

To note

Report on Council Appointments

Issue

- 1** The final arrangements for the appointments process and an update on progress.

Recommendation

- 2** Council is asked to note the final arrangements for the appointments process.

Report on Council Appointments

Issue

- 3** At its meeting on 3 April 2014 Council agreed the arrangements for the appointments process required to fill the vacancies arising from the decision of Professor Sir Peter Rubin and Dr Hamish Wilson to demit office at the end of 2014.

Process

- 4** The process was developed in light of the Professional Standards Authority (PSA)'s good practice guidance in making Council appointments (<http://www.professionalstandards.org.uk/docs/default-source/s29-general/good-practice-in-making-council-appointments-january-2014.pdf?sfvrsn=0>), and built on the process successfully adopted in 2012. The process adheres to the required principles of merit, fairness, transparency and openness, and inspiring confidence which are necessary to enable the PSA to advise the Privy Council (which is responsible for making the appointments under The General Medical Council (Constitution) (Amendment) Order 2012) that it can have confidence in the process. The arrangements are also underpinned by the Memorandum of Understanding with the Privy Council, which was agreed in 2013 (<http://www.gmc-uk.org/about/partners/20459.asp>).
- 5** The requirements for the Chair and Council member roles, including the competencies and expertise required for the roles, remain substantively unchanged and are set out in Annex A. Some minor changes have been made to ensure that the information was up-to-date and reflected feedback following the previous campaign and further review, including feedback from the PSA. These include:
 - a** Updating a reference to our Corporate Strategy to reflect the current position.
 - b** Removing the word 'complex' from the reference to organisational expertise, in response to feedback received from one individual in relation to the process in 2012. It was considered that including the word 'complex' did not necessarily denote a positive and that it could be omitted without any diminution.
 - c** Updating the information to candidates to indicate that the nature of the role of Chair means that there would need to be some flexibility in how the role operates in practice. The time commitment is up to 3 days a week, the role is not entirely office based or undertaken on set days, and availability by phone or email is often required at weekends and during periods of annual leave.

commitment of three days a week (support for accommodation may be provided if the successful candidate is not London-based or reasonably able to commute on a daily basis to fulfil the requirements of the role). Council members are entitled to receive remuneration of £18,000 per year, for a time commitment of up to three days a month. Remuneration may be paid directly to any current employer to reimburse them for the time the member spends in undertaking their role. Council agreed that no changes to member or Chair remuneration and time commitment were merited at this stage, apart from updating the information to candidates for the Chair role to indicate that the nature of the role of Chair means that there would need to be some flexibility in how this operates in practice, and in the wording to indicate that the time commitment is up to three days a week.

Terms of office

- 8** Council also considered the issue of the terms of office of members. The new Chair and Council member/s are eligible to be appointed for a term of up to four years, although if any current Council member was appointed as Chair, time served to date would be taken into account (the Constitution Order specifies a limit of no more than an aggregate of eight years during any period of 20 years). Council agreed that the new member/s appointment/s should be recommended to be a four year term; and that for the Chair of Council, this would also be recommended to be a four year term, or two years if the recommended candidate was a current member in the position of only being eligible to serve for another two years before reaching the eight year limit.
- 9** Council also considered whether to introduce arrangements for staggering the terms of office of members. Council agreed that the inherent staggering within the current composition of Council was sufficient (with two members due to demit office at the end of 2016), and that members should continue to be appointed for four year first terms and four year second terms, subject to review in the light of experience as required.

Selection of external non-executive recruitment agency

- 10** Following the model used in 2012, we have contracted out the management of the appointments process to external providers with an expertise in non-executive recruitment. In February 2014 we ran a procurement process conducted in compliance with our internal procurement guidelines and relevant legislation. Following the deadline for tenders on 24 March 2014, the panel for appointing the external providers comprising: the Chief Executive, the Chair of the Audit and Risk Committee, the Assistant Director of the Office of the Chair and Chief Executive, and the Head of Governance assessed the submissions. After due process, on 4 April 2014 Gatenby Sanderson was appointed to manage the process on our behalf. We have been working with them to finalise the arrangements ready for the launch of the campaign and advertising of the

Chair role from 12 May 2014. The recruitment website gmccouncilmembers will be live from 12 May 2014.

