



**Council**  
**16 November 2022**  
**Chairs Report: appointments and reappointments**

<b>Classification</b>	Public
<b>Purpose</b>	For decision
<b>Issue</b>	To provide an update on the appointment activity which has occurred since the July 2022 Council meeting.
<b>Recommendation(s)</b>	<ol style="list-style-type: none"><li>1. To note the activity to appoint our next Council Associate from 1 April 2023.</li><li>2. To note that planning is underway for the recruitment campaigns to be held in 2023-24.</li><li>3. To agree the People Committee recommendation to run a closed reappointment process for those members of Council who are eligible to seek reappointment from 1 April 2024 and who choose to do so.</li><li>4. To agree the reappointment from 1 April 2023 to 31 March 2027, of:<ul style="list-style-type: none"><li>• Brian Wroe</li><li>• Paul A Grant</li><li>• Penny Sawell</li><li>• Abby Mulholland</li></ul></li><li>5. In addition to his role as Chair of the Professional Conduct Committee, to agree to appoint Andrew Harvey as Chair of the Health Committee until 31 March 2024.</li></ol>
<b>Financial and resourcing implications</b>	Costs associated with appointments and reappointments were included in the budget approved by Council in February 2022.
<b>Equality and diversity implications</b>	Matters related to equality and diversity are considered by the People Committee at all stages of the appointments and reappointments process.
<b>Communications implications</b>	None arising from this report.
<b>Annex(es)</b>	None.
<b>Author</b>	Dr Bill Gunnyeon

### Key messages from paper:

- We have commenced recruitment to appoint our next Council Associate from 1 April 2023. Shortlisting has taken place and candidates invited to interviews which are scheduled for November 2022.
- We have commenced planning for a significant round of appointments and reappointments in the business year 2023-24. We will be recruiting for:
  - Chair of Council (lay)
  - Two lay members of Council
  - One registrant member of Council

NB: one of the Council appointments must include an individual from Wales.

- One Council Associate
- Two registrant members of the Investigating Committee
- Two lay members of the Investigating Committee (one of which is a panel chair)
- Three registrant members of the Professional Conduct Committee
- Two lay members of the Professional Conduct Committee (one of which is a panel chair)
- Three members of Council are eligible to seek reappointment from 1 April 2024. Council is required to decide whether it wishes to follow an open or closed appointment process in relation to reappointment applications.
- The People Committee considered the advantages of an open and closed appointment process. It concluded that it would recommend Council agrees to a closed process on the basis of ensuring Council stability at a time when there is an automatic 40% turnover of membership.
- The decision of Council to choose either an open or closed appointment process will be communicated to the Professional Standards Authority as part of the Appointment/Reappointment Scrutiny Process.
- We have four fitness to practise panel members who are eligible for reappointment. The reappointment paper has been reviewed by the Chair of Council and the People Committee have overseen and scrutinised the recommendation coming before Council in this paper.
- All four fitness to practise panel members – Brian Wroe, Paul A Grant, Penny Sawell and Abby Mulholland – are recommended for reappointment for a further four year term of office.
- In November 2021 we appointed a Chair of the Health Committee who has recently relinquished the role. It is proposed that Andrew Harvey, current Chair of the Professional Conduct Committee be appointed as Chair of the Health Committee until 31 March 2024.

## Background

1. This paper provides an update on the GOsC non-executive appointment and reappointment processes.

## Discussion

### *Council Associates*

2. The recruitment for our next Council Associate commenced on 1 June 2022 and concluded on 12 July 2022. During this recruitment window an online question and answer seminar was held with interested applicants.
3. We received an excellent response rate - up from the previous Council Associate campaign - and which included a number of good quality applications. A shortlisting exercise was held in September 2022 and interviews with candidates scheduled for November 2022.
4. The recruitment panels preferred candidate will be recommended for appointment at the February 2023 Council meeting.
5. I wish to record thanks to Caroline Guy and Sarah Botterill for their involvement in this recruitment campaign.

### *Recruitment in 2023-24*

6. We have commenced planning for a significant round of appointments and reappointments in the business year 2023-24. We will be recruiting for:
  - Chair of Council (lay)
  - Two lay members of Council (who are both Chairs of the Audit Committee and People Committee)
  - One registrant member of Council

NB: one of the Council appointments must include an individual from Wales.

- One Council Associate
  - Two registrant members of the Investigating Committee
  - Two lay members of the Investigating Committee (one of which is a panel chair)
  - Three registrant members of the Professional Conduct Committee
  - Two lay members of the Professional Conduct Committee (one of which is a panel chair)
7. Marcia Scott has begun coordinating with panels to ensure the shortlisting and interview dates are scheduled well ahead of time. I would like to thank Marcia for her work on this, and also to members of Council for agreeing to sit on these important recruitment panels.

