

Council appointments and reappointments 2022

Executive summary

This paper seeks the Council's approval to commence a process to appoint two Council members to take office on 1 January 2023.

While the HCPC undertakes the Council appointment process, all aspects are scrutinised by the PSA and the final appointment is made by the Privy Council. It is therefore essential that our process and planning is compliant with the PSA's guidance on good practice in public appointments.

This paper also seeks approval of the panel to consider the reappointment of one Council member and the appointment panel for the independent members of the Audit and Risk Assurance Committee (ARAC) and Education and Training Committee (ETC).

Decision Council is asked to –

- Confirm no change to the Council member competencies approved in 2021.
- Approve the revised appointment policy (only change is the addition of independent committee member section 14) and process.
- Approve the appointment, reappointment and the independent committee appointment panels.

Previous consideration	None
Next steps	If approved, advance notice will be submitted to the PSA at the end of May with a view to going live at the end of June.
Strategic aims	Be visible, engaged and informed - Ensuring a diversity of views and experiences around the Council table, which are able to understand and reflect the needs of our stakeholders is a key consideration in Council appointments.
Financial and resource implications	A budget of £15k has been put aside for all associated processes within this year. This includes advertisement and promotion as well as panel member fees.
EDI	EDI monitoring is an element that the PSA regulates, anonymised data sets are provided to assist their assessment that the process was fair. This year we have updated our monitoring data requirements with the input of the EDI Strategic Lead.

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Council appointments and reappointments 2022

1. Introduction

1.1 This paper seeks the Council's approval of:

- The Council member competencies – unchanged since last review in 2021.
- The appointment policy and process to appoint two members of Council, with an expected commencement date of 1 January 2023.
- The appointment and reappointment panel.
- The panel to appoint independent members of the Audit and Risk Assurance Committee (ARAC) and Education and Training Committee (ETC).

2. Council member appointments 2021

Background

2.1 This paper seeks the Council's approval to commence a process to appoint two Council members to take office on 1 January 2023.

2.2 The process of appointing new Council members has to be in line with the requirements of relevant legislation including the Health and Social Work Professions Order 2001 and the Health and Care Professions Council (Constitution) Order 2009.

2.3 The HCPC makes recommendations to the Privy Council for Council member appointments. The final decision, and issuing of any appointment notification, is made by the Privy Council. The process is overseen by the Professional Standards Authority (PSA) which advises the Privy Council as to whether it is satisfied about the process the regulatory body has followed.

The roles

2.4 The constitution order requires that the Council is comprised of 6 registrant and 6 lay members. Council members Eileen Mullan and Stephen Cohen, both, lay members, will end their terms on 31 December 2021 having served the full 8-year maximum appointment term. Therefore, two lay members will be sought.

Four Country requirement

2.5 The constitution of the Council requires at least one member to be resident or working in each of the four countries. As Eileen Mullan currently fulfils this

requirement for Northern Ireland, one of the appointees' will be required to be resident of work in Northern Ireland.

Competency review

- 2.6 The existing Council competencies were reviewed in 2021 before the last Council appointment exercise. No changes to these competencies are proposed for 2022.

Skill matrix

- 2.7 The Council's skill matrix has been refreshed to support identification of any skills gaps to which we should seek to recruit. The departure of the two outgoing council members will reduce the financial experience on the Council. In addition, the only financially qualified member of Council is in the second half of their potential 8 year term. For these reasons is it proposed that we seek financial qualification in at least one of the new lay appointments.

Process

- 2.8 The appointment process was updated ahead of the last appointment exercise in 2021. No changes relating to Council member appointments are proposed. A new section on independent committee member appointments has been added at section 14 of the policy.

Appointment panel

- 2.10 It is proposed that the Council member appointment panel be comprised of:
- Christine Elliott – Chair of Council and Chair of the Panel
 - Maureen Drake – Council member
 - Alistair Gray – Independent Panel Member. Alistair has significant public appointments experience, and regularly works with the judicial appointments committee among other organisations. He took part in a Council member reappointment panel in 2021.

Application pack and promotion

- 2.11 Luther Pendragon will assist us in increasing the appeal of our candidate pack and other promotional media. We will advertise across a broad spectrum of online and social media.

3. Council reappointment panel

- 3.1 One member of Council is eligible for reappointment in 2022 and has confirmed they wish to be considered for a further term. In line with the HCPC's agreed process (no changes in this review) it is proposed that the same panel composition is used to consider this reappointment, being:

- Christine Elliott – Chair of Council and Chair of the Panel
- Maureen Drake – Council member
- Alistair Gray – Independent Panel Member.