Selection panel

- 11** A selection panel will oversee the process for the appointment of the Chair and Council member/s. Its role is to assess candidates against the agreed criteria and to decide who to recommend for appointment. PSA guidance states that the panel should include at least one member who is independent of the regulator, and that other members may include a current Council member for the Chair appointment although they should normally not be eligible for reappointment, and ideally be near the end of their tenure on Council, and that the Chair may sit on the selection panel for Council members. It also states that the panel members should be from different, relevant backgrounds to help ensure the panel is credible with as wide a range of key interests as possible, including candidates, and that it should consist of between three and five members. An independent panel member is expected to bring an impartial perspective to selection decisions and to report to the PSA at the end of the process with their own assessment of how well the process has adhered to the four principles of merit, fairness, transparency and openness, and inspiring confidence.

- 12** At its meeting on 3 April 2014 Council decided that we should use the same model for the selection panel as was used in 2012, and that the members of the selection panel who undertook this role in 2012 should be included in the list of individuals. It was agreed that a panel would be established comprising four individuals who are independent of the GMC and of Government; have credibility and standing with our key interest groups, and have experience of regulation and of involvement in making senior level appointments. While it was initially agreed that one of the panel members should be medically qualified with a licence to practise, Council subsequently agreed that, in order to allow more flexibility in considering who might be approached, particularly in light of the challenging timelines associated with the process and possible availability issues, to remove the requirement for the medical member of the panel to hold a licence to practise. The requirement for registration remains. It was considered that, while having a licence to practise would be desirable, having registration with the GMC in itself provides the requisite degree of credibility, taken together with the nature and level of experience required of individuals being considered for the role.

- 13** The selection panel will oversee both stages of the process, except that the panel for Council members will include the Chair of Council (once appointed), together with three of the original panel which selects the Chair. The Chair of the selection panel for the Chair of Council would step down and be replaced by the newly appointed Chair of Council in the panel overseeing the second stage.

- 14** Council also agreed the arrangements for the review of the list of individuals proposed to be approached to be on the selection panel. Council considered a number of options and, having had due regard to any conflict of interest, decided that the Chairs of the Remuneration Committee and the Audit and Risk Committee should agree the list of individuals to be approached to be on the selection panel. The list would include the selection panel members who had undertaken the role in 2012.
- 15** Council also considered the remuneration for the services of the Chair of the selection panel for the Chair of Council and for other panel members. Council agreed that the Chair of the selection panel for the Chair of Council should be paid a daily rate of £1000 plus expenses, for other panel members a daily rate of £310 plus expenses would be paid (this is the current level of fees paid to our associates). As the independent panel member is required to produce an independent report to the PSA, which is expected to be drafted on their own with PSA providing guidance directly to them on the requirements, it was agreed that they should be paid a day and a half associates' rate of £465 per day, plus expenses, to account for the additional responsibility and time involved in producing the report.
- 16** The Chair of the Audit and Risk Committee, Hamish Wilson, and the Chair of the Remuneration Committee, Denise Platt, met on 22 April 2014 to agree a list of individuals proposed for inclusion on the selection panel on the basis of the agreed criteria.
- 17** We are still in the process of constituting the selection panel and will update Council in due course.
- 18** The Chair of the selection panel for the Chair appointment will stand down and be replaced by the newly appointed Chair of Council for the selection panel for Council member/s appointment/s.

PSA scrutiny and Privy Council approval

- 19** We submitted the Advance Notice of intent to recommend appointment to the PSA on 15 April 2014 and further information/clarification on 1 May 2014. This will inform its consideration in advising the Privy Council that it can have confidence in the process. We will also update the PSA of any changes to the information provided in the advance notice of intent to recommend appointment at least three weeks before the Council member role/s is/are advertised in September 2014.
- 20** We have also provided information to the Privy Council as required, so that it can manage the recommendations for appointments.

