Council appointments 2014

Purpose
To consider recommendations on the process for filling the Chair of Council vacancy and the Council Member vacancies arising in March 2014.

Recommendations

The Council is asked to
i) Agree that a working group be established with delegated authority to agree the recruitment process
ii) Agree the process for establishing the working group
iii) Agree the remit of the working group
iv) Provide further comment to the working group on the member roles and person specifications.

1.0 Introduction

1.1 Six members (including the Chair of Council) have terms of office ending in March 2014. It is good practice that the vacancies be filled by an open recruitment process; this is in keeping with the decision taken in May 2012 to fill the vacancies arising regarding the recruitment campaign that has just ended.

1.2 As previously reported to Council, the Professional Standards Authority (PSA) is responsible for advising the Privy Council on the quality of the processes all health and care professional regulators (excluding the PSNI) use to recommend candidates for appointment as Chairs and Members of their councils.
1.3 To assist regulatory bodies in running appointments process the PSA has published good practice guidance which can be found at: http://www.professionalstandards.org.uk/docs/scrutiny-quality/october-2012---appointments-good-practice-guidance-.pdf?sfvrsn=0.

The guidance states that the principles of a good appointments process are:

- merit;
- fairness;
- transparency and openness;
- and inspiring confidence\(^1\).

Since the PSA is tasked with assuring the Privy Council that each of the four principles have been followed at each stage of the process following proper scrutiny, it is paramount that we can show that we have done this and are also able to justify any departure from the guidance offered.

2.0 Key Considerations

2.1 Timing

It is considered desirable and is suggested in the PSA good practice guidance that the Chair (or Chair designate) sits on the selection panel appointing Council Members. If this is done, the recruitment process to appoint the Chair must be completed before the full recruitment process to appoint Council Members can begin. The PSA also requires the submission of an Advance Notice to Appoint document at least four weeks before advertising begins. In this document we set out the detailed process that will be followed in order to focus our minds on adhering to the four principles at 1.4 above. Based on previous experience and allowing for the separate appointment processes outlined above, the documentation and process needs to be submitted to the PSA in early April 2013. This also allows time for any queries by the PSA in the Advance Notice document to be addressed.

2.2 Learning points from the 2013 process

Feedback on various aspects of the 2013 process was received from a number of sources; it will be used to inform the 2014 process. The sources include feedback from:

- Candidates
- The independent assessor
- The PSA
- The recruitment agency that we used
- The selection panel.

\(^1\) See the box following paragraph 1.4 of the guidance
2.3 PSA guidance
Although the PSA good practice guidance was issued in October 2012, towards the end of the previous campaign, it has not materially changed from the draft guidance available previously.

3.0 Proposal

3.1 It is open to the Council to follow the same process that was followed in 2013 and approve the key documentation (person specifications and member roles – attached at appendix 1) and agree the composition of the selection panels. However, Council members will recall that one of their main concerns when considering the 2013 appointments process was the degree of interest Council Members have in the process and the perception of how this interest could be thought to influence decisions taken. This concern is also highlighted in the PSA good practice guidance which states that ‘Care should be taken to ensure appropriate separation between oversight of the appointments process and selection decisions. This is to ensure that individuals cannot, and are not perceived to be able to unduly influence the outcome of the process’.

3.2 To address these concerns and ensure the process follows the four PSA principles it is proposed that a working group be established with delegated authority to agree the recruitment process. Such an arrangement would also add to the transparency of the process and the establishment of such a group is recognised in the PSA good practice guidance.

3.3 There are also practical reasons to establish a working group. A significant number of decisions will need to be made (in a short period of time) in preparing the documentation which will form the Advance Notice to Appoint document. A small working group could confer on a more regular basis than the Council as a whole and engage in more detailed discussions to ensure feedback from all sources is fully considered.

3.4 The proposed remit of the working group is attached at appendix 2 for approval. As can be seen part of the group’s remit would be to consult with Council Members and review feedback received from the 2013 appointments.

3.5 In order for the working group to have credibility the members must have no interest in being appointed as part of the 2014 appointments process, whether as Chair or as a Council Member. Ideally the working group would comprise three members.