4. Independent Committee Member appointments

- 4.1 At the end of 2022, the appointment terms of three independent committee members will come to an end, one ARAC member and two ETC members.
- 4.2 Independent committee appointments are not regulated by the PSA and do not require an independent panel member involvement, however the same best practice principles are followed. The HCPC appointment process for Council members and other associated processes has been updated with a new section 14 to make this clear.
- 4.3 For the 2022 independent committee member appointments, it is proposed that the appointment panels be formed of the Chair of the Committee in question along with one other member of that Committee.

5. Risk

- 5.1 The most relevant strategic risk for Council appointments is Strategic Risk 4 - *We do not understand our stakeholders needs and so are unable to be as effective a regulator as we can be*. This is because this risk includes the aspects of understanding stakeholders needs and promoting diversity. Ensuring a diversity of views and experiences around the Council table, which are able to understand and reflect the needs of our stakeholders is a key consideration in Council appointments.
- 5.2 In terms of risk appetite, the open appetite for ‘people’ is relevant here, which states we are eager to be innovative. The Council has demonstrated this to date through the Apprentice scheme, the Executive will work with Luther Pendragon to pursue new promotional approaches.
- 5.3 Operationally, the risk of non-compliance with the PSA’s requirements has been mitigated through prior engagement on our process and a number of years of experience of running compliant appointment campaigns.
- 5.4 The timing of regulatory reform has been considered when developing proposals to appoint new members. While there are expected to be some changes to the composition of the Council as a result of regulatory reform, the timing of this is currently unknown to the HCPC. The GMC, who are currently undergoing regulatory reform, have indicated that they do not anticipate implementing changes to their Council until 2024, as HCPC’s reform has not commenced, HCPC’s changes would be later than this.

Additionally, it would be detrimental to the quality of Council’s decision making to not have a sufficient financial experience in the current membership.

Running with a number of vacancies also poses a risk to the Council's quoracy impacting the efficiency of decision making. For these reasons it is proposed that Council appointments continue until more detail on timing for Council change is known.

6. Decision

7.1 Council is asked to:

1. Confirm the Council competencies and the addition of financial qualification as a desirable criteria (appendix A)
2. Approve the revised HCPC appointment process for Council members and other associated processes (appendix B)
3. Approve the Council member appointment and reappointment panel (paragraph 2.10 and 3.1 of this paper)
4. Approve the Audit and Risk Assurance Committee and Education and Training Committee independent committee member appointment panels (paragraph 4.3 of this paper)

7. Appendices

- A – Council member competencies
- B – HCPC appointment process for Council members and other associated processes

