevant to the Terms of Reference of the Committee;
• Changes in, and compliance with, accounting policies and practices;
• Unadjusted mis-statements in the financial statements;
• Major judgmental areas;
• Significant adjustments resulting from the audit.

• Ensure that the systems for financial reporting to the Council, including those of budgetary control, are subject to review as to completeness and accuracy of the information provided to the Council.

4.8 The Committee may approve the purchase of non-audit services from the statutory external auditors or the outsourced internal auditors. If time does not permit referral of this to the Committee, approval may be given by the Chair and reported to the Committee at its next meeting.

5. Quorum
5.1 A quorum shall be three members of the Committee.

6. Attendance
6.1 Only Committee members shall be entitled to attend meetings of the Committee. The Chief Executive & Registrar, Director of Resources and representatives from the internal auditors shall normally attend meetings. Representatives from the external auditors shall attend meetings as required for relevant items. The Council Chair and other Council members may attend meetings at the invitation of, or with the agreement of, the Chair of the Committee.

6.2 The Committee may request any employee or member to attend a meeting to assist with its discussions on any particular matter or to provide any information it may reasonably require in order to fulfil its remit. All employees and members are directed to co-operate with any reasonable request made by the Committee.

6.3 The Committee may ask any or all non-members to withdraw for all or part of a meeting if it so decides. In such an instance, the Chair shall ensure that a proper record is made of the meeting.

7. Access
7.1 The senior representatives of internal audit and external audit shall have free and confidential access to the Chair of the Committee. At least once a year, the Committee should provide an opportunity to meet privately with the external and internal auditors.

8. Authority
8.1 The Committee is authorised by the Council to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee and all employees are directed to co-operate with any request made by the Committee.

8.2 The Committee may obtain legal or other independent professional advice and secure the attendance of external advisers with relevant experience and expertise if it considers this necessary, within the budget approved by the Council.

9. Secretariat
9.1 The Director of Resources shall ensure that appropriate secretariat support is provided to the Chair and Committee.

10. Dealing with concerns
10.1 Processes have been agreed for raising and dealing with concerns about staff or Council members that fall outside the remit of the GPhC human resources function (Council paper 02.10/C/11).

10.2 Within these processes, the GPhC Chair or the Chair of the Audit & Risk Committee may seek to resolve a concern raised by one Council member about another. If the concern is not resolved and is not referred to the Privy Council at this stage (as provided for in the GPhC Constitution Order), it should be referred to the Council or the Audit & Risk Committee. The Committee should seek to address any such concern referred to it or refer it to Privy Council if it believes there may be grounds for suspension or removal of a Council member.

11. Frequency of Meetings
11.1 The Committee shall meet not less than three times a year. The external or internal auditors may request a meeting if they consider that one is necessary.

Alison Readman, Interim Christine Gray, Head of Governance,
Reference: GG/2012/26
Effective date: 12 January 2012
Review date: April 2013
Agreed by: Council 12 January 2012 minute 554

See paras 2.7-2.8 of the paper for the explanation of the proposed changes
The Council has established a Remuneration Committee with the remit set out below.

1. Under delegated powers from the Council and within the Council’s policies:
   - to approve or reject (not amend) the remuneration packages, including the basis on which performance would be assessed and any bonuses awarded, for the Chief Executive & Registrar and those directors who report directly to the Chief Executive & Registrar;
   - to approve or reject the overall remuneration framework for the remainder of the GPhC's employees (the responsibility to make recommendations on remuneration packages for directors and the overall remuneration framework falls to the Chief Executive & Registrar alone, as does the decision-making on remuneration for the GPhC’s employees other than the Chief Executive & Registrar and those directors who report directly to the Chief Executive & Registrar).

2. To advise the Council on:
   - remuneration policy for Council members, non-statutory committee members, and those associate groups established under legislation (statutory committee members, legal and clinical advisers to statutory committees, assessors and visitors), including advising on appropriate remuneration for any recipients of honoraria; and
   - the single expenses policy for the GPhC.

3. The Council members on the Remuneration Committee will have a conflict of interest and so the Committee should rely heavily on independent advice to inform its recommendations. The monitoring methodology should ensure compliance with policy in this area.

4. Other than as specified above, the Committee has no executive responsibilities or powers; its role is to advise the Council.