3.6 Expressions of interest from Council Members who will not be re-applying in 2014 for either Chair or Council posts will be sought by 14 February 2013
(assuming the recommendation be agreed). Lesley Morgan has agreed to be a member of the working group, it is proposed that Lesley will receive the expressions of interest from Council Members and that she will co-ordinate the formation of the group. Should there be insufficient expressions of interest Lesley would be able to co-opt an independent member. The working group will agree who will chair and agree their own working practices.

3.6 The working group would provide an assurance report back to the Council at their April 2013 meeting and after that as required.

4.0 Equality and diversity implications

4.1 The PSA good practice guidance states that processes should promote equality. It also states that the diversity should be considered when choosing the selection panel. An equality impact assessment of the process will be published during the recruitment and selection process.

5.0 Communications implications

5.1 Council vacancies should be publicised widely, but appropriately and proportionately, so as to attract a sufficient number of diverse and suitably qualified candidates. Clear information should be provided to prospective candidates about the role and about the recruitment, selection and appointment process.

6.0 Resource implications

6.1 It is anticipated that the recruitment and selection process would be carried out within existing budgets.

7.0 Risk implications

7.1 An appropriate and robust process for recruiting and selecting Council members is an essential step in ensuring good governance within the GPhC.

Recommendations

The Council is asked to

i) Agree that a working group be established with delegated authority to agree the recruitment process

ii) Agree the process for establishing the working group

iii) Agree the remit of the working group

iv) Provide further comment to the working group on the member roles and person specifications, if individual members so wish.
Duncan Rudkin, Chief Executive & Registrar, General Pharmaceutical Council
duncan.rudkin@pharmacyregulation.org, tel 020 3365 3501

Francesca Chittenden, Council Secretary, General Pharmaceutical Council
Francesca.chittenden@pharmacyregulation.org, tel: 020 3365 3522

23 January 2013
Member roles and person specifications

Council Member appointments – role and person specification for the Chair of Council and Council Members

The role of the Chair

The Chair is expected to provide effective leadership for the Council in its duty of public protection and promoting high professional standards, to oversee the range of regulatory functions and to promote the Council's agreed strategies and policies in the public arena. The Chair leads the Council in setting the GPhC’s strategic direction.

During Council meetings the Chair will promote rigorous consideration of matters before the Council. In particular, you will:
- Provide strong non-executive leadership in order to encourage good governance, proactivity, transparency and open accountability to the public
- Chair Council meetings effectively to facilitate a collective consideration of issues ensuring that views are captured and explored before summarising decisions
- Lead the Council to use sound judgement to arrive at proportionate and targeted decisions in line with corporate objectives and able to withstand public scrutiny
- Lead the Council in scrutinising and holding the Chief Executive & Registrar to account for organisational performance, delivery of the business plan, risk and financial management
- Ensure that the Council upholds and promote the public interest when taking decisions
- Ensure that outcomes of discussion are clearly identified and are in line with the GPhC’s statutory objective and Code of Conduct
- Ensure that the Council demonstrates a strong awareness of and commitment to equality and diversity.

Outside Council meetings you will need to:
- Undertake performance evaluations of Council members and the Chair of the Appointments Committee, and provide feedback and guidance to them on their performance, identifying any development needs
- On behalf of the Council, assess the performance of the Chief Executive & Registrar and identify any development needs
- Ensure an annual programme of Council meetings with agendas appropriate to the business of the Council
- Take a key role in representing the GPhC, developing and managing positive, productive and influential relationships with key senior stakeholders including the Chair
Candidates for the position of Chair may be either registrant or lay, but will need to be able to command the confidence of the public and the professions regulated by the GPhC, while having the leadership skills to chair a national board.

