

HOW WE WILL HANDLE YOUR APPLICATION

- ◆ All appointments to NHS bodies and non-departmental public bodies are made on merit in accordance with the Code of Practice laid down by the Commissioner for Public Appointments.
- ◆ In line with Government practice, the principles of the Commissioner's guidance are followed, wherever possible, for other public appointments which fall outside the Commissioner's remit.
- ◆ We will acknowledge receipt of your application form after the closing date.
- ◆ Your completed application form will first be assessed to see whether you have the general personal qualities and skills specified for the post or posts in which you are interested.
- ◆ Interview panels normally consist of three people, always including an independent member.
- ◆ Recommendations on appointments are made to Department of Health Ministers. They will aim to ensure that each board has an appropriate balance of skills and experience. Should your name be recommended for consideration to Ministers, it is normal at this stage that your references will be taken up.
- ◆ The Secretary of State is responsible for the final decision on all appointments. If you are successful, you will receive a letter of appointment from the appropriate Minister.
- ◆ The appointments process for each health body is managed separately. The expected start dates vary and the dates by which the processes are scheduled to be completed are shown in the introductory notes for each of the bodies.

GUIDANCE ON THE COMPLETION OF APPLICATION FORMS 1 AND 2 FOR MEMBERSHIP OF A SPECIAL HEALTH AUTHORITY OR A DEPARTMENT OF HEALTH NON-DEPARTMENTAL PUBLIC BODY

FORM 1:

Part 1: Your personal details

These are public appointments and basic information about those appointed is made public in a variety of official publications including press releases, the Department of Health's Public Appointments Annual Report and the Cabinet Office's database of public appointments on the Internet. This information includes:

- Full name
- Date of birth/gender
- Postal town
- Occupation type
- Brief career history/pen picture
- Type and period of appointment
- Remuneration paid
- Details of any other Ministerial appointments held
- Details of any political activity declared

Part 2: Posts applied for

You may apply for as many of the posts listed on page 2 that you think you are qualified for, but in most cases you can only be appointed to one NHS body (see the notes below on Disqualification). You must be confident that you would have the time available to undertake the duties required which are set out in the details in the information pack for each body.

Part 3: Other Ministerial Appointments

Candidates are required to give full information about any other Ministerial Appointments they hold. Please ensure that you include full details of any body to which you have already been appointed, the period of appointment and annual remuneration or daily fees paid.

Part 4: References

References will be taken up only for those applicants who are successful at interview. If a referee fails to respond to a request to supply a reference, applicants will be asked to provide the name and address of an alternative referee.

Part 5: Additional information

Please make sure that you have read the list of qualities required for the post/s applied for before completing your form and preparing your supporting documentation. Your application should include evidence that you have as many as possible of the qualities required, including all of the essential ones.

Please note that you should attach a full CV and any continuation sheets necessary when returning forms 1 and 2.

Part 6: Declaration of interests

All boards must maintain a register of members' interests to avoid any danger of board members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties. All board members are therefore expected to declare any personal or business interest which may, or may be *perceived* (by a reasonable member of the public) to influence their judgement. This should include, as a minimum, personal direct and indirect pecuniary interests, and should normally also include such interests of close family members. Indirect pecuniary interests arise from connections with bodies which have a direct pecuniary interest, or from being a business partner of, or being employed by, a person with such an interest.

Part 7: Declaration

Criteria for Disqualification

Appointments to NHS bodies, and some specialist bodies, are governed by regulations which include details of the circumstances in which an individual may be disqualified. The circumstances vary from body to body and it is not possible to include an exhaustive list covering every appointment. However, the following paragraphs identify the main circumstances where an individual would not be allowed to serve.

Criteria for Disqualification - Special Health Authorities

Chairs and non-executives of one NHS body may not generally be appointed to another NHS body. However, regulations permit a number of exceptions regarding Special Health Authorities. You should declare any existing appointment when completing an application form.

Anyone who works for one NHS body (including honorary or unpaid medical or dental appointments) would not normally be appointed as a chair or non-executive of another. Regulations govern a small number of exceptions. You should, therefore, give full details of your NHS employment when completing the application form.

Practising General Medical Practitioners, General Dental Practitioners and their employees are disqualified from membership of a NHS Trust but they can serve on Special Health Authorities.

Criteria for disqualification - non-departmental public bodies and other specialist bodies

Unless regulations state otherwise, you may be appointed to more than one non-departmental public body. You may also be appointed to a NHS body and to a non-departmental public body. The circumstances vary from body to body and it is not possible to include an exhaustive list covering every appointment.