**Accountability and Reporting**

5. The Committee is accountable to the Council. The Committee should report its decisions to the Council without disclosing the remuneration of any individual other than the Chief Executive & Registrar.
6. The minutes of each Remuneration Committee meeting shall be circulated to the Council except where the Committee considers that all or part of its minutes should remain confidential to the Committee and its secretariat. The Committee may submit advice separately to the Council on issues where it considered that the Council should be taking action.

Authority

7. The Committee has delegated authority from the Council as detailed in the remit above.

8. The Committee is authorised by the Council to seek such information as it may reasonably require from any employee or member of the Council in order to fulfil its remit.

9. The Committee is authorised by the Council, when the fulfilment of its remit requires, to obtain external professional advice including the advice of independent remuneration consultants and to secure the attendance of external advisers at its meetings, if it considers this necessary, within the budget approved by the Council.

Composition

10. The Committee, including its Chair, is appointed through arrangements agreed by the Council. The Committee has five members comprising:
   - Up to four Council members, including the Chair of the Council, at least one lay member and one registrant member; and
   - Up to two external members with appropriate experience.

11. Where possible, one of the Council members serving on the Committee shall be designated as Chair, based on relevant background and skills, as this should facilitate the process of reporting to the Council. If this is not the case at any time, the Council should give serious consideration to the appointment of an independent chair. In the absence of the Chair, the Committee shall elect another of its members to chair the meeting.

12. The Chief Executive & Registrar and the Director of Resources & Corporate Development shall have the right to attend and speak at meetings of the Committee, except that they shall not be present during discussions relating directly to their own positions. Others may be called upon to attend and speak at the invitation of the Chair of the Committee.

13. The following members have been appointed to the Remuneration Committee until 31 March 2014:
Bob Nicholls (ex-officio as Chair of Council)
David Prince (external member)

The following members have been appointed to the Remuneration Committee until 31 March 2013:
Liz Kay (Chair)
Celia Davies
Lesley Morgan

Quorum
14. A quorum shall be three members of the Committee.

Frequency of Meetings
15. The Committee shall meet not less than once a year.

Christine Gray, Head of Governance,
Reference: GG/2012/27
Effective date: 12 January 2012
Review date: April 2013
Agreed by: January 2012 Council at minute 554

See paras 2.7 of the paper for the explanation of the proposed changes
Appendix 8

Standing Orders of non-statutory committees of the General Pharmaceutical Council

1. Application and Interpretation
1.1 Meetings of any non-statutory committees of the General Pharmaceutical Council are regulated in accordance with these Standing Orders which the Council shall agree from time to time. Amendments to these Standing Orders may be made only by the Council.

1.2 These Standing Orders, together with the provisions of the Pharmacy Order 2010 and the General Pharmaceutical Council (Constitution) Order 2010 (together, ‘the Orders’), establish the basic rules about how the committee conducts its proceedings.

1.3 Unless the context otherwise requires, terms used in the Standing Orders have the same meaning as in the Orders.

1.4 If a procedural point arises during a meeting of the committee which is not covered by these Standing Orders or the Orders, the common law rules concerning the conduct of meetings will apply.

1.5 The Chair of the committee is the final authority as to the interpretation of these Standing Orders.

2. Frequency of Meetings
2.1 The committee shall meet as necessary for the transaction of its business, normally between two and four times a year.

3. Notice of Meetings
3.1 The Secretary shall normally give members not less than seven clear days’ notice of the time and place of a meeting.

3.2 If for any reason a meeting is convened at shorter notice, then the Secretary shall give members notice of the time and place of the meeting at the time that the meeting is convened.

3.3 Failure to provide notice of a meeting to a member shall not invalidate the proceedings of that meeting.

4.
Agenda

4.1 The Secretary shall issue an agenda for each meeting. The Chair shall determine the content of the agenda, having consulted with the Secretary.

4.2 Except in cases of urgency or where circumstances make it impracticable to do so, the agenda for a meeting and any accompanying papers shall be sent to members not less than seven days before the meeting.

4.3 Any member wishing to raise any matter at a committee meeting shall notify the Chair and Secretary not less than 14 days before the meeting.

4.4 No business other than that which has been included on the agenda, or of which notice has been given under para 4.3 above, shall be discussed at any committee meeting, with the exception of urgent business which may be discussed with the consent of the Chair.

5. Meetings using remote conference facilities

5.1 At the discretion of the Chair, meetings of the committee may be held in the form of a teleconference or using other remote conference facilities which allow all members participating to hear and address one another. Such meetings will be deemed to take place at the location of the Chair.

