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## 6b

*To consider*

### **Arrangements for Election of Chair of the Council**

#### **Issue**

1. Amendments to the provisions in Standing Orders for the election of Chair consequential upon the reconstitution of Council.

#### **Recommendations**

2.
  - a. To confirm the arrangements for the nominations process as set out in Standing Orders (paragraphs 11-14)
  - b. To agree to suspend the relevant provisions in Standing Orders governing the ballot and to substitute them with a provision for a postal ballot (paragraphs 15-16).
  - c. To approve the proposed role description for Chair of the Council (paragraph 19 and Annex A).

#### **Further information**

3. If you require further information about this paper, please contact us by email: [gmc@gmc-uk.org](mailto:gmc@gmc-uk.org) or tel. 0161 923 6602

## **Background**

4. Under the General Medical Council (Constitution) Order 2008 ('the Order') the person who was President on 31 December 2008 was appointed by the Appointments Commission as Chair of the Council from 1 January 2009, for a maximum period of six months. As a consequence, arrangements need to be made for a new Chair to be elected to succeed Professor Sir Graeme Catto during this period.

5. Standing Orders would normally govern the election. However, Standing Orders have not yet been updated to reflect the new governance arrangements. A general review of these will take place during the course of 2009. However, in order to ensure an orderly transition, this paper invites Council to agree to amendments to part of those provisions concerning the arrangements for the election of Chair of the Council, and to agree the role description.

6. Standing Orders make provision for the Remuneration Committee to advise the Council on the appropriate remuneration and terms of service of the President (this will need to be updated to reflect the new title of this post).

7. The established arrangements allow for the reimbursement to the President's employer for the time they devote to their GMC role. This currently means that the GMC meets half the relevant employment costs. Given that the Chair is a member of Council, we propose that the Remuneration Committee should determine any variation in these arrangements if they are required. The Remuneration Committee would need to ensure that any revised arrangements are commensurate with the role and reasonable.

8. We recognise that it is still early in the life of the reconstituted Council and have therefore made arrangements for members to meet with each other over the course of the induction meetings in 2008 and during the first three months of 2009.

9. On the evening of 25 March 2009, the day before the Council meeting, we propose to arrange an opportunity for each candidate to address members and to answer questions.

10. During the induction period we invited members' views on the proposed arrangements. The proposals in this paper, which is a revised version of that circulated on 23 December 2008, have been developed in the light of those discussions and written feedback received.

## **Discussion**

### *Nominations*

11. We propose to invite nominations for Chair following the Council meeting on 25 February 2009.

12. All Council members are eligible. Nominations must be supported by two other Council members; and candidates must confirm their willingness to stand.

Nominations, properly supported, must reach the Registrar by close on 6 March 2009. Candidates will have the opportunity to submit a personal statement.

13. If by close on 6 March 2009 there is only one candidate, the Registrar will declare that individual elected. If there is more than one candidate, we will hold a ballot using single transferable votes.

14. The nominations process as described does not require any amendments to Standing Orders.

**Recommendation:** To confirm the arrangements for the nominations process as set out in Standing Orders

#### *Ballot*

15. Standing Orders provide that any ballot should be conducted in the course of a Council meeting. On balance, however, feedback from members favours a postal ballot so as to ensure that anyone unavoidably prevented from attending the meeting on 26 March 2009 is not thereby unable to vote. This would require Standing Orders to be suspended.

16. In accordance with the current arrangements, Electoral Reform Services would be commissioned to conduct the election on our behalf.

**Recommendation:** To agree to suspend the relevant provisions in Standing Orders governing the ballot and to substitute them with a provision for a postal ballot.

#### *Term of office*

17. Article 8(2) of the Order provides that the term of office of a chair shall be determined by the General Council on appointment, but that this shall not be for a period any longer than the date between when they are appointed as chair and the end of their term of office as a member (irrespective of re-appointment). Standing Orders provides that the person who is elected shall then hold that office for the rest of the term for which they have been appointed as a member of Council, and that no person may hold the office for a period or periods which in the aggregate exceed six years.

18. Some feedback suggested that the initial term of office for the Chair should be two years, and that a review should take place within that period. However, as the majority of members were content with the current provisions, we do not propose to make any amendment to the current provisions.

## *Role description and terms of service*

19. We have reviewed the President's role description and an amended role description for the Chair of Council is at Annex A. This incorporates elements of the current role descriptions for recently appointed Chairs of Council in some of the other healthcare regulators, together with a number of helpful suggestions made by members following our request for feedback. Some of this feedback suggested that reference might be made to specific areas of future activity. As the role description is generic and continuing, we propose instead to invite the Remuneration Committee to consider identifying priorities from time to time for the Chair.

**Recommendation:** To approve the proposed role description for Chair of the Council.

## **Resource implications**

20. An estimate of the anticipated costs of conducting a postal ballot is awaited and we will provide an update at the meeting.

## **Equality implications**

21. None arising from the recommendations in this paper.