Criteria for disqualification – General

In addition, the following categories of people are normally disqualified from appointment to *any* health body:

- i anyone who has been removed from a list of Part II practitioners by a direction made under Section 46 of the NHS Act 1977 and has not since had their name restored, or has been suspended by a Tribunal made pursuant to section 49A(2) or Section 49B(1) of the Act (as amended by the National Health Service Act 1995);
- ii anyone who has been declared bankrupt or has made a composition or arrangement with their creditors;
- iii anybody who has been dismissed other than by reason of redundancy by an NHS body; and
- iv *people who have had an earlier term of appointment terminated in certain circumstances;*
- v anyone who is under a disqualification order under the Company Directors Disqualification Act 1986
- vi anyone who has previously been removed from trusteeship of a charity by the court or the Charity Commissioners.

There are circumstances in which the disqualification of an individual under ii, iii, iv, v and vi above may cease. The Department will be pleased to advise you about any exceptions.

Anyone who is a current candidate for or a serving Member of either the UK House of Commons and/or the European Parliament is disqualified from appointment to a health body under the House of Commons Disqualification Act 1975 (as amended).

FORM 2:

Information on ethnic origin and disability

Information is collected for monitoring purposes about ethnic origin and disability to ensure that the appointment process is fair and open. The Department of Health may also be asked to provide information on ethnic origin and disability in response to Parliamentary Questions and other public enquiries. However, in line with Government policy, and in accordance with the provisions of the Data Protection Act, information about the ethnic origin and disability of individuals will only be made publicly available with the consent of the person involved. The application form asks individuals whether they are happy for this information to be made publicly available.

THE COMMISSIONER FOR PUBLIC APPOINTMENTS

The office of Commissioner for Public Appointments (OCPA) was created in 1995, following recommendations from the Nolan Committee on Standards in Public Life. The Nolan Committee had made a series of recommendations intended to increase public confidence in the way appointments are made to “quangos”. The principal recommendation was that an independent Commissioner should be appointed, their role being to establish a Code of Practice for Ministerial appointments to public bodies, and to monitor the appointments process and ensure that all appointments are made on merit after fair and open competition.

The Code of Practice issued by the Commissioner covers all appointments to NHS bodies and non-departmental public bodies sponsored by the Department of Health. In line with Government practice, the principles of the OCPA guidance are followed, wherever possible, for other health ministerial public appointments which fall outside the Commissioner’s remit. The principles underlying the Code are as follows:

- ◆ **Ministerial Responsibility** - The ultimate responsibility for appointments rests with Ministers.
- ◆ **Merit** - All public appointments should be governed by the overriding principle of selection on merit, by the well informed choice of individuals who, through their abilities, experience and qualities, match the needs of the public body in question.
- ◆ **Independent Scrutiny** - No appointments shall take place without first being scrutinised by a panel which must include an Independent Assessor.
- ◆ **Equal Opportunities** - Departments should sustain programmes to promote and deliver equal opportunities principles.
- ◆ **Probity** - Board members must be committed to the principles and values of public service and perform their duties with integrity.
- ◆ **Openness and Transparency** - The principles of open Government must be applied to the appointments process, its workings must be transparent and information must be provided about appointments made.
- ◆ **Proportionality** - The appointments procedures need to be subject to the principle of “proportionality”. That is, they should be appropriate for the nature of the post and the size and weight of its responsibilities.

The Commissioner has issued detailed guidance for Government Departments which defines and interprets these principles. The Commissioner also monitors

the selection processes operated by Departments. Independent assessors sit on all interview panels when selecting candidates for health body public appointments. Their role is to act as the Commissioner's observers, to ensure that the selection process complies with the Commissioner's Code and Guidance, and that candidates reaching the final stage are chosen on merit. Independent auditors also audit a sample of health body appointments every year.

The Department of Health endeavours to comply fully with Commissioner's Code and Guidance in all the appointments made by Ministers. Should any applicant be dissatisfied with the way in which an appointment has been made or in how their application has been dealt with, they should first take the matter up with the Department of Health Branch or Section dealing with the appointment process concerned, or the NHS Executive Appointments Unit.

However, for those appointments which are within the Commissioner's remit, should any applicant remain dissatisfied with the outcome of their complaint, they may refer the matter to the Commissioner by writing to her at the following address.

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Office of the Commissioner for Public Appointments
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35 Great Smith Street
London
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