For shortlisting	Examples to help applicants understand the competency NOT used for shortlisting, will be presented in a way to make this clear		
Competence	Positive behaviours	Negative behaviours	Outcome
A - Capacity and skill to understand the priorities of HCPC stakeholders.	Understanding the HCPC and what we are trying to achieve and acting as an ambassador for HCPC. Proactively seeking positive connections with HCPC stakeholders.	Not investing in positive working relationships with stakeholders resulting in a limited network.	Council Member is well informed about the wider system in which the HCPC and regulation sits. They are sensitive to the complexity and varied priorities of the HCPC's stakeholders.
	Believing that working with stakeholders is essential and facilitating it happening.	Discouraging partnership working and interdependency with other organisations due to territorialism and mistrust.	
	Thinking laterally to see the range of people who may be affected by decisions.	Being dismissive of stakeholders and giving a poor impression of the HCPC through your interactions with them.	
	Consulting before making decisions that may impact stakeholders.	Being defensive about the HCPC and its performance.	
3 - Knowledge and understanding of the wider health, social, political, and educational landscape in which regulation sits.	Having empathy with stakeholders and showing a genuine interest in their needs.	Keeping information to yourself or discouraging intelligence sharing with other organisations.	
B - Ability to contribute to strategic direction	Leading by example by demonstrating our values and a commitment to our mission and vision.	An inward focused mindset and a lack of curiosity or questioning the status quo.	Council Member actively contributes their skills and experience to assist the HCPC in setting and achieving an appropriate Strategy.
1 - Understands the relationship between the purpose and values of an organisation and its strategic direction.	Taking proper account of professional advice and expertise and using best practice to support the hpc to learn and supporting an organisational learning culture.	Not obtaining or disregarding professional advice and expertise.	
	Remaining focused on the 'bigger picture' of the HCPC's vision and mission and not seeking to become involved in operational matters..	Too detail minded or over-analytical at the expense of timely and strategic decision making.	
	Weighing up all aspects, thinking creatively, analytically and contributing constructively to timely collective decision-making.	Failing to make timely decisions or making important decisions without considering all the facts.	
	Being realistic about objectives and targets and monitoring progress towards them.	Not preparing for or participating in Council and Committee meetings or using meetings to address personal or political priorities.	
	Being financially aware astute and responsible and seeking to ensure the HCPC is financially secure. Seeking assurance on risk management.	Lacking focus, direction, pace or sense of urgency.	
	Preparing thoroughly and asking probing questions		
C - Ability to explore accountability of self and others.	Being willing to accept responsibility and to be held accountable for personal decisions and accept shared responsibility for Council decisions.	Using power, position or authority in inappropriate ways, for personal gain or to intimidate others.	Council Member upholds high personal and professional standards for themselves and encourages high standards in others in a positive way.
1 - Ability to lead by example and by demonstrating the HCPC's values of being fair, compassionate, inclusive and enterprising.	Supporting the Executive team whilst holding them to account for their performance.	Hiding or making excuses for errors or failure.	
	Following the HCPC's policies and processes and taking conduct and probity issues seriously.	Avoiding transparent discussions and being unwilling to challenge poor behaviours or performance.	
	Acting as a role model by displaying the HCPC's values and the seven principles of public life at all times.	Putting personal gain or agenda ahead of the interests of the HCPC and its stakeholders.	
	Being trustworthy and keeping promises.	Promoting a blame culture and being critical without being constructive.	
	Ensuring your skills and knowledge remain up to date and seeking and acting on feedback to improve personal effectiveness.		
	Being aware of and complying with legislative and regulatory requirements relevant to the HCPC's work.		
D - Demonstrable commitment to equality, diversity and inclusion.	Supporting a culture where people can be themselves and say what they mean without fear.	Showing favouritism to those you like or those who don't challenge you.	Council Member champions excellent equality diversity and inclusion practice in the organisation and leads by example by treating everyone with respect and consideration
1 - Able to explore and work with values of being fair, compassionate and inclusive and what these might mean in a regulatory setting.	Encouraging and enabling real participation by involving and including others in a decision making process to achieve the best outcome.	Maintaining unsupported views of others based on personal feelings and biases rather than evidence.	
	Treating others with dignity and respect and being sensitive to others experiences and feelings	Only considering visible diversity and not seeking to understand others.	
	Changing your view in the light of new information or dialogue	Treating others disrespectfully or tolerating observed disrespect.	
	Respecting the differing views of others.	Placing additional expectation on colleagues with diverse characteristics to represent their community.	
	Reflecting on your own unintended unconscious biases and your impact on others.		
E - Ability to listen and communicate effectively.	Actively seeking out and reflecting on diverse points of view and listening and contributing constructively to debates and decision making.	Being impatient with other people's ideas, interrupting others or seeking to close down a debate before it is fully explored.	Council Member forms positive working relationships with stakeholders and values and seeks out the views of others.
1 - Good communication skills and the ability to put views across clearly and sensitively in the most appropriate style for the intended audience.	Tailoring your communication style to your audience to maximise your effectiveness.	Acting in an aggressive or submissive way to force resolution of issues.	
	Delivering very clear and consistent messages about the HCPC's values, mission and vision.	Not adapting your communication style and being too complex and using jargon.	
	Checking back that you have heard and understood the other person's view accurately.	Communicating in a negative way that does not inspire others.	
	Demonstrating patience being diplomatic taking appropriate action and using sensitivity.	Displaying superior or detached attitudes or showing your frustration or anger with others.	
	Being approachable open and friendly showing an interest in what a person is saying.	Not being clear and sending mixed messages about policies procedures and complaints.	
F - Ability to work effectively as part of a team	Accepting disappointments as learning opportunities being able to share blame or criticism.	Being personal or public in unconstructive feedback or challenging for the sake of challenge.	Council Member works positively with, and values, other Council Members and the Executive.
1 - Ability to take a constructive and active part in group discussions and decision making.	Recognising and celebrating success thanking people for their efforts.	Seeking to point score or gain influence or power through the withholding or sharing of information for personal gain.	
	Fully utilising the range of skills and experiences within the Council and Executive. Sharing your expertise at the same time as being able to recognise expertise in others.	Undervaluing or ignoring skills and experiences within the Council and Executive, as well as being willing to seek external expertise where needed.	
	Taking personal and collective action to review performance and identify improvements.	Failing to observe the distinction between non-executive and executive roles.	
	Passing on knowledge and information to other Council and Executive members.	Treating fellow Council members or HCPC employees with suspicion or unnecessarily over ruling employees decisions.	