Timetable

- 21** We have continued to refine the proposed timetable and an updated version is at Annex B. Our original plan to advertise the role of Chair from 12 May 2014 – 9 June 2014 has remained the same, but the interview dates have been changed to w/c 14 July 2014 to accommodate selection panel members' availability. We have also brought forward the advertising date for the Council member/s role/s to 8 September 2014 to allow more time for the later stages of the process. We expect that the process will be complete with the appointment of the Chair in mid to late August, and the Council member/s in early December, subject to Privy Council approval of the recommendations for appointment/s.

Supporting information

How this issue relates to the corporate strategy and business plan

22 Strategic aim five in the 2014-1017 Corporate Strategy 'to work better together to improve our overall effectiveness, our responsiveness and the delivery of our regulatory functions'. This work is a new project which was included in the Office of the Chair and Chief Executive's Operational Plan following the appointments announcement in February 2014.

What engagement approach has been used to inform the work (and what further communication and engagement is needed)

23 Given the limited changes associated with these appointments, we have incorporated engagement with key interests on our proposals as part of our existing engagement programme. This has included providing updates at the meetings of our three UK Advisory Fora in March and April 2014. A communications plan has been developed to underpin the appointments campaigns, which included consideration of advertising and engagement with key interests to promote awareness, help publicise the vacancies, and encourage applications.

What equality and diversity considerations relate to this issue

24 Treating everyone fairly and striving to be open and transparent are part of our core organisational values which underpin everything that we do. We are committed to ensuring that the appointments process for the Chair and Council member(s) is aligned to our values. An equality impact assessment was undertaken in 2012 as part of the review for the appointments for this Council and will be used as the basis for ensuring that the requirements for these appointments continue to meet our E&D responsibilities and the PSA's good practice guidance on E&D in making appointments. We have also reviewed it to take account of our experience and developments in good practice since then. As part of this, consideration will be given to considering the aims of the equality duty throughout the appointments process, and actions required to ensure the process is fair and transparent, including:

- a** Considering safeguards to ensure the impartiality of members involved in the selection panels.
- b** The arrangements for the selection panel for appointments to include consideration of having a BME individual, a gender balance; that its members have an understanding of equality and diversity issues and receive advice and guidance on good practice on E&D in appointments, including the tie-break policy; and includes a member based in either of Scotland, Wales or Northern Ireland.

- c** Making E&D a key element of the tender specification for the external non-executive search agency.
- d** Monitoring E&D data throughout each stage of the recruitment process.
- e** Ensuring that the application process is accessible, and providing reasonable adjustments for candidates.
- f** Ensuring wide dissemination of information about the campaign to a wide range of interests, including details of the timetable.

25 Appointments, and reappointments, will include consideration of E&D in terms of the composition of Council and that it comprises members who can bring diverse perspectives to the role, and that collectively it can understand, and represent, where appropriate, the range of issues and interests reflected across our key interest groups, including doctors, patients, and the public who share the relevant protected characteristics.

**If you have any questions about this paper please contact:
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020 7189 5422.**

Competencies and expertise

- 1 The following are the competencies and expertise required for the Chair of Council role, incorporating the core competencies applicable to all Council members as agreed by Council in 2012 and used to constitute the membership of the current Council. Minor amendments (as shown in tracked changes) have been made to ensure that the information is up-to-date, reflects feedback from the previous campaign and further review, and is specifically tailored for the recruitment campaign for the role of Chair.

Core competencies for **the Chair role, applicable to all** GMC Council members

Competency 1

Ability to command the confidence and capacity to understand the priorities of the GMC's key interest groups

1.1 Knowledge and experience of working in partnership and promoting inclusion and involvement of one or more of the GMC's key interest groups; or capacity to understand the GMC's aims and priorities of its key interest groups.

1.2 Knowledge/experience in any of the following areas: governance, regulation, healthcare delivery, consumer engagement, audit and risk, finance and assurance, commercial sector, community or voluntary sector, professional/higher education, professional ethics and standards.

