

<b>Agenda item:</b>	<b>7</b>
<b>Report title:</b>	<b>Proposals for Council member appointments and reappointments process</b>
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<b>Action:</b>	<b>To consider</b>

## Executive summary

Arrangements need to be put in place to agree the approach for appointments and reappointments to Council to enable the process to begin in the new year. This is because two Council members will demit office at the end of 2016, having completed two four year terms and reached the maximum limit; and eight Council members will reach the end of their first four year terms at the end of 2016.

Experience from the 2014 appointments processes indicated that the selection panel should be identified and established early in the process. The Council member appraisal process will provide an opportunity, at the end of this year, for members to discuss with the Chair of Council about their intentions as to seeking possible reappointment. Council will need to decide if reappointments will be considered in principle (as opposed to running an open competition for all the appointments).

## Recommendations

Council is asked to:

- a** Agree the proposed approach to the appointment and re-appointment of Council members.
- b** Agree the arrangements for the use of a non-executive recruitment agency to support the appointments process.
- c** Approve the proposed amendments to the Governance Handbook to reflect the role of the Chair in the re/appointments process.

## Approach to appointments and re-appointments

- 1 Two Council members, Enid Rowlands and Jim McKillop, will demit office at the end of 2016, having reached the maximum limit of eight years' service in any period of 20 years. We will therefore need to run an open competition to fill the vacancies and appoint one medical member and one lay member working or living wholly or mainly in each of Scotland and Wales.
- 2 We propose to use the same appointments process for these competitions that we used in 2012 and 2014. The process will be carried out in accordance with the Professional Standards Authority's (PSA) [Good practice guidance in making Council appointments](#), and the principles of merit, fairness, transparency and openness and inspiring confidence. We will also consider the learning points identified by the PSA from the last campaign. These related to the structure of the diversity monitoring questionnaire and allowing time for the PSA to deal with requests for advice.
- 3 Eight Council members will complete their first four-year term at the end of 2016 and be eligible for reappointment. There is no automatic right for a second term. Regulators are expected to consider if reappointments will be considered in principle (as opposed to running an open appointments process), and if so to ascertain which eligible members would like to seek reappointment. This needs to be done in sufficient time for an open competition to be run if necessary before members' terms end. Council may consider that reappointments will be more resource efficient and provide stability and continuity in implementing the Corporate Strategy and utilising the knowledge and skills which members have developed over the past three years.
- 4 A reappointment process would need to be carried out in accordance with PSA's guidance. This states that decisions to recommend individuals for reappointment should be based on whether they have performed satisfactorily during their first term and whether their skills and expertise will continue to meet the Council's assessed future needs, and be based on merit using records of members' appraisals throughout their first term. The decision will also take into account any conflicts of interest and whether individuals are able to continue to commit the necessary time.
- 5 The third year member appraisal discussions scheduled later this year provide an opportunity for the Chair to seek from members an early indication of their future intentions and allow members sufficient time to consider their future plans. If Council agrees that reappointments should be considered, we would ask members to confirm their intention to seek reappointment by May 2016. This would be early enough to inform the open competition for the two known vacancies commencing in June 2016. It would also be in line with PSA's guidance that the timing of the reappointment recommendation should not normally be more than six months before the members' current terms end. The fourth year appraisal of members and consideration by the Chair of whether they will be recommended for reappointment would be carried out by September 2016. The recommendations for appointment/reappointment could

then be submitted to the PSA and Privy Council in October 2016, in time for the appointments to start on 1 January 2017.

### *Assessing Council's future needs*

- 6 We propose that Council should consider its expected future needs in terms of members' skills and experience during a private session at its meeting on 10 December 2015. This would include a review of the current competencies and expertise required, time commitment and remuneration for the role and whether any changes need to be made in preparation for the appointment campaign for the known vacancies. Council will also be asked to review its position on staggering members terms of office, namely that members should continue to be appointed for four year first terms and four year second terms in the light of Council's future needs. The final requirements for the 2016 appointments campaign would be brought to Council for approval at its meeting on 25 February 2016.

### *Procuring the services of a non-executive recruitment agency*

- 7 In the past we have procured the services of a recruitment agency to manage the process in order to secure the experience and expertise required for non-executive appointments. Council is asked to agree that we should source an external provider for the 2016 campaign. If agreed, we would arrange for the procurement process to start in time for an appointment of the preferred supplier to be made in January 2016. The proposed panel for procuring the recruitment agency would include one Council member (who could be one of the members demitting office), the Chief Executive and Assistant Director - Office of the Chair and Chief Executive. This would enable us to ensure that the process is put in place to manage the work most effectively. The procurement exercise could also be used to identify an agency which could also assist with the appointment of the MPTS Chair which we will run in 2016, the arrangements for which the Remuneration Committee will consider later this year.

### *Selection panel*

- 8 In 2014 the selection panel was constituted in accordance with the PSA's guidance and, in addition to the Chair designate, included a medically qualified person, a lay person and an independent panel member (who reported directly to the PSA at the end of the process) who were independent of the GMC and Government who had credibility and standing with our key interest groups and experience of regulation and of involvement in making senior level appointments. It is proposed that we use the same model for the 2017 appointments.
- 9 The Chair of Council would chair the selection panel but we would need to secure the services of the three other members. In order to more effectively manage issues around securing the availability of panel members in good time and to reduce the risk

of repeated consideration of the list of potential panel members during the campaign we are seeking Council's agreement that we refresh the long list of potential panel members agreed for the 2014 process and ask the Chair of Council to approve who we should approach, based on the agreed criteria and PSA's requirements, and which may include some of the selection panel members who assisted with the appointment of the Council member in 2014. This would enable us to make early progress in securing the selection panel and could potentially save some time and associated costs than involving an agency.

- 10 We propose that the remuneration for the services of panel members should remain at the levels agreed in 2014, namely a daily rate of £400 plus expenses and £465 per day plus expenses for the independent panel member who is required to produce an independent report to the PSA.

#### *Changes to the Governance Handbook*

- 11 During the review of the MPTS related changes to the Governance Handbook we identified some updates necessary to reflect the role that the Chair of Council undertakes in relation to Council member re/appointments. Council is asked to agree the proposed amendments as shown in tracked changes at [Annex C of item 6](#).

#### *Timetable and next steps*

- 12 The proposed timetable for appointments incorporating both an open competition and reappointments process is at [Annex A](#). Following Council's approval of the proposed approach and arrangements, we will update the PSA and the Privy Council about our plans and the timetable for this work.

## M7 – Proposals for Council member appointments and reappointments process

### M7 – Annex A

#### Re/Appointments 2017 timeline

*As of: 7 September 2015*



30 September-14 October 2016 tbc	Complete due diligence/CRB/RtW checks
Monday 17 October 2016 tbc	Inform PSA of recommendations for appointments and reappointments
Friday 18 November 2016	Privy Council confirms re/appointments
21 November 2016	Induction commences – meetings with Chair and CE late November/observe Council meeting on 10 December 2016
1 January 2017	Re/appointments commence
	Complete