Appointment process for Council members and other associated processes – May 2022

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1. Introduction

- 1.1. This document sets out the process by which appointments to the Council will be managed by HCPC.
- 1.2. Under provisions in the Health and Social Care Act 2012, the Privy Council is able to make arrangements with the Health and Care Professions Council (HCPC) to assist it with its appointment functions.
- 1.3. The role of the Professional Standards Authority (PSA) is to advise the Privy Council about the process adopted by the regulators in recommending an appointment.
- 1.4. Having received the PSA's advice about the process, the Privy Council is responsible for making a decision to appoint (or reappoint) an individual to the HCPC Council.
- 1.5. Where a vacancy arises (this may be a new appointment or due to a resignation, termination of appointment or death of an incumbent, or if a reappointment is not being considered), the HCPC is responsible for managing a process of appointing a new Council member, in line with the requirements of the legislative frameworks, including the Health and Care Professions Council (Constitution) Order 2009, and will make recommendations to the Privy Council. The Professional Standards Authority will be responsible for advising the Privy Council about the process adopted by the professional regulators in recommending an appointment.
- 1.6. The HCPC will also be responsible for managing the process of reappointment of a Council member or Chair, extending appointments of council members and chairs, suspending or removing a council member or chair or making an emergency appointment. Again, these processes will be carried out in line with the requirements of the legislative frameworks.
- 1.7. The process has been written to take into account "[Good practice in making Council appointments-Guidance for regulators making appointments which are subject to section 25C scrutiny](#)" published by the Professional Standards Authority (PSA) and most recently updated in March 2019.
- 1.8. The PSA has identified four principles to be applied to all processes relating to the (re)appointment, suspension and removal from office of chairs and members of Councils. These principles should be demonstrated by the regulators throughout their work:
 - **Merit** – all selection decisions are based on evidence of merit. This means appointing and reappointing high quality individuals whose skills, experience and qualities have been judged to best meet the needs of the regulator and where appropriate, recommending the removal or suspension of individuals where there is a strong case for so doing.

- **Fairness** – processes used in appointments, suspensions and removals are objective, impartial and applied consistently. Processes should promote equality and be free from discrimination, harassment or victimisation.
- **Transparency and openness** – public appointments must be advertised publicly in a way that is designed to attract a strong and diverse field of suitable candidates. Information about posts and appointment, suspension and removal processes adopted are publicly available. It is clear why regulators are making their recommendations to the Privy Council.
- **Inspiring confidence** – the regulator's processes and systems promote public confidence in regulation and take into account external perspectives where appropriate. All processes meet the requirements of the regulator's legislative framework.

1.9 The appointment process will be carried out in two stages:- the preparation and the assessment and selection stages.

Appointment of Council members

Stage 1 – Preparation

2. Selection Panel

- 2.1. A selection panel will be appointed by Council before the start of any recruitment campaign. They will be responsible for making recommendations to the Privy Council on behalf of the Council. For those appointments starting in January, the panel will need to be submitted to Council for consideration and approval by July the preceding year.
- 2.2. The composition of the panel will depend upon the nature of the recruitment campaign. However, for appointment processes in relation to members of Council, the panel will comprise the following:-
 - the Chair of the Council;
 - an independent with experience in public appointments; and
 - one other member, drawn from those suitable candidates outlined in the PSA guidance, this may be another member of Council as long as this does not result in a registrant majority on the panel.
- 2.3. For the appointment of the Chair of Council, the panel will comprise:-
 - a Chair of an independent regulator or public authority;
 - an independent with experience in public appointments; and
 - one other member, drawn from those suitable candidates outlined in the PSA guidance this may a member of Council who is not eligible for further reappointment and is nearing the end of their tenure as a Council member..
- 2.4. Consideration will also be given to ensuring the relevant expertise on the panel, for example, if we were seeking to appoint an individual with a financial background, someone with relevant expertise would be within the proposed composition. Due

consideration will be given to the diversity of the panel when deciding who should be included.

