

Council member recruitment 2019/2020

Purpose of paper	To set out the process for the Council member recruitment for 2019/2020.
Action	For approval
Costed Corporate Plan 2019-2021	This work described in this paper is considered Business As Usual (BAU) and therefore is not set out in the CCP.
Decision Trail	The Remuneration Committee reviewed and suggested amendments to the proposed process in accordance with their Terms of Reference at their meeting in September 2019.
Next step	The Remuneration Committee will receive updates on the recruitment process. The Council will be asked to take a decision on whether to propose individuals for appointment and reappointment to the Privy Council.
Recommendations	The Council is asked to: Review and approve the proposed process for appointment and reappointment of Council members in 2019/2020.
Authorship of paper and further information	Katie Spears Interim Head of Governance Lisa Marie Williams Executive Director, Legal and Governance
Appendices	Appendix 1 – Categories of Information for Confidential Report Appendix 2 – Summary timeline for reappointment Appendix 3 – Summary timeline for appointment

1. Executive Summary

- 1.1. In accordance with the GDC's legislative framework, the Privy Council (PC) makes appointments to the General Dental Council. The framework sets out the number of Council members (12), and the criteria which must be satisfied in making appointments, including having at least one Council member from all four nations of the UK and the requirement for both lay and registrant members. The legislation also puts a limit on the length of term of office for Council members.
- 1.2. The GDC is responsible for managing the process of recruitment, and for providing the names of suggested appointees to the Privy Council. In accordance with section 25C of the Health and Social Care Act (2012), the Professional Standards Authority (PSA) provides assurance to the Privy Council in relation to the robustness of the process for suggested appointments used by all of the healthcare regulators, including the GDC.
- 1.3. In 2020, three Council members will demit office after completing two terms as Council members (the maximum number of years' service is eight, and this is typically served in two terms).
- 1.4. Three further Council members will complete their first term of office in 2020. All three individuals have confirmed that they would wish to complete a second term, subject to a reappointment process. The GDC will therefore need to run both an appointment and reappointment process in 2019/20.
- 1.5. The Remuneration Committee Terms of Reference require the Committee to review – but not approve - the process for the recruitment of new Council members and the reappointment of existing Council members. A paper went to the Committee in September, and feedback was given on the proposed timelines, with a request to move the reappointment process forward.
- 1.6. Council is asked to:
 - **Approve** the proposed process for appointment and reappointment of Council members in 2019/20.

2. Overview of the Council member reappointment process

- 2.1. As set out above, the Privy Council makes reappointments to the Council, and will seek the assurance of the PSA in relation to the reappointments process. The PSA has published "*Good practice in making council appointments*" (the Guidance) which includes guidance on the process.
- 2.2. The Guidance sets out that, if there are candidates eligible for reappointment, their views on continuing in their role should be sought early enough to allow an open competition to be run, if necessary.
- 2.3. The three Council members who will come to the end of their first time in 2020 are: Crispin Passmore (Council member and Chair of ARC), Sheila Kumar (Council and ARC member), and Caroline Logan (Council, Remco and PRB member). In August

2019, the Chair of Council approached each member individually and all have confirmed that they would be interested in continuing on the Council.

- 2.4 The Guidance makes it clear that reappointments cannot be automatic, but do not require an open competition to be run if an individual's performance during their first term has been satisfactory and their skills and experience continue to meet the Council's needs. If there is more than one reappointment proposed, candidates must all be treated equally.
- 2.5 In order to provide assurance, a number of steps have already been or will be taken, including seeking the views of Council members, the Chief Executive and Registrar and any relevant third parties. Appraisals will be held in December and a confidential report on each Council member will be brought to the January Council meeting for decision on whether to recommend the reappointment.
- 2.6 A detailed timeframe of the work involved in this process is set out at **Appendix 2**.

3. Overview of the Council member appointment process

- 3.1 As set out above, three Council members: Geraldine Campbell (lay, Council and PRB member and Remco Chair), Kirstie Moons (registrant Council and FPC member and PRB Chair), and Margaret Kellet (registrant Council, FPC and PRB member) will demit office in 2020. All three terms will end on 30 September 2020. The PSA provides assurance on the open competition process required to appoint new Council members to the Privy Council.
- 3.2 In order to fulfil the requirements of the Dentists Act 1984 and subordinate legislation in relation to the composition of Council, the GDC will need to seek one further lay and two registrant members. Further, we will need to seek one new member who lives or works, wholly or mainly in Wales and one who fulfils this requirement for Northern Ireland to replace Kirstie and Geraldine respectively.
- 3.3 It is proposed that to support this work, we will procure the support of a professional search firm (as was used in 2017), and to also work closely with our Stakeholder and Engagement team to ensure we are making the most of every interaction with the profession and the public to find three new members.
- 3.4 The Head of Governance (supported by the Executive Director of Legal and Governance) will lead this work, supported by the Executive Director of Organisational Development, Head of Communications and Stakeholder Engagement, and Head of OD and Inclusion.
- 3.5 The PSA Guidance sets out four stages to appointments, as follows:
 1. planning;
 2. Advance Notice scrutiny;
 3. implementation; and
 4. recommendation, scrutiny, and appointment.