The role of Council Members

All Council members (including the Chair of Council) share collective responsibility for discharging the functions of the GPhC Council. In order to do this effectively your duties will include:

- ensuring that all the GPhC's statutory functions are delivered in an appropriate and cost-effective manner;
- setting the direction of the organisation in line with its vision and purpose
- delegating appropriate authority to the Chief Executive & Registrar and committees of the Council
- ensuring systems are in place to enable it to monitor the organisation’s performance and hold the Chief Executive & Registrar to account within appropriate employment practices; and ensuring probity
- adhering to the GPhC Code of Conduct
- understanding the GPhC's functions and its statutory framework
- understanding the nature and contribution of independent professional regulation
- understanding who the GPhC’s key interest groups are and their priorities
- making yourself available to the GPhC for the required amount of time
- taking an active part in Council and other meetings and work effectively with the executive
- participating as necessary in induction, learning and development and performance review.
The GPhC conducts much of its business through electronic media, you should therefore have access to and be able to use PC-based software, email and the internet. Reasonable adjustments will be made to support candidates who require them.

The powers and responsibilities of the Council are exercised jointly by its members, each of whom therefore has statutory and fiduciary duties in discharging them. The Council provides governance and assurance, overseeing rather than undertaking the GPhC’s regulatory functions.

Council members bring their combined knowledge, skills and experience to bear to ensure that the GPhC’s statutory duties are delivered in a proportionate and risk-based manner.

**Essential Criteria and Competencies required for the roles**

**Essential criteria – All candidates must demonstrate the following:**

E1 – An appreciation of and commitment to protecting, promoting and maintaining the health, safety and wellbeing of patients and the public

E2 – The ability to look forward and see the bigger picture

E3 – The ability to challenge and question constructively in the pursuit of quality and performance

E4 – An understanding of the contribution and impact made by regulation, healthcare professions and pharmacy in Great Britain

E5 – An understanding of and commitment to the Nolan Principles of public life

**In addition, registrant candidates must demonstrate the following:**

E6 – Up to date knowledge and understanding of the practice of pharmacists and/or pharmacy technicians and an awareness of the factors that influence it, for example, education and training, workforce, developments in specific sectors or countries, and workplace factors.

**Additional essential criteria for the role of Chair**

Candidates applying for the role of Chair will have an exceptional track record of success in their field and the necessary experience to undertake this important role. In addition to the essential criteria required of all Council Members (listed above) they will also need to provide evidence of:

EC1 – Experience of leading an organisation of comparable size and complexity in the public, private or voluntary sector

EC2 – Experience of applying high level governance skills in chairing a governing body

EC3 – Knowledge of government and its operation and infrastructure
In addition, experience of dealing with the media would be desirable.

At least one of the appointees must be a person (lay or registrant) who lives or works wholly or mainly in Scotland.

**Competencies**

Candidates who are invited to preliminary interview will need to demonstrate that, in addition to meeting the essential criteria, they have the competencies required to be effective in these demanding roles.

Candidates will be assessed against the following qualities and abilities and will need to be able to apply these competencies in the context of protecting, promoting and maintaining the health, safety and wellbeing of members of the public by upholding standards and public trust in pharmacy.

**C1 – Personal qualities (Chair and Members)**
- Willing to accept and uphold own accountability and also willing and able to hold others to account for performance of delegated responsibilities
- A high level of probity, integrity, objectivity and fairness
- Commitment to equality, diversity and inclusion
- The ability to maintain confidentiality
- High level of motivation and a willingness to constantly review and improve performance
- The ability to display credibility across and beyond the registered pharmacy professions.

**CC1 – Chair only**
- Excellent personal communication skills with the tact and diplomacy to deal with potentially difficult and sensitive issues

**C2 – Intellectual flexibility (Chair and Members)**
- Thinks clearly and creatively
- Able to analyse complex information – considering the bigger picture as well as the detail – and arrive at sound judgements
- Able to understand who the GPhC’s key interest groups are and their drivers and priorities
- Willing to modify thinking in light of new information and dialogue.

**CC2 – Chair only**
- Forward vision that facilitates strategic planning
- A proven track record of working within a complex environment to reach decisions which establish shared corporate objectives.

**C3 – Effective influencing and communication (Chair and Members)**
- Can influence and persuade others using well reasoned arguments
- Capacity to give and take advice
- Debates cogently, using evidence to support views
- Able to test and probe constructively and effectively to achieve the best outcomes for the GPhC and its statutory functions.