- 2.5. In order to retain the independence of panel members drawn from outside the HCPC, and to prevent conflicts of interest, the maximum period any panel member may be appointed to the selection panel is four years. The selection panel will be chaired by the Chair of HCPC or, in the event that the recruitment exercise is for that position, the Chair of an independent regulator or public authority.
- 2.6. Any new panel members i.e. any that have not been involved in previous HCPC recruitment campaigns, will be given an induction. This will cover the following areas:-
 - Background to organisation;
 - Relationship between the Council and the Executive;
 - HCPC Strategy 2021-26
 - Composition of current Council;
 - Equality and Diversity;
 - Appointments process adopted by HCPC.

3. Preparation of paperwork

- 3.1. When a vacancy arises, the ‘advance notice of intent to recommend appointment’ template, together with supporting documentation should be sent to the PSA at least three weeks before the first advert is due to be launched.
- 3.2. Prior to submitting an advance notice to appoint, the following should be undertaken:-
 - The Privy Council Office to be notified of HCPC’s intention to initiate a recruitment campaign to ensure that the timescales are suitable from their point of view;
 - The Council to agree the selection panel for the campaign;
 - Consideration will need to be given to the skills matrix of Council to see if there are any gaps in the skills base of Council members that need to be filled as part of the recruitment campaign. If so, a review of competencies will be carried out by the Head of Governance and subsequently agreed by Council if any material changes need to be made;
 - Term dates of Council members have been staggered to ensure not all Council member’s term of office finishes at the same time. Consideration will need to be given to the appointment dates of the existing Council members and then a decision arrived at in relation to the appointment of the new Council member(s);
 - Review application form to include: review of standard forms including Diversity Monitoring and conflict of interest declarations to ensure that they are fit for the current application process;

- Draft information pack to include: information on the organisation; role brief; competences required; eligibility and any additional shortlisting criteria; guidance on the process including key dates; conditions of appointment; and standard agreed policies on conflicts of interest, equality and inclusion, data protection process and dealing with complaints;
- Review accessibility arrangements to ensure that the contacts for Welsh translation, Braille, and text relay are up to date and to ensure that options for accessibility and translation are clearly stated in public documentation;
- Drafting of advert and advertising strategy.

3.3. The ‘advance notice of intent to recommend appointment’ template (which can be found on the PSA website) should include the following information:

- Summary of the requirements of Council including current council membership;
- Roles and responsibilities of those involved in the process;
- Details of stakeholder engagement including confirmation of communication with the Privy Council office;
- Details of the proposed selection panel;
- Details of how the process meets with obligations under the Equality Act 2010;
- Advertising and publicity strategy (including draft advert);
- Selection criteria and competences;
- Selection process;
- Conflicts of interest and due diligence;
- Additional supporting information (e.g. anticipated risks);
- Supporting information (e.g. candidate information pack, job description, draft application form).

3.4 In drafting the ‘advance notice’ form, due regard will be given to lessons learned from previous recruitment rounds;

Stage 2 – Assessment and Selection

4. Launch of Advertising Strategy

4.1 Following approval by the PSA to proceed with the recruitment campaign, the advertising strategy should be launched. This will include dissemination and publication of advertisement and associated documentation such as the application forms. All the adverts, once published, must be recorded for the purposes of the ‘Notice of intent’ document that will be submitted to the PSA once the panel have made a recommendation.

5. Receipt of application forms and shortlisting

- 5.1 In line with advice received from the PSA, the deadline for applications should be, where possible, on a Monday morning (as opposed to a Friday evening);
- 5.2 No late applications will be accepted unless extenuating circumstances presented by the applicant are accepted by the panel. The PSA would need to be informed of this as part of the 'Notice to recommend appointment' submission;
- 5.3 Upon receipt of the completed applications, all personal data (i.e. the front cover which details names, address, NI number etc and the equal opportunity and diversity monitoring form) should be removed from application forms. Decisions regarding an applicant's suitability for the post must be reached solely on the evidence provided of how they fulfil the core competencies;
- 5.4 All anonymised applications are considered by the panel; no long listing exercise is conducted by the Executive.
- 5.5 If 50 of fewer applications are received, all panel members will consider all applications and individually complete an assessment form for each.
- 5.6 If over 50 applications are received, the Chair of the Panel and the other member of the panel (not the independent member) will each assess half of the applications. Once this is complete the Independent panel member will undertake a sample review of the scoring from each of the other two members to provide assurance that scoring is fair and consistent. The sample size for review will depend on the volume of applications received to ensure this remains manageable but still provides assurance.
- 5.7 To ensure that decisions regarding candidates are transparent, individual candidate assessment summaries must be completed by the panel member(s) undertaking shortlisting for each candidate and then returned to the Governance team.