1.3 Understanding, knowledge or experience of managing external relationships and engaging with the public and/or the medical profession.

1.4 Knowledge and understanding of equality and diversity issues.

Competency 2

Ability to contribute to strategic direction

2.1 Knowledge/experience of strategic planning, including the development and delivery of an organisation's strategy for the medium and long term, including the development of the governing body to be effective.

2.2 Understanding strategic and business plans, systems of internal governance, and ability to interrogate performance data, exercise robust board level accountability, and uphold the principles of effective corporate governance.

2.3 Contributing openly to debates and discussions to reach decisions which achieve corporate objectives.

2.4 Challenging and probing constructively and effectively to achieve the best outcome for the organisation in fulfilling its charitable and statutory purpose.

Competency 3

Ability to influence and communicate effectively

3.1 Highly developed interpersonal and influencing skills with ability to establish credibility and effective working relationships with the GMC's key interest groups.

3.2 Influencing and persuading others using well reasoned arguments, and working effectively in a team of people.

3.3 Good communication skills and ability to put views across clearly, persuasively and sensitively.

3.4 Experience of participating in group discussions, proven ability to promote the role of an organisation externally, and commitment to the promotion of equality and valuing diversity.

Competency 4

Analytical skills and sound judgment

4.1 Knowledge/experience of analysing and understanding complex information and situations before reaching an independent and objective conclusion.

4.2 Willingness to modify thinking in the light of new information/dialogue, and to respect the differing views of others.

4.3 Ability to think creatively, analytically and contribute constructively to the collective decision-making process.

Expertise

~~In addition the Council will require candidates who have knowledge and experience of one or more of the following areas of expertise:~~

- ~~Significant level chairing experience: track record of board level leadership in a non executive role; ability/knowledge and experience of chairing boards/committees; ability to make sense of complex information/situations and to build consensus and arrive at concrete decisions; ability to act as an ambassador for the organisation and to develop and maintain constructive collaboration, networking and consultation with key interest groups at national, European and international level; ability to use complex influencing strategies using extended networks of influence.~~
- ~~Significant experience of leading complex organisations: knowledge/experience of leading organisations or senior level experience, including, for example, charities, regulatory bodies, consumer or medical representative bodies, non-departmental public bodies, commercial bodies, community/voluntary bodies.~~
- ~~Significant level governance experience: knowledge and experience of governance work in the public or private sector in any of the following areas: regulation, charity trusteeship, strategic planning, audit and risk, financial management, healthcare education and provision.~~

Additional competencies and experience required by the Chair of Council

In addition to the core competencies and areas of experience required for Council members, the Chair of Council should be able to demonstrate the following:

- ~~Are recognised as demonstrating Outstanding leadership with a record of achievement in a substantial, high profile leadership role in a complex environment/national context, including significant level chairing experience/ significant experience of leading organisations/ significant level governance experience. This could include, for example, ability/knowledge and experience of chairing boards/committees; ability to make sense of complex information/situations and to build consensus and arrive at concrete decisions; knowledge/experience of leading organisations or senior level experience, including, for example, charities or regulatory bodies; experience of governance work in the public or private sector in any of the following areas: regulation, charity trusteeship, strategic planning, audit and risk, financial management, healthcare education and provision.~~
- ~~Have significant level chairing/board level leadership experience.~~
- ~~Have A~~ proven record of managing and building effective and positive relationships and commanding the confidence and support of key interest groups at national, European and international level, and proven ability to act as an ambassador for Council at these levels.
- ~~Have L~~ long term strategic thinking capabilities to steer the GMC through the next four years, including the delivery of the ~~2014-17~~final year of the Corporate Strategy ~~2010-2013~~, leading the Council in setting the future vision, and responding effectively to future challenges in healthcare regulation.

