

COUNCIL

Council Chair appointment campaign

Meeting: 26 February 2020

Status:For decision

Lead responsibility: Erica Wilkinson (Head of Secretariat)

Paper author: Janet Adeyemi (Governance and Compliance Manager)

Council Lead(s): Helen Tilley

Purpose

1. For Council to agree the recommendations from the Nominations Committee (Nomco) regarding the process of appointment for a new Council Chair to succeed Gareth Hadley who will have served his maximum term of office on 18 February 2021.

Recommendations

2. Council are asked to **agree**:
 1. the role profile (annex one);
 2. the competences to be sought (annex two);
 3. the selection panel membership (paragraph 11);
 4. involvement of CEO and Council members (paragraph 13); and
 5. the timetable for the campaign (paragraph 14);

Strategic objective

3. This work forms part of the 2019/20 Business Plan, specifically, member support – managing Council and committee member appointments, reappointments, appraisals and development and evaluation of performance.
4. [Nomco's terms of reference](#) provide for the committee to consider and recommend to Council '*plans for Council member appointments as specified in the Council and committee appointment process (including the timetable for appointments, role description, selection criteria (competences) and members of selection panels)*' prior to an Advance Notice being sent to the Privy Council.

Risks

5. Nomco oversight of appointments mitigates the risk relating to; diverse membership, required skills, experience and quorum.

6. The proposals in this paper are compliant with relevant legislation/guidance and are in line with our published member appointment process.

Background

7. The current Council Chair Gareth Hadley will have served his maximum term as GOC Chair on 18 February 2021. We therefore seek a new Chair to succeed him as of 19 February 2021.
8. In accordance with the GOC's legislative framework, the Privy Council (PC) makes Council Member appointments to the General Optical Council. The framework sets out the number of Council members (12), and the criteria which must be satisfied in making appointments, including appointing a lay Council Chair who will be appointed to serve two terms of four years.
9. The GOC constitution defines a lay member as:
 - a member who is not and never has been registered in a register, or a director of a body corporate registered in a register, maintained by the Council, and
 - does not hold qualifications which would entitle them to apply for registration in one of the registers maintained under section 7 or 8B.
10. The GOC is responsible for managing the process of appointment, and for providing the name of a suggested appointee to the Privy Council. In accordance with section 25C of the Health and Social Care Act (2012), the Professional Standards Authority (PSA) provide assurance to the Privy Council in relation to the robustness of the process for suggested appointments used by all healthcare regulators, including the GOC.
11. It has already been agreed that the Senior Council Member (supported by the Secretariat Team) will lead this work on behalf of the GOC and we intend to follow PSA Guidance, which sets out the four stages to appointments, as follows:
 1. Planning
 2. Advance notice scrutiny
 3. Implementation, and
 4. Recommendation, scrutiny, and appointment
12. We are currently in the planning phase and at the last NomCo meeting, the Committee considered a range of matters relating to the appointment including membership of the panel; the recruitment process including use of head-hunters; the criteria for the role; equality and diversity considerations and the need for due diligence, throughout the process.

Analysis

Evaluating vacancy requirements

13. A skills analysis of Council was undertaken in September 2018 and discussed by NomCo in October 2018. This requires updating in advance of further member recruitment, but in Nomco's opinion there are no specific competency gaps, which need to be sought via this campaign. The requirements for the Chair are very specific to the role.

Role profile

14. Nomco proposes no changes to the role profile used previously, which is attached at Annex 1, and will be included in the candidate pack.

Eligibility and disqualification criteria

15. The criteria for disqualification from appointment as a Council Chair is set out in the General Optical Council Constitution Order 2009. Additionally, as Council members are also trustees they are also subject to the Charity Commission Automatic Disqualification Rules. The candidate pack will make specific reference to relevant criteria and ask candidates to confirm if any apply to them.

Competences

16. The proposed competences for lay a Council Chair are shown in Annex 2. These competences were agreed by NomCo in February 2020. Council should note that the PSA 'Good practice in making Council appointments' guidance advises that essential competences for Council members must be applicable to all members.

