

A guide to member appointments, reappointments and removals

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1. Introduction

This guide sets out our approach to managing reappointments and removals.

The processes explained within this guide comply with the [Professional Standards Authority \(PSA\) Good Practice Guidance](#), [the GOC's legislation and Constitution Orders / Rules](#) and is underpinned by the [Nolan Principles](#), to ensure that fair, open and transparent processes are in place so that appointments, reappointments and removals are made in the public interest.

2. Scope

The processes set out within this guide apply to the recruitment, appointment and reappointment of all member roles.

Members are individuals appointed to undertake a range of statutory and non-statutory powers and duties, as determined by legislation and Council. The majority of these member roles will include:

- Council (chair and members)
- Companies, Education, Registration & Standards committees (members)
- Audit, Risk & Finance, Investment, Nominations and Remuneration committees (members and independent members)
- Investigation committee (chair and members)
- Hearings Panel (chairs and members)

3. Responsibilities

Key roles and responsibilities across the process:

Council has the overall responsibility for ensuring members are appointed, reappointed, subject to regular review, and that any issue that could result in disqualification of a member is appropriately considered. It delegates its authority to the Nominations Committee.

Nominations Committee (Nomco), under delegated powers from Council, has the remit:

- To approve the member appointment, review and reappointment processes;
- To approve plans for Council and statutory committee member appointments;
- To approve plans for member development (including induction and training);
- To approve the re-appointment of members in line with the Council and committee re-appointment process [here](#);
- To approve member extensions and emergency appointments;

- To approve (or advise Council) on matters relating to the continuation in office of any member, including the retraction of resignation, disqualification, suspension and removal from office;
- To advise Council regarding the role profile and competences required of Council members, following an evaluation of vacancy requirements, reappointments, role descriptions, extensions and emergency appointments;
- To appoint independent members to non-statutory committees;
- To approve a statement in the annual report about its membership, role and remit for the preceding year;
- To approve the annual process for Council evaluation; and
- To ensure that all policies and work within the committee's remit take account of and promote the GOC values and commitment to equality, diversity and inclusion.

Committee members may also act as members of Appointments Panels to carry out appointment campaigns (in line with the Member Appointment Process). It will be for the Appointment Panel to make recommendations to the Privy Council in relation to Council appointments and to make appointments in relation to all other member vacancies.

Its terms of reference can be found [here](#).

Appointments Panel is responsible for reviewing all applications, shortlisting candidates to interview and making recommendations (Council) or decisions (all other vacancies) on which candidates are appointable. The composition and authority for each Panel is established by the Nominations Committee.

The Appointment Panel Chair is responsible for guiding the panel to collective agreement on which candidate(s) are appointable and the strengths and weaknesses of appointable candidate(s) against the competences and ensuring the principle of appointment on merit through fair and open processes.

The Independent Panel Member (IPM) brings a credible and impartial perspective to the selection decisions. For Councillor member campaigns they will prepare a report for the Professional Standards Authority (PSA) on their own assessment and opinion of how well the campaign has been conducted and adhered to the four principles of merit, fairness, transparency and openness. In order to ensure their 'independence' we will not use the same IM for more than three separate instances (for Council campaigns only).

The Professional Standards Authority for Health and Social Care (PSA) is an independent body, accountable to the UK Parliament. The role of the PSA is to advise the Privy Council on the processes used to select the candidates recommended for appointment. It is important for the Privy Council to have confidence in the process used by the regulators to make these recommendations before it makes its decision. The PSA scrutinises each appointments process carefully and advises the Privy Council whether it can have confidence in that process. The PSA is not a decision-maker and looks solely at the process undertaken by a regulator to make a recommendation.

The Privy Council dates back to Norman times and is one of the oldest parts of Government. It has an important part to play in respect of certain statutory regulatory bodies covering a number of professions including health. For us, the Privy Council is responsible for approving our recommendations for appointments and reappointments to Council. More information about the Privy Council can be found [here](#).

4. Guiding Principles

Our appointment process will ensure it meets the following principles:

Merit

All selection decisions must be based on evidence of candidates' merit. This means appointing and reappointing individuals whose skills and experience 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 doing so.

