

Meeting:	Council	Date:	10 February 2016
Title of report :	Council member performance review process	Public	
Report of:	Louise Lake, Director of Council and Committee Services		
Contact telephone number:	020 7840 9711		
Purpose of paper: For approval			
Approval Route:	Discussed at training day on Friday 15 January 2016		
<p>Executive Summary</p> <p>At the recent Council training day held on 15 January 2016, a discussion was held in relation to the Council member performance review process. The Council considered the existing review process and there was discussion in relation to changes that could be made to ensure that the process remained fit for purpose and could effectively feed into the reappointments process.</p> <p>This paper seeks formal approval of those decisions made at the training day and the resulting review process and associated guidance.</p>			
<p>Decisions</p> <p>The Council is invited to agree the revised process as set out within the paper, including the pro forma and review guidance as at appendix 1 and 2 respectively.</p>			
<p style="text-align: center;">Main report</p> <p>Background</p> <ol style="list-style-type: none"> 1. In September 2010, a full review of the Council and non-Council Committee members ('members') review system was carried out. This delivered a system which provided a platform for, amongst other things, discussion in relation to development for members and which was considered as a model of best practise by other regulators. 2. The system introduced in 2010 provided a mechanism whereby Committee Chairs could feed back on performance of their Committee members and members could feed back on the Chair and Committee Chairs alike. The system also provided an opportunity for members to discuss their experiences and views of the HCPC with the Council Chair. 			

3. Since the Committee structure at HCPC has been changed and consequently not every member of Council has Committee responsibilities, it seemed timely to review the current system for members. In addition, the reappointments process will be undertaken by the HCPC for the first time since the restructure of Council and so it is important that an agreed system can usefully inform that process.
4. The review process is also an opportunity to reflect on training and development undertaken during the course of the year and consider future needs.

Conclusions:

5. The following conclusions were arrived at during the training day:-

Competencies

- (i) That the competencies used for the annual review should be the same as those against which a member is recruited;
- (ii) However, consideration needed to be given to the language of the competencies to reflect the fact that Council members should now be putting these into action;
- (iii) Consideration was given to the competencies used to recruit Council members and, after discussion, it was agreed that "Ability to inspire confidence and support amongst HCPC stakeholders" should be part of the evidence under "ability to listen and communicate effectively" rather than a separate competence. The reason for this is that not all Council members necessarily undertake an ambassadorial role and so may not be able to evidence this competency as part of their review;

Feedback

- (iv) The Council review process should continue to be a self-assessment;
- (v) In addition to the annual self-assessment review, a peer review exercise would be undertaken by an independent third party every other year. Council members would be able to select who was approached to provide 360 degree feedback and this could include fellow Council members, members of the Executive, employees or members of outside organisations that they had worked with;