Shortlisting meeting

- 5.5 In advance of the panel convening to agree the shortlisted candidates, the decisions of the panel will be collated and names placed against candidates. This will be circulated to the panel. An agenda will also be circulated in advance to the panel and this will detail the suggested interview structure including questions;
- 5.6 The HCPC is committed to interview all persons with a disability who meet the essential criteria for a role. If the panel confirms that a candidate has fulfilled the core competencies, that candidate will be guaranteed an interview;
- 5.7 During the shortlisting meeting, the panel will firstly declare any conflicts of interest. This will be included in the 'minutes of the meeting' to be taken by the Head of Governance. If a panel member has prior knowledge of an individual they would not make comment on their shortlisting assessment of the candidate until the other panel members had expressed their views. This approach would also be followed when discussing candidates post interview. The panel will then shortlist the candidates taking into account those candidates that have declared a

disability, ensuring that the requirements of the Constitution Order can be met and mindful of the number of days that have been set aside for interviews;

- 5.8 Once the panel have convened and agreed the short-listed candidates, those that have been shortlisted and those unsuccessful candidates will be notified. Details of the complaints process will be included in all correspondence;
- 5.9 Interviews will be scheduled by the Governance team taking into account any requests from the candidates included within their application and also the geographical location of candidates. Due to the time and expense of reconvening assessment and selection panels, requests for a change of interview date will not be considered unless a reasonable adjustment is being made to accommodate a candidate applying under the HCPC's commitment to interview all persons with disability who meet the essential criteria for a role. Interviews may be held by videocall. If this is the case the Governance team will undertake a technology test with the candidate ahead of the interview.

6. Due diligence

- 6.1 In advance of the interviews, some due diligence checks need to be carried out as follows:-
 - Checks need to be carried out to see if any of the short-listed candidates currently undertake partner roles or are former partners. If they do, these roles would need to be relinquished were the candidate to be successful at interview. The information ascertained should be noted on each individual's 'due diligence' record which will then be provided to panel members as part of the interview paperwork;
 - For the recruitment of registrant members, checks will need to be carried out to see if any of the short-listed candidates are subject to ongoing Fitness to Practise proceedings. Should this be the case, appropriate action would need to be taken. The information ascertained should also be noted on each individual's 'due diligence' record which will then be provided to panel members as part of the interview paperwork;
 - Checks will be carried out using the internet to confirm an individual's credentials, for example details of their education or previous public appointments held. Checks of connected social media accounts will also be made. Again this information will be recorded;
 - For all those individuals invited to interview, they will be asked to bring with them evidence of the 'Right to work in the UK'. Guidance will be provided to candidates as to what evidence they can present. This should be saved on file and noted on their due diligence record.

7. Interviews

- 7.1 The format of the interview together with the formal questions and subject matters for the presentation and group discussion will have been decided at the short-listing meeting;
- 7.2 The panel will each be provided with interview packs on the day. These will include the full completed application forms of those candidates shortlisted for interview and the due diligence records for each candidate. The Chair of the panel will also be provided with a candidate interview record to complete for each candidate. At the start of the formal interview, the candidate and the panel will be asked to declare any conflicts of interest and these will be recorded as part of the candidate's assessment;
- 7.3 If the candidate is known to one of the panel members, panel members who had prior knowledge of an individual will be asked to make no comment on their assessment of the candidate until the other panel members have expressed their views. In the event that a conflict of interest, in the opinion of two or more members of the panel, compromises the ability of the panel to make an impartial decision, the panel member should be substituted for the duration of the process;
- 7.4 Once the formal part of the interview has concluded and the independent panel member asked for feedback on the process, the timeline involved in the final part of the process should be explained to the candidates. This will assist in managing their expectations about when they would be likely to hear the outcome of the interview;
- 7.5 At the conclusion of each interview, the panel will agree an overall assessment of the candidate which will then be signed by the panel members;
- 7.6 A meeting will be held at the conclusion of all interviews to determine those candidates who will be recommended for appointment. This will be based on both interview performance and the needs of the Council.