Fairness

Processes used in appointments must be objective, impartial and applied consistently. Processes must promote equality and be free from discrimination, harassment and victimisation.

Transparency and openness

Public appointments must be advertised in a way that is designed to attract a strong and diverse field of suitable candidates. Information about posts and appointment processes must be publicly available. The reasons for any recommendations made to the Privy Council arising from these processes must be clear.

Inspiring confidence

The regulator's processes and systems must inspire confidence that it regulates in the public interest and take into account external perspectives. All processes must meet the requirements of the regulator's legislative framework.

(taken from "[Good Practice in Making Council Appointments: principles, guidance and the scrutiny process for regulators making appointments which are subject to section 25c scrutiny](#)", July 2022)

5. Selection Process

A candidate pack will be published on the GOC website and will include an overview of the role profile, expected time commitment, remuneration, office tenure, start date, details on how to apply (including application deadline) and interview dates. Various advertising methods will be used to ensure the widest circulation and ensure that we can obtain an appropriate number of applications from a varied and diverse field.

Applications

We will acknowledge receipt of applications and check these for completeness and eligibility. The appointments panel will rely only on the information provided in the application and whether the candidate has demonstrated how they meet the selection criteria as set out in the person specification. All applications will be anonymised (names and addresses) for sifting/shortlisting.

Sifting

Where a substantial number of applications are received for a role, the panel may agree that applications will be “pre-assessed.” Depending on the role, the pre-assessment may be undertaken by the executive or two members of the appointment panel. The pre-assessment will always be conducted in line with the published role described and listed essential requirements. A longlist will be produced for the appointments panel to consider. All members of the appointments panel will have access to all the anonymised applications, and they will be asked to conduct their own dip checks to satisfy themselves that the pre-assessment has been undertaken in line with the guiding principles.

Shortlisting

Each panel member will complete a shortlisting scoring document. To prevent any bias in scoring, the panel will not be able to view other panel member responses until after the shortlisting scoring document has been completed. The appointments panel will discuss their collective scoring of each application to make a decision on which candidate(s) to invite to interview.

The appointments panel will finalise the means of assessing candidates at the interview stage, based on the process that has been determined by the Nomination Committee and published in the candidate pack. This will include drafting interview questions to test any essential or desirable criteria, and/or deciding the theme of a short presentation and/or another activity, depending on the role. Once the appointments panel has been informed of the individuals' identity they will have the opportunity to discuss any actual or potential conflicts of interest or areas that may require further discussion either prior to or at interview.

Interviews

The Governance team will invite shortlisted candidates to interview and make all necessary arrangements. The candidate will be informed of any additional requirements, such as preparing a presentation at this stage. Sufficient notice will be given to allow candidates to prepare.

The panel is provided with an interview guide in advance of the interviews which reminds them of the process to be followed. The appointments panel will discuss each candidate following their interview, make an assessment and agree a collective score (or grade) for each question answered by the candidates. The appointments panel chair is responsible for ensuring there is a consensus in scoring. All

candidates who have been interviewed will be notified of the outcome once a final decision has been made.

Due Diligence Checks

We require a due diligence self- declaration form to be completed by the applicant to give an opportunity to declare any interests and/or conflicts in relation to the role applied for. Further internal due diligence checks (including Google/LinkedIn/Facebook searches, director/trustee checks) will be undertaken for shortlisted candidates. These checks are undertaken to appropriately identify any potential conflicts of interest, and that there is nothing in the candidates' past which would render them ineligible or unable to perform the role (and which could pose a risk to the GOC's or the Privy Council's reputation).

If any information comes to light that might affect a candidate's suitability for appointment, an opportunity will be provided to discuss the information before a course of action is decided upon. The results of the due diligence will be provided to the Appointments Panel prior to interviews.

Conflicts of interests

The General Optical Council (GOC) is committed to ensuring well defined and transparent arrangements for managing conflicts of interest, both real and perceived, in order to demonstrate to the public and stakeholders that our decisions are made in the best interests of the public.