CC3 – Chair only
- Commitment to effectively communicate the collective decisions of the GPhC to key interest groups
- Demonstrable knowledge and experience of working in partnership, gaining the respect, and promoting inclusion and involvement of one or more key stakeholder groups.
- Proven record of managing external relationships and commanding the confidence and support of key stakeholder groups.

C4 – Effective team working (Chair and Members)
- Builds constructive relationships and works effectively in a team
- Understands and maintains the separation between the non-executive and executive function
- Contributes to effective governance
- Actively seeks the differing views of others and respects those views.

CC4 – Chair only
- Involve others in the decision making process to reach collective decisions and to obtain the best outcome for the organisation and its statutory functions
- Willing and able to delegate as appropriate
- Promotes and supports the corporate decisions of Council
- Highly developed interpersonal skills with the proven ability to establish credible and effective working relationships.

In addition the Chair must demonstrate Leadership through:

CC5 – Chair only
- Senior/chairing board level experience in a complex organisation
- High personal standards in relation to governance and quality assurance
- An understanding of regulation in either the public or private sectors with the commitment to improve healthcare and public safety though effective regulation
- An ability to chair a board of a complex organisation with particular strengths in managing divergent views
- The ability to represent the GPhC internally and externally with a focus on ambassadorial skills
- Sound understanding of the balance between the Chair and Chief Executive & Registrar’s leadership role.

Balance and overall competence of the whole Council

The panel will only recommend for appointment candidates who demonstrate, through the course of their applications, that they meet the essential criteria. The panel may, if necessary, recommend that vacancies be carried within the Council’s membership.
When assessing and selecting candidates at all stages of the process, the panel will give weight to the need to secure the overall competence of the whole Council. In addition to ensuring compliance with the statutory requirements in relation to Council membership, this means the panel will seek to ensure that the Council’s overall membership maintains a balance of knowledge, skills and experience, taking into account

- equality and diversity
- background and range of experience, including paid and unpaid work
- in the case of registrant candidates, the Council’s wish that its membership should reflect the diversity of pharmacy practice and the pharmacy professions
- the need to balance continuity of experience within the Council with the introduction of fresh perspectives.
Appendix 2

**DRAFT - Remit of the Appointments process 2014 working group**

The working group will be responsible for agreeing the process for the 2014 appointments process up to the stage at which the PSA approve the Advance Notice to appoint.

This will include:

1. Planning and agreeing the process (using as a starting point page 4 of the PSA good practice guidance)
   - Finalising the timescales outlining key milestones
   - Reviewing and agreeing the role description, person specification and selection criteria, with external input as appropriate (including consideration of comments received from Council Members and undertaking a review of the skills set)
   - Identifying appropriate methods to attract a diverse field of suitable applicants
   - Deciding on the most appropriate application format, reviewing previous application forms to ensure they are still relevant
   - Arranging the provision of applications forms and / or information in alternative formats e.g. Braille, audio, large print etc.
   - Establishing selection methods and how applicants will be managed through the process, including sifting, shortlisting, any additional assessment and how candidates will be told about of the progress and outcome of their application.
   - Deciding on the composition of the selection panel(s), including a credible independent perspective
   - Establishing interview/assessment arrangements, including how reasonable adjustments and accessibility requirements will be met
   - Deciding on the due diligence checks to be taken and at what stage of the process these will inform selection decisions
   - Assessing risks associated with the appointment and how they can be managed effectively
   - Ensuring that data is handled sensitively, confidentially and in line with Data Protection principles
   - Considering and agreeing procedures to manage:
     - Candidate queries and requests for feedback or justification
     - Late applications
     - Conflicts of interest
     - Applicants who are unable to attend arranged interview dates
     - Any internal changes, such as illness or changes to panel members or interview/assessment arrangements.

2. Considering feedback and any learning points arising out of the 2013 campaign;

3. Agreeing the role of the recruitment agency supporting the process, and,

4. Any other actions necessary to reach the point at which the PSA approve the Advance Notice to appoint.