Stage 3 – Appointment recommendation

8. Appointment recommendation

- 8.1 Once a decision has been made by the selection panel, references will be sought for the successful candidate(s).
- 8.2 In the event that an unsatisfactory reference is received, the HCPC will convene the panel to confirm the course of action.
- 8.3 On receipt of satisfactory references, the Head of Governance will submit a 'notice of recommendation' to the PSA on behalf of the selection panel. This is available on the PSA website. This should include the following information:
 - Details of the recommendation including term of appointment;

- Details of how the process has varied in any way from that described in the Advance Notice. [It is always better to inform the PSA of any deviations at the time as well as notifying them as part of this submission];
 - Details of the selection process;
 - How HCPC's obligations under the Equality Act 2010 were met;
 - Details of due diligence undertaken;
 - Conflicts of interest and how these were resolved;
 - Details of any complaints received;
 - Supporting documentation.
- 8.4 The PSA and Privy Council estimate that it will take six weeks to process each recommendation and to make the appointments. The appointment recommendation must be submitted to the PSA at least six weeks before the appointment is due to start to allow time for the induction process;
- 8.5 At the same time as submitting the 'notice of recommendation', the Chair of the panel will write to the Privy Council setting out the recommendations of the panel;
- 8.6 On completion of the process the panel member appointed as the independent panel member should complete a report to confirm whether, in their view, the process complies with the four principles of good appointments. This will also include an assessment of those complaints received in relation to the process and details of how they were dealt with.
- 8.7 The independent panel member will liaise directly with the PSA on this and their report should be submitted at the same time that the HCPC submits its 'Notice of recommendation.'
- 8.8 Once the PSA has concluded their scrutiny of the process and provided assurance to the Privy Council that the recruitment process adhered to the principles of making good appointments, the Privy Council writes directly to the successful candidate(s) to let them know of the outcome;
- 8.9 HCPC would then write to all the unsuccessful candidates notifying them of the outcome. The opportunity to request feedback should be included in the letter, along with details of the complaints process.

9. Post appointment process

- 9.1. On receipt of notice that the appointment has been made by the Privy Council the following activities will be undertaken:
- Welcome pack to be sent to the new member including proposed dates for induction, dates of meetings;

- Press release agreed with member and Communications Department. To ensure transparency this should be publicised on the HCPC website, intranet, newsletter and Social Media feeds;
- Induction programme developed in consultation with the Chair of the Council.

10. Diversity monitoring

- 10.1 Data collected from applicants must be detached from application forms on receipt, and added to a diversity monitoring database, to be administered by the Governance team in accordance with the HCPC document retention policy;
- 10.2 This data should be analysed as part of the project planning exercise for each new appointment campaign to ensure that the diversity of Council members is taken into consideration in recruiting new members to Council and the advertising strategy amended accordingly.

11. Complaints

- 11.1 The HCPC is committed to processes and procedures that are fair, transparent and free from discrimination. Complaints about any aspect of the appointments process for the Chair or Council member roles will be monitored, recorded and promptly handled;
- 11.2 A full record of correspondence with complainants must be retained, in addition to any relevant documentation;
- 11.3 Guidance on how to make a complaint must be published in all information packs, and must be included in all correspondence with applicants;
- 11.4 Complaints regarding the appointments process, or an individual's experience of the process, will be dealt with under the HCPC central customer service and complaints process. Complaints and other feedback should be made in writing to the Service and Complaints Manager –

Service and Complaints Manager, The Health and Care Professions Council, Park House, 184 Kennington Park Road, London SE11 4BU. (020 7840 9708) (feedback@hcpc-uk.org).

- 11.5 The HCPC complaints process has the following aims:

- To deal with all complaints in an effective, fair and confidential manner;
- To acknowledge receipt of feedback within three working days;
- To respond to complaints within 15 working days;
- To keep complainants regularly updated as to the progress of their enquiry if the issue has not been resolved within agreed times.

- 11.6 If a complainant is dissatisfied with the response they may then ask the Chief Executive to conduct an internal review;

11.7 If a complainant remains dissatisfied with the HCPC's response they will be able to raise their concerns with the Privy Council, to:

Ceri King, Deputy Clerk & Head of Secretariat, Privy Council Office, 2 Carlton Gardens London SW1Y 5AA.