Selection Panel

17. Nomco recommends for Council approval, a panel of four members. The panel members have been chosen for their experience of similar recruitment exercises and to ensure diversity, both in terms of gender and race. They are:
 1. Christine Elliott, the Chair of HCPC, as an Independent Chair of the interview panel
 2. Helen Tilley, Senior Council Member
 3. Mike Galvin, lay Council member
 4. Ranjit Sondhi (Independent Member)

Use of Headhunters

6. It is proposed that to support this work, we will procure the support of a professional search firm and in order to meet the requirements of the PSA the process will include anonymous applications.

Involvement of the CEO and Council members

7. Nomco propose that shortlisted candidates should be invited to meet with the CEO and a selection of Council members and staff as part of the recruitment process. This will provide the opportunity for candidates to raise questions about the GOC and for feedback to be given to the selection panel. The scope and purpose of the discussion would be carefully defined once a recruitment agency has been procured and should be clearly outlined to candidates in accordance with PSA guidelines.

Timetable

8. Nomco proposes the timetable below.

	TASK	Deadline
Q1 2020/21	Council approval of appointment documentation (inc. final competences and job role)	Feb 2020
	Council to approve candidate pack	May 2020
	Advance Notice to Appoint submitted to PSA	May 2020
	PSA clearance of Advance Notice (three weeks)	June 2020
Q2 2020/21	Advertising Launch (five weeks)	July 2020
	Application deadline	1 st September 2020
	Pre-sifting (three weeks)	September/October 2020
	Dip-sifting (two weeks)	
	Shortlisting (three weeks)	
Q3 2020/21	Selection Panel teleconference	
	Due-diligence & references	
	Interviews (two interview days) in London	Late October 2020
	Recommendation to Council	November 2020
	Submission of reports to PSA for scrutiny / Privy Council approval (three weeks)	November 2020
	Appointment confirmed and announced	December 2020

Q4 2020/212	Induction (inc. observe February Council)	December 2020 and January 2021
	Appointment start	19 February 2020

EDI and Impacts

9. There are no implications in relation to Human Rights Act or sustainability.
10. The recommendations in this paper are made in line with our published Appointments Process, GOC legislation and Rules and relevant equality legislation. Our duties in relation to EDI are embedded in our appointment and reappointment activities and considered throughout the paper.
11. The Governance team will monitor the processes used to appoint the Council Chair to ensure processes are compliant with relevant legislation. In constituting the selection panel for instance, due regard has been given to relevant EDI considerations and to eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations.
12. We intend to embed EDI best practice into the planning and implementation of this campaign by:
 - ensuring our appointment process is professional and based on fair, honest and transparent decision-making;
 - appointment advertising strategies that are inclusive and accessible, in order to attract the widest pool of suitable candidates;
 - sifting and selection processes are barrier-free and suitable adjustments are made where necessary;
 - staff involved in the appointment process are conversant with latest EDI practices;
 - flexible scheduling throughout the process to match work/life patterns and other EDI considerations; and
 - 'equalities proofing' all our advertising and candidate materials, to make them as accessible as possible to all participants.
13. Our aim is to provide a truly diverse field of candidates, in terms of skills and career background (as well as protected characteristics). There is no indication that this selection campaign would have a disproportionately negative impact on persons of any protected characteristics.

Devolved nations

14. This appointment campaign does not require us to seek a candidate from any particular devolved nation, but we will ensure that the search covers all parts of the UK.

Communications

15. A further NomCo meeting will be held in March /April 2020 to agree recommendations to be made to Council in May 2020.

Next steps

16. The Advance Notice will be submitted to the PSA after May Council meeting.

17. The PSA suggests that, from the submission of the Advance Notice, it takes roughly five months to get to appointment stage. The high -level timetable for the appointment would be to advertise in July 2020, review candidates in September 2020 and to ask the Privy Council to make the appointment in time for the November Council meeting. A detailed timeframe can be found above.