### *Reappointment of Council members*

8. As there is significant recruitment to be undertaken in 2023-24, the People Committee have considered at an early stage whether those members of Council who are eligible to seek reappointment from 1 April 2024 and who choose to do so, should be subject to an open or closed reappointment process.
9. Any reappointment process would be subject to PSA scrutiny following their guidance document 'Good practice in making council appointments'.
10. Three aspects of the PSA guidance will be relevant in making the decision as to whether reappointments should be made without open competition. They are:
  - a. In considering whether to make a reappointment without open competition, and in the reappointment process, no member should be involved in any matter affecting their own reappointment.
  - b. For those eligible for reappointment, it should be clear that there is no automatic right for a further term. Decisions to recommend individuals for reappointment should be based on an assessment of whether they have performed satisfactorily, and whether their skills and expertise will continue to meet the Council's future needs. Each application should be considered on merit following an assessment of the Council's expected future needs and current skill set.
  - c. In designing the process for agreeing a recommendation for reappointment, we need to demonstrate the candidate for reappointment has been appraised and has satisfactory performance. We also need to obtain third party and key stakeholder feedback.
11. People Committee considered the advantages of each process which are set out on the table below:

<b>Open competition</b>	<b>Closed competition</b>
Increases the potential for improving the diversity of Council.	Allows for continuity of membership during a period of uncertainty (40% of the Board will be changing by force).
Provides the opportunity to freshen the Council discussions by introducing new voices/perspectives into the meetings.	There are no performance issues with those members of Council eligible for reappointment.
Allows Council to address any specific skills gaps within existing Council team.	Minimises the risk of Council not being a high-performing board.

12. People Committee recommended a closed reappointment process. This was because there will be enforced turnover of four members of Council on 31 March 2024 when their term of office ends. This represents 40% of Council and includes: the Chair of Council and Chairs of the Audit Committee and People Committee.
13. If an open process was held, and three new appointments made, this would represent a 70% turnover of Council members, which poses a significant risk to the continued high-performance of the Board.
14. Once a Council decision has been made, the Executive can commence activity on the PSA scrutiny process and seek confirmation from the members of Council as to whether they wish to seek reappointment. In previous years, the reappointment process has included:
  - a. A standard GOsC application for reappointment form, which includes an opportunity for the candidate to provide a statement setting out their case for reappointment, an assessment of their continuing ability to meet the competencies required for the role, and a confirmation that they can meet the time commitment.
  - b. A completed appraisal form, including report on attendance.
  - c. A due diligence check, including complaints, any Fitness to Practise matters and conflicts of interests.
  - d. Feedback from the Executive and relevant stakeholders.

*Reappointment of fitness to practise panel members*

15. There are four members of the fitness to practise panels who are eligible for reappointment for a period of four years from 1 April 2023. These members are:
  - Brian Wroe
  - Paul A Grant
  - Penny Sawell
  - Abby Mulholland
16. All four members expressed their wish to be reappointed and completed the associated paperwork. The reappointment form was considered by the Chair of Council alongside their most recent appraisal forms. Feedback from the Chair of the Investigating Committee and Professional Conduct Committee was also considered, and where the reappointment related directly to the Chair of the Investigating Committee (Brian Wroe), feedback was sought from the Executive team, being the Chief Executive and Director of Regulation. The Chair of Council recommended reappointment for a period of four years for each member.

17. In line with the agreed protocol, the recommendation decision was overseen and scrutinised by the People Committee. The People Committee concurred with the Chair of Council's recommendation.

*Chair of the Health Committee*

18. In November 2021 Council appointed Nora Nanayakkara as Chair of the Health Committee. Nora has recently relinquished the role and we have a vacancy that we need to fill. Council will note that the Andrew Harvey, as current Chair of the Professional Conduct Committee, will be attending Council and reporting on the work of the Health Committee.
19. The Health Committee Chair issue has been considered by the Chair of Council, Chief Executive and Registrar and Director of Fitness to Practise. We have looked at this matter through a range of different lens including:
- whether the post should be held by one person, i.e. the Chair of the Professional Conduct Committee or held by another person;
  - the small caseload heard by the Health Committee;
  - any restrictions imposed by the legislation under which we operate;
  - any potential future risks which may materialise.
20. We have also sought views from the Chair of the Professional Conduct Committee which were discussed at a meeting at the end of October 2022.
21. We have concluded that there are no restrictions imposed by the legislation which would prevent GOsC from appointing one person to be the Chair of the Health Committee and Chair of the Professional Conduct Committee. We have also concluded that the small caseload is unlikely to demand a significant amount of time from the postholder if one person held both roles.
22. While we did not identify any forward-looking risks we do feel it would be sensible to schedule a review of this decision at a future point. We suggest this is done in c.18 months and that the matter is considered by the People Committee with a recommendation coming forward to Council.
23. In conclusion, it is proposed that Andrew Harvey, current Chair of the Professional Conduct Committee, be appointed as the Chair of the Health Committee until 31 March 2024.

**Recommendations:**

1. To note the activity to appoint our next Council Associate from 1 April 2023.
2. To note that planning is underway for the recruitment campaigns to be held in 2023-24.

3. To agree the People Committee recommendation to run a closed reappointment process for those members of Council who are eligible to seek reappointment from 1 April 2024 and who choose to do so.
4. To agree the reappointment from 1 April 2023 to 31 March 2027, of:
  - Brian Wroe
  - Paul A Grant
  - Penny Sawell
  - Abby Mulholland
5. In addition to his role as Chair of the Professional Conduct Committee, to agree to appoint Andrew Harvey as Chair of the Health Committee until 31 March 2024.