6. Chair

6.1 The Chair of the committee shall be appointed by the Council or by a person, group, body or committee to whom the Council delegates this function.

6.2 The Chair shall preside at any meeting of the committee.

6.3 If the Chair is absent from, or otherwise unable to preside at, a meeting, the members present shall nominate one of their number to serve as chair at that meeting.

6.4 In these Standing Orders, references to the ‘Chair’ include a member presiding at a meeting of the committee in place of the Chair.

6.5 In the event that the Chair is likely to be absent for more than one meeting of the committee or to be unavailable to perform the duties of the Chair for more than one month, the Secretary shall notify the committee accordingly and the committee shall proceed to nominate one of its members (‘deputy chair’) to serve as committee during the absence or unavailability of the Chair.

7. Length of service on a Committee

7.1 No member of the Committee may hold office as a member of the Committee for more than an aggregate of 8 years during any period of 20 years. As with the
Council there is no maximum number of terms that a member may serve; however, a member shall not be appointed to a committee for a term that exceeds their term as a Council member.

7.2 Other provisions regarding the composition of committees are set out in the terms of reference of each committee.

8.1 Quorum
8.1 The quorum at any meeting of the committee shall be as determined by the Council. No business shall be transacted at a meeting unless at least a quorum of members is present.

8.2 If a quorum is not present within 15 minutes of the time appointed for a meeting to commence, the meeting shall be dissolved and all business which should have been transacted at that meeting shall be held over until the next scheduled meeting, unless an additional meeting is called in the meantime for the transaction of that business.

8.3 If, during a meeting, it appears to the Chair that a quorum has ceased to exist, business will be suspended and the number of members present counted and, if:

(a) a quorum exists, the business will proceed;
(b) a quorum does not exist, the meeting will be dissolved and all remaining business will be adjourned to the next scheduled meeting, unless an additional meeting is called in the meantime for the transaction of that business.

8.4 If a member has been disqualified from participating in discussion of and/or voting on any matter by reason of a conflict of interest, that member shall not count towards the quorum. If a quorum is not available for the discussion of and/or voting on any matter, that matter may not be discussed further or voted upon at that meeting. Such a position shall be recorded in the minutes of the meeting. The meeting shall then proceed to the next item of business.

9. Interests of members
9.1 Members must ensure that no conflict arises, or could reasonably be perceived to arise, between their position as a committee member and their personal interests, financial or otherwise.

9.2 All members of the committee shall complete, and keep up to date, a register of interests, gifts and hospitality. (A register of Council members’ interests, gifts and hospitality is maintained separately and Council members on committees will not be asked to supply a duplicate register entry.) The Secretary of the
committee shall keep the register of committee members’ interests, which shall be available for Council and committee members to see on request.

9.3 A member who has a personal interest in any matter under consideration at a meeting, whether or not declared in the register of members’ Interests, shall promptly declare that interest and, unless the Chair determines otherwise, the member shall withdraw from the meeting until the committee has concluded its consideration of the matter.

9.4 In any case of doubt the member should openly declare the possibility of interest.

9.5 All declarations of interest shall be recorded in the minutes.

10. Minutes of committee meetings
10.1 The Secretary shall produce minutes of each meeting which shall include a record of the members in attendance at that meeting.

10.2 At each meeting, the minutes of the previous meeting shall be confirmed, or confirmed as amended, by the committee.

10.3 The confirmed minutes of a meeting shall, unless the contrary is proved, be a correct and authoritative record of the meeting.

11. Secretary
11.1 The committee Secretary shall be appointed by the Chief Executive & Registrar.

12. Powers and accountability
12.1 The committee is accountable to the Council.
12.2 Subject to any statutory restrictions, the committee shall have such terms of reference and powers and shall be subject to such conditions as determined by the Council.

12.3 No committee may establish a sub-committee unless expressly authorised by the Council.

13. Conduct of committee members
13.1 Members shall comply with the seven principles of public life established by the Committee on Standards in Public Life (the ‘Nolan Principles’).

13.2 The Chair may order a member to withdraw from a meeting if, in the opinion of the Chair, that member has persistently disregarded the ruling of the Chair or is behaving improperly, offensively or in a manner which is obstructing the business of the meeting.
13.3 In the event of a general disturbance which, in the opinion of the Chair, prevents the orderly conduct of business, the Chair may adjourn the meeting for such a period as the Chair considers appropriate.

14. **Members’ education, training and performance**
14.1 Members shall not, without reasonable cause, fail to undertake satisfactorily any education or training provided for members or to participate in any appraisal processes for members.