Attachments

The following annexes are attached to this paper:

- Annex one – Council Chair Role Profile
- Annex two – Council Chair Competence

COUNCIL CHAIR ROLE PROFILE

The Chair is responsible for:

Leading Council

- Providing strong non-executive leadership in order to encourage proactivity and open accountability to the public.
- Providing strategic direction and leading the formulation of GOC strategy, ensuring the GOC discharges its statutory duties.
- Chairing Council meetings effectively, to facilitate wide debate, listen to discussion carefully, summarise areas of consensus prior to decision making and articulate clear actions. Ensuring that in making decisions Council takes into account all available evidence, stakeholder needs, legislative requirements and guidance from its oversight body and ensures that the interests of public protection are maintained.
- Providing effective non-executive leadership to develop a focused Council who work collectively and that each Council Member puts the interests of the GOC above their own.
- Leading Council in overseeing and scrutinising the development and delivery of realistic business plans and budgets, monitoring performance and examining proposals for change to arrive at proportionate and targeted decisions in line with corporate objectives, with the ability to withstand public scrutiny.
- Leading Council in holding the Executive to account for performance, delivery of the business plan, governance, risk and financial management.
- Communicating effectively with Council Members between meetings to ensure that business is taken forward, and effective contributions are made by utilising the appropriate skills of Council members.
- Provide leadership to develop a positive culture at the GOC and promote diversity and inclusion within the organisation and where it has influence.

Governance

- Ensuring an effective and efficient annual programme of Council meetings with appropriate agendas.
- Handling any complaints or concerns about Council Members in line with agreed procedures.
- Handling any complaints or concerns about the Chief Executive in line with agreed procedures.
- Ensuring high standards of probity, integrity, fairness and confidentiality across the GOC, with a clear organisational commitment to public service values.
- Maintaining appropriate governance in the public or private sector, including ensuring that the GOC's code of conduct and other relevant provisions are adhered to by all Council Members and that Council exhibits the GOC's Values.
- Lead the appointments process for Council Members and CEO.

Engagement with stakeholders

- Taking a key role in representing the GOC, developing and managing positive, productive, collaborative and influential relationships at all levels, including relationships with key senior stakeholders within and outside of the profession and accounting for GOC performance to key senior stakeholders and its oversight body.
- Develop and maintain effective relationship with PSA.

Relationship with CEO

- Establishing and maintaining a close working relationship with the Chief Executive, Directors and other staff, as appropriate; and providing a sounding board for discussion of emerging issues for the Executive.
- Undertaking performance management and supporting training and development of the Chief Executive in line with agreed procedures.

COUNCIL CHAIR COMPETENCES**Essentials**

- E1 A high level governance and organisational skills including strategic planning, financial management, risk management, corporate and senior executive performance management and service delivery in a regulated environment with experience of non-executive work, understanding the boundaries between executive and non-executive responsibilities.
- E2: ability to operate strategically, be held accountable and hold others to account – contributing positively to the GOC in a non-executive capacity.
- E3: experience of leading an organisation with a comparable budget through periods of organisational development &/or cultural change.
- E4: ability to analyse and interpret complex information and evidence, demonstrating impartiality, intellectual flexibility and sound judgment.
- E5: ability to listen, communicate and influence effectively – articulating clear reasoning.
- E6: ability to build supportive relationships and work as a team – welcoming and showing regard to the views and advice of others and supporting collective decision making.
- E7: capacity and skill to understand stakeholder priorities – inspiring confidence and support amongst stakeholders and the ability to build successful, constructive and supportive working relationships with stakeholders.
- E8: demonstrable commitment to equality, diversity and inclusion – dealing with people and issues honestly, fairly and with respect.

Desirables

- D1: understanding of professional regulation and its impact on public protection.
- D2: specialist expertise relating to the work of the GOC in a field such as: legal, patient safety, patient advocacy, public involvement, human resources, fitness to practice and/or service delivery.
- D3: strong media and communication skills to deliver messages to and influence a range of audiences.
- D4: ability to articulate patient and consumer issues and/or the interests of service users who are especially vulnerable.