We are currently in the planning phase, which will require the development of the following:

- a publicity/advertising strategy;

- details of how candidates will be selected – against what criteria and by whom;
- how equality and diversity considerations will be considered;
- how the process will reflect that the regulator is a UK-wide body;
- how the panel will manage conflicts of interests; and
- the full range of due diligence activities to be undertaken.

It is proposed to circulate a draft Advance Notice to Remco by email (as the December meeting was postponed due to availability of Committee members), for review and comment. The Advance Notice will be submitted to the PSA.

3.6 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 recruitment would be to advertise in January 2020, review candidates in February and March, submit the recommendations of the panel to Council on 3 June 2020 and to ask the Privy Council to make the appointments in time for the October Council meeting. A detailed timeframe can be found at **Appendix 3**.

3.7 An induction would be delivered in September 2020 so as to avoid the summer period. Proposals for that induction would be taken to either the May or June 2020 Remco for review and discussion.

4. Recommendations

4.1 The Council is asked to:

- Review and approve the proposed process for appointment and reappointment of Council members in 2019/20.

Appendix 1.

Summary of information for Confidential Report

From Governance:

- Details of the member's attendance at Council and Committee meetings and whether or not attendance requirements have been met;
- Details of any complaints made against the Council member;
- Details of any conflicts of interest that have arisen and how they have been handled;
- Confirmation that all legislative provisions have been complied with and that none of the disqualification criteria apply.

From the Chair

- Confirmation that the Council member wishes to be reappointed and can give time to the role;
- A review of the competencies used when the Council member was appointed;
- An assessment as to whether the Council member continues to meet the competencies and is performing at the required level. This assessment would take account of information from the Council members previous appraisals and the appraisal in December 2019;
- The outcome of the skills audit and an assessment of whether the Council member will be able to meet the anticipated future needs of the Council;
- For registrant members only – whether any Fitness to Practise concerns have been raised;
- An overview of feedback from other Council members, third parties and the Chief Executive and Registrar;
- An overall conclusion as to whether or not the Council member should be recommended for reappointment.

Appendix 2

Stage	Lead	Date
Discuss reappointment with candidate	Chair of Council	Completed
Assess skills matrix	Chair of Council with support from Head of Governance	November 2019
Seek views of candidates from Council, Chief Executive and third parties	Chair of Council with support from Head of Governance	November/December 2019
Appraisal of candidates	Chair of Council	December 2019
Preparation of confidential report	Chair of Council with support from Head of Governance	January 2020
Council to take a decision regarding recommendation for re-appointment	Chair of Council	16 January 2020
Submit Notice of Reappointment Recommendation to PSA Three weeks needed	Head of Governance	February 2020
Privy Council to consider and make the reappointment Two weeks needed	Head of governance	March 2020
Notify candidates, Council and organisation of results	Chair of Council	March/April 2020

Appendix 3

Task	Lead	Date
Phase one – Planning		
Advise the Privy Council and PSA of the timetable for recruitment	Head of Governance	Complete
Publish ITT to procure professional search firm	Executive Director, Legal and Governance	Complete
Draft Advance Notice and circulate to Remco	Head of Governance	November/December 2019
Evaluate bids	Executive Director, Legal and Governance, Head of Governance, Executive Director, OD	December 2019
Phase two – Advance Notice scrutiny		
Advance notice (and supporting documentation) to appoint submitted to the PSA	Head of Governance	December 2019
PSA clearance (takes three weeks)	PSA	Three weeks
Phase three – Implementation		
Launch (four-week application window)	Procured search firm	20 January 2020
Application deadline	N/A	Sunday 16 February 2020
Application sift	Procured search firm	17-19 February 2020
Longlisting pack available to the panel	Procured search firm	20-21 February 2020
Longlisting scoring due back from panel	Panel members	10 am 26 February 2020
Longlisting meeting	Head of Governance to coordinate	28 February 2020
Preliminary interviews of longlisted candidates with consultant	Procured search firm	2 – 13 March 2020
Shortlisting pack available to the panel	Procured search firm	19 March 2020
Shortlisting meeting	Head of Governance to coordinate	25 March 2020

Due diligence (GDC) including collection of references	Head of Governance to coordinate	26 March – 10 April 2020
Shortlisted candidates to have telephone conversation with CEO (if requested)	Head of Governance to coordinate	9 – 10 April 2020
Interview packs available to the panel	Procured search firm	15 April 2020
Interviews	Head of Governance to coordinate	28 and 29 April 2020
Phase four – Recommendation, scrutiny and appointment		
Recommendation to the Council	Head of Governance and Chair of Council	3 June 2020
Notification to the Privy Council and PSA	Head of Governance	4 June 2020
Submission of the IPM report to the PSA.	Independent member of the panel to provide	
PSA scrutiny	PSA	Three weeks 26 June 2020
Privy Council approval	PC	Two weeks 10 July 2020
Appointments confirmed and announced		
Follow up		
Induction programme for new Council members	Head of Governance	September 2020
Term of office begins	N/A	1 October 2020
First Council meeting	N/A	21/22 October 2020
Paper to Remco – review of recruitment process	Head of Governance	3 December 2020