15. **Voting and Recording of Votes**
15.1 Decisions shall be taken by vote in the following circumstances:

   a) When the Chair determines that no clear consensus has emerged;

   b) When a member requests a vote to be taken and this is supported by at least one other member; or

   c) When the Chair concludes that a vote should be taken.

15.2 Voting shall be by a simple majority of those members present and voting, unless specified otherwise in these Standing Orders or in the Orders.

15.3 Voting shall be by a show of hands or by any technological equipment provided.

15.4 The Chair shall have a substantive vote and, in any case of an equality of votes, a second or casting vote.

15.5 The minutes shall record the numbers voting for and against the proposal and the number of abstentions, if any.

15.6 If a majority of the members present so request, the voting on any question may be recorded to show how each member present voted or did not vote.

15.7 In no circumstances may an absent member vote by proxy. Absence is defined as being absent at the time of the vote.

16. **Suspension of a Standing Order**
16.1 Except where this would contravene any statutory provision, the committee may suspend any one or more of the Standing Orders at any meeting, by resolution of the committee carried by not less than two-thirds of the members present and voting. The reason for the suspension shall be recorded in the minutes.

16.2 In proposing the suspension of one or more of the Standing Orders, the member making the proposal must state the number(s) of the Standing Order(s).

16.3 If such a proposal is agreed the suspension shall be for the duration of the item under discussion.
17. **The Chief Executive & Registrar, Secretary and advisers**

17.1 The Chief Executive & Registrar and the Secretary shall be entitled to attend and address meetings of the committee.

17.2 Any other person advising on the business before a meeting of the committee, including advising the Chair on matters relating to governance, may attend and, with the consent of the Chair, address the meeting.

18. **Dealing with Confidential Matters**

18.1 Meetings of the committee are not open to the public.

18.2 The proceedings of the committee are confidential to the members of the committee, the Council and staff, and any observers present at the invitation of the committee.

18.3 When discussing items relating to identifiable individuals or commercial items in confidence, the Audit, Remuneration and Appointments Committees will do so in confidential session, without observers present. The confidential agenda and minutes will not be circulated other than to members of the relevant committee.

**Christine Gray, Head of Governance**

Reference: GG/2010/15
Effective date: 16 June 2010
Review date: April 2014
Agreed by: Confidential session of June 2010 Council meeting

See para 2.9 of the paper for the explanation of the proposed changes
Appendix 9

Appointment of members of the Audit & Risk and Remuneration Committees

1.0 Introduction

1.1 The following procedures should be used for the appointment of all members (ie Council members, external members and chairs) of the Council’s Audit & Risk and Remuneration committees, including appointments to fill casual vacancies.

2.0 Purpose of procedure

2.1 This procedure has been designed to ensure that a consistent approach is used when appointing members and Chairs to committees.

3.0 Procedure statement

3.1 Introduction

3.1.1 The Audit & Risk Committee has five members comprising:

- Up to four Council members, excluding the GPhC Chair and including at least one lay member and one registrant member; and
- Up to two external members with appropriate audit and risk management experience.

The Chair of the Audit & Risk Committee shall be a Council member. The Chair need not be an auditor, but should be someone with relevant understanding.

3.1.2 The Remuneration Committee has five members comprising:

- Up to four Council members, including the GPhC Chair, at least one lay member and one registrant member; and
- Up to two external members with appropriate experience.

Where possible, the Chair of the Remuneration Committee shall be a Council member, based on relevant background and skills, to facilitate the process of reporting to the Council. If there is no Council member with the requisite competencies, serious consideration should be given to the appointment of an independent chair.

3.1.3 Each committee member is appointed for up to four years and may serve a maximum of two terms. A Council member shall not be appointed to a committee for a term that exceeds their term as a Council member.

See para 2.9 of the paper for the explanation of the proposed changes
3.2 **Appointment of Council members to the committees**

3.2.1 Members of committees who are Council members, including the chairs of committees, shall be appointed by the Council.

3.2.2 Six months before the end of a committee member’s existing appointment, the Council Secretary will invite members to indicate whether they wish to be considered for reappointment. The Council Secretary will also invite expressions of interest from other Council members.

3.2.3 Members of Council may signal their willingness to be appointed or re-appointed to a committee as a member or as chair by submitting a statement of up to 200 words in support to the Chair of the Council.