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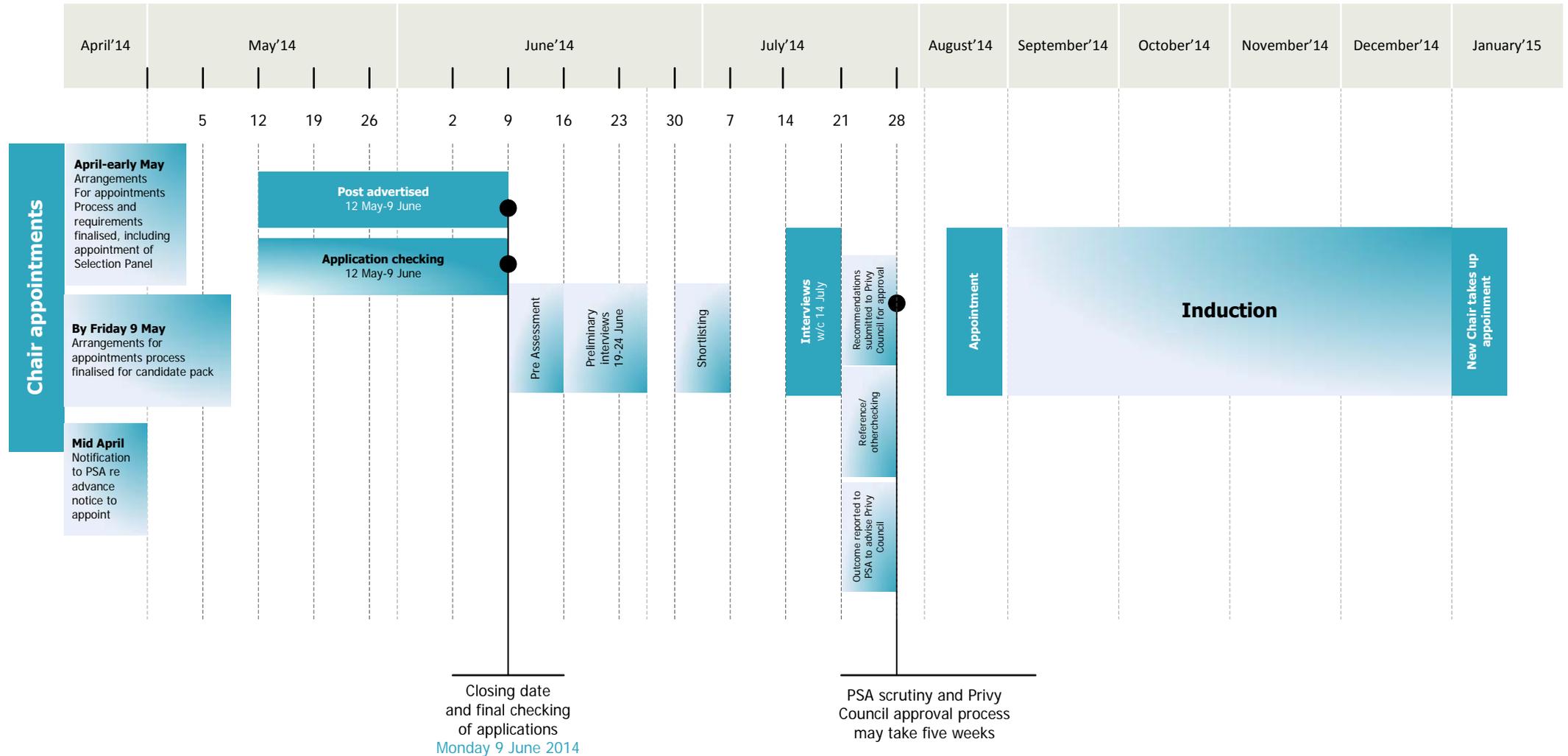
- ~~Have~~ highly developed communication skills, including the ability to use complex influencing strategies using extended networks of influence, and to develop credible and effective working relationships internally and externally.

12 - Report on Council Appointments

Annex B

Proposed timetables for appointment of Chair and Member(s)

Proposed timetable for appointment of GMC Council Chair



Proposed timetable for appointment of GMC Council Member(s)