11.8 Administering complaints within the central system will ensure that the Executive has the opportunity to consider the complaints and ensure that changes can be made to the system particularly if any trends are identified;

11.9 When notifying the Authority that a recommendation has been made, details of any complaints received will be provided. Should the complaint arise after the recommendation has been made, the HCPC will provide details directly to the Privy Council.

12. Reappointment of Council members or the Council Chair

12.1 Where the term of office of a Council member or Council Chair is coming to an end, the incumbent may be eligible to be considered for a reappointment without the need for open competition (as outlined in the Constitution Order). Each case for reappointment will be considered on its individual merits at the appropriate time.

12.2 Re-appointment will only be considered where it is in the best interests of the Council for the individual to remain in post. There is no automatic right to reappointment, even where post-holders are eligible for reappointment and even where the incumbent has performed well in the role as the needs of the Council may change over time.

12.3 Terms of appointment and the profile of skills held by Council members will be monitored by the Head of Governance.

12.4 Following the completion of the annual review process for Council members and the Council Chair, members whose term of appointment is due to come to an end and are eligible to apply for reappointment, will be invited to complete a reappointment application form. This consists of:

- a personal statement, explaining how the candidate's skills and experience continue to be relevant to the business of the HCPC;
- confirmation of the candidate's eligibility for appointment;
- declaration of interests and a reaffirmation to the Council code of conduct.

12.5 Members who do not wish to be considered for reappointment must confirm this in writing to the Privy Council.

12.6 A reappointment panel (who will have been agreed by Council in advance) should be convened to consider the reappointment paperwork. The panel will consist of:

- the Chair of the Council;
- an independent with experience in public appointments; and

- one other member, drawn from those suitable candidates outlined in the PSA guidance.

12.7 When consideration is being given to the reappointment of the Chair, the panel will consist of:

- the Chair of an independent regulator or public authority;
- an independent with experience in public appointments; and
- one other member, drawn from those suitable candidates outlined in the PSA guidance.

12.8 Recommendations must be made taking into account a member's or Chair's annual review forms, the Council skills profile, the individuals ability to commit the required time to the role and the reappointment reapplication form.

12.9 For the reappointment of the Chair, the PSA advises that a formal 360° appraisal process, conducted by an independent person or panel should be carried out. The Senior Council member will work with the Head of Governance to ensure a suitable review process is undertaken.

12.9 At the end of the assessment process and when a decision has been reached by the panel, a reappointment recommendation template form (which can be found on the PSA website) should be completed and submitted to the PSA. This will include the following information:

- Rationale for reappointment;
- Eligibility and willingness;
- Basis of recommendation;
- Third party feedback;
- Complaints;
- Conflicts of interest;
- Compliance with legislation;
- Supporting documentation.

12.10 At the same time as the submission is made to the PSA, the panel recommendations (see template) should be submitted to the Privy Council together with a covering letter.

12.11 Once the PSA have completed their process in respect of the reappointments, the Privy Council should write to those Council members who have sought reappointment to outline their decision.

12.12 There is no appeal mechanism against the panel recommendation or Privy Council decision.

13. Extensions and Emergency appointments

13.1 If a term of office of a member was less than permitted in the Health and Care Professions Council (Constitution) Order 2009, it may be appropriate to consider an extension of the appointment, i.e. if an initial appointment was for three years,

but the maximum term is four years, it is possible to ask the Privy Council to extend the appointment up to the maximum term possible.

- 13.2 Circumstances where this may be considered include a review of council membership; or to allow a new chair to consider the needs of the Council going forwards. It should be noted that this is a temporary measure only and must not be seen as a means of circumventing the need to follow a merit-based appointments process.
- 13.3 Any application for an extension must be submitted to the Privy Council; the Privy Council can act without seeking advice from the PSA.

14. Independent Committee member appointments.

- 14.1 HCPC benefits from the involvement of independent committee members with specific specialist skills.
- 14.2 While the appointment of independent committee members is not regulated by the PSA, the HCPC follows best practice standards when appointing to these roles.
- 14.3 Sections 5 to 7 of the policy above apply to independent committee member appointments.
- 14.4 The appointment panel for independent committee member appointments will consist of the Chair of the relevant Committee along with up to two other members of Council.
- 14.5 Independent committee members will be eligible for a total term of 8 years within a 20-year period. Any term of appointment will be for a maximum of 4 years with the potential for a further term of up to 4 years.
- 14.6 Independent committee reappointments will be made by the Chair of Council, taking in account the recommendation of the relevant Committee Chair and the reappointment submission of the independent committee member.