Any actual, potential, or perceived conflicts of interest will be fully explored by the selection panel at shortlisting and interview stage. Candidates will be given an opportunity to propose how they would manage or eliminate the conflict.

On appointment, the member will be required to declare any interests they hold which could conflict or be perceived to conflict with the role. These interests will be published on the GOC website. We strongly recommend that you read our [Management of Interests policy](#), and consider any interests that may conflict with the role before deciding to apply.

References

All candidates are asked to provide two referees as part of their application. For Council campaigns, references are sought prior to interview; for non-Council campaigns, references are sought once the Panel has determined who they wish to appoint. We use a standard form which allows the referee to comment on the candidate's suitability for the role and how they met the required competences. Once received, references will be reviewed by the Head of Governance and any issues will be highlighted to the appointments panel chair (or IM if conflicted) as appropriate. The appointments panel chair (or IM if conflicted) will consider the significance and impact and any action taken will be proportionate and ensure appointment on merit.

Interview feedback

We only provide feedback (on request) to those candidates who attend interview. Any feedback requested will not be provided until after an appointment announcement has been made.

6. Appointment

The panel will agree on their preferred candidate(s) it wishes to appoint, those it wishes to place on a 'Reserve List' and those which are not appointable. For Council campaigns, the panel chair will approve a 'Notice of Recommendation' (for the PSA). Alongside this, the Independent Member is responsible for drafting a report to the PSA describing the appointment process and any issues that may have arisen. Once both have been submitted to the PSA, the PSA will assess the evidence and advise the Privy Council. Once the Privy Council has made a decision it will send an appointment letter to the successful candidate. We are not able to advise unsuccessful candidates until the Privy Council has made its decision, though the recommended candidate will be informed in advance of the recommendation being made.

On occasion, we will identify a reserve candidate, or candidates, and ask their consent to retain their information in the event an unexpected vacancy arises. This allows us to approach another appointable candidate within 12 months of interview if an unexpected vacancy has arisen for the same role (in the case of Council vacancies), or similar (for all other vacancies). Any reserve candidate offered the role will be subject to a repeated exercise to ensure appropriate due diligence has been undertaken. Member roles are public appointments/statutory office, rather than a job, and are therefore not subject to the provisions of employment law.

7. Member support

Once the appointment decision has been confirmed, we will write to the candidate asking them to complete an appointment declaration which clearly outlines the period of appointment, fees, arrangements to meet the Council/committee Chair (if relevant), any terms and conditions of appointment and reference to any additional information, such as Code of Conduct, confidentiality and declaration of interests. We will obtain their written acceptance of the appointment (all roles) and a public statement will be made to confirm the appointment and placed on the GOC website (Council vacancies only) and an internal statement for all other appointments.

Initial governance training will be provided by the Governance team and a buddy will regularly check in for ongoing mentorship. The appointee is welcome to observe a public Council meeting (if one is due) or public Fitness to Practise hearings as part of their induction.

8. Reappointment

We recognise the critical role our members play in fulfilling our responsibilities as a regulator. By maintaining a member review process, we can ensure that members are supported in their development and are effective in their roles. Once members are nearing the end of their first term in office, we will initiate a reappointments process (subject to the member agreeing they wish to be reappointed). Outcomes of the review process will inform any decisions connected to reappointment made by the Nominations Committee. If the member does not wish to be reappointed, they will serve out the remainder of their term in office.

The Nominations Committee is responsible for making recommendations to the Privy Council on Council member reappointments; it will make decisions (as delegated by Council) on all other reappointments. The PSA is responsible for scrutinising the process for reappointment of Council members and providing assurance to the Privy Council. This is conducted in a similar manner to Council member recruitment, with the GOC submitting an outline of the process by which it assessed the recommended candidate for reappointment. There is no requirement to have an independent member report for Council reappointments.

9. Length of tenure

Council, Advisory Panel, ARC, Investment, Nomination, Remuneration and Investigation Committee members can sit for no more than an aggregate of 8 years during any period of 20 years. Hearing Panel members can sit for no more than 10 years.