3.2.4 The Chair will take soundings from a lay and a registrant Council member then recommend members for appointment by the Council.

3.2.5 The Council will appoint a member to fill the vacancy based on all relevant information available, including any other expressions of interest and the balance to be achieved between retaining knowledge and bringing in new ideas.

3.2.6 If it is felt desirable to appoint a non-Council member as chair of the Remuneration Committee, the procedure below for appointing external members to the committees should be followed.

3.3 **Appointment of external members to the committees**

3.3.1 A panel comprising the GPhC Chair, one registrant Council member and one lay Council member will be formed when a vacancy exists or is anticipated. The Chair will invite Council members to join the panel based on expressions of interest.

3.3.2 The appointments panel will appoint non-Council members to the Audit & Risk and Remuneration Committees following the procedure at Annex A. This procedure has been designed to ensure that a consistent approach is used when appointing external members to committees. However, ultimate responsibility for making these appointments rests with the appointments panel.

4.0 **Application of procedure**

4.1 This procedure applies to the Council, all appointments panels and the Council Secretary.

**Alison Readman, Council Secretary, Governance team**

Reference: GPr/2011/11
Effective date: 06/07/2011
Review date: 06/07/2013
Annex A

Procedure for appointing external members to committees

1.0 General principles

1.1 Appointments must be made in a way which upholds the Nolan principles of public life and adheres to good practice in relation to equality and diversity.

1.2 Although these appointments do not come within the remit of the Commissioner for Public Appointments, the procedures take into account the Commissioner’s Code of Practice.

2.0 The appointments process – planning

2.1 The Council Secretary should monitor membership of committees for forthcoming vacancies since vacancies can take some time to fill. Six months before the end of a committee member’s existing appointment, the Council Secretary will invite members to indicate whether they wish to be considered for reappointment.

2.2 If so, the external member’s most recent appraisal will be sent to the panel. The panel will also take soundings from the relevant committee chair on the desirability of continuity or recruitment of a new external member. The panel will then decide whether to re-appoint or to recruit a new external member to fill the vacancy based on all relevant information available, including the balance to be achieved between retaining knowledge and bringing in new ideas.

2.3 If the panel decides to recruit a new external member, the Council Secretary should produce a role description and person specification for every new appointment, for sign off by the appointments panel. The person specification should set out the experience, personal qualities, professional qualifications (if appropriate) and competencies against which applications will be assessed.

2.4 The selection criteria must not discriminate unlawfully against any group or groups in society.

3.0 The appointments process – preparation

3.1 All appointments must be marketed and/or advertised in an appropriate and proportionate way and will always, as a minimum, be marketed on the GPhC website. Marketing and any advertising used must seek to encourage a diverse range of candidates.

3.2 Information packs will be made available for download from the website.

3.3 Applicants will be required to provide information on any potential conflicts of interest.
3.4 Applications will be accepted in the manner and time agreed by the appointments panel, which may include the use of an application form if considered desirable.

3.5 During the appointments process, it may be necessary to sift applications. All sifting processes must:

- be approved by the appointments panel
- be based on the person specification and
- ensure selection is based on merit.

3.6 Records must be kept of the processes used to sift applications.

4.0 **The appointments process – selection**

4.1 Candidates will be interviewed by the appointments panel.

4.2 If a member of the appointments panel knows a candidate, then he or she must declare the nature and extent of the relationship. The decision of the appointments panel chair will be final on the question of what further action, if any, is needed to manage prior knowledge and conflicts of interest appropriately.

4.3 To ensure consistency, interview questions will be based on the competencies outlined in the person specification.

4.4 GPhC staff will provide an evaluation form for use by interviewers. Interviewers shall make a note of the key interview performance points that influenced them. The appointments panel chair shall keep a clear and objective record of the panel’s rating of each candidate and agreed decision. Each member of the panel should sign the agreed panel summary for each candidate.

4.5 Selection of the most suitable candidate for the appointment should only be made on merit on the basis of information provided by them in their applications forms and at interview.

5.0 **Post-selection procedure**

5.1 When a decision has been made, all candidates should be notified in writing with the minimum of delay.

5.2 Under the Data Protection Act 1998, candidates may request feedback on interview performance or an account of the process undertaken. Such requests will be dealt with promptly by a member of GPhC staff, using the appointment panel's agreed records of sift and interview outcomes.

5.3 Appointment may be made subject to the provision of satisfactory references, if the appointments panel considers them to be necessary. No references will be taken up without the individual being informed in advance.