For members of the Education, Registration, Standards, Companies and Investigation committees reappointments are formally made annually, with terms of office expiring on 31 December in each year, to ensure compliance with the [GOC Committee Constitution Rules](#).

10. Leaving us: resignation/ end of term, disqualification, suspension and removal

The General Optical Council (Constitution) Order 2009 sets out the criteria for disqualification, suspension and removal of Council members. The Committee Constitution Rules 2005 sets out the criteria for all other members. Any decision to disqualify a member, or recommend a member for suspension or removal, will be bound by the principles of fairness, transparency and natural justice.

When a member submits a letter of resignation, they will be removed from office automatically in line with our constitutional requirements. We request all members provide at least three months' notice before resigning in order for us to put in place appropriate succession arrangements.

When a member leaves us (through resignation or because they have reached the end of their term and do not desire reappointment, or have reached the end of their maximum term), we write to the member to confirm acceptance of their resignation and ask them to complete a 'Leaving Declaration' which confirms that they have returned all GOC property, will maintain confidentiality, they have deleted all GOC emails and other documents and that they have claimed all due fees and expenses.

All former members will also be offered the opportunity of having an informal discussion with their Chair (or relevant Director) in case there is any learning to be shared from their experience with us.

11. Equality, Diversity and Inclusion

We strive to be as diverse as the public we protect and welcome applications from everyone, regardless of age, disability, gender reassignment, race/ethnicity, religion or belief, gender, sexual orientation, marriage and civil partnership, pregnancy, maternity and geographical location outside of London. We are committed to equality of opportunity for all, and appointments will be made solely on merit. We believe that for any organisation to be successful, it needs to work with the most talented and diverse people available. We positively encourage applications from people from all backgrounds and with a broad range of experience.

To ensure all candidates are treated fairly, we monitor diversity at all stages of the appointments process. The application process includes a monitoring section which is submitted through a secure online form. Providing this information is optional, but we would be grateful for your co-operation.

Information provided will be treated as strictly confidential and will be used for monitoring purposes only. It will not be seen by anyone directly involved in the selection process and will not be treated as part of your application. No information will be published or used in any way which allows any individuals to be identified. Monitoring information gathered from application processes is published annually in our EDI annual [report](#) Our approach to monitoring can be viewed on our website.

12. Access requirements

We have a duty to promote equality of opportunity for people who have disabilities. One of the ways we are doing this is through identifying barriers to opportunity facing people with disabilities and making reasonable adjustments to remove them.

If you would like to discuss your requirements for reasonable adjustments at any stage of the recruitment process in more detail, please contact the Governance team on 0207 307 3934. If you would like more information on reasonable adjustments please read this link: <https://www.gov.uk/reasonable-adjustments-for-disabled-workers>

We can also provide our applications in a different format, such as Braille, audio and large print upon request.

13. Data Protection

Our [data protection policy](#) is published on our website. We are required to retain information about the people who apply for public appointments and make this available for audit purposes, if requested to do so. Our retention policy for the information we collect for public appointments is to keep the following information for one year for unsuccessful candidates and six years for successful candidates. This information is then destroyed:

- initial contact details, including your name and address,
- application form and any supporting documentation,
- monitoring information.

Some of the information requested on the application form will be made public if you are appointed (e.g. your name, brief career/background history, other public appointments held, any other information that it is in the public interest to disclose). Moreover, we may be required to release information, including personal data, on request under the UK Data Protection Act 2018. However, we will not permit any unwarranted breach of confidentiality and, where possible, will look to gain consent from the individual before sharing the information. Nor will we act in contravention of our obligations under the UK General Data Protection Regulation (UK GDPR).

14. Questions and Concerns

We aim to process all applications as quickly as possible, and the same recruitment processes will be applied consistently to all applicants. However, if you have a complaint about the process used in this recruitment campaign, please refer to our [Corporate Complaints Procedure](#). This provides guidance on what can and cannot be considered and how to raise concerns. In the first instance, you should raise your concern/complaint informally within 72 hours of the action you are complaining about.

You can raise your queries or concerns by email on appointment@optical.org or telephone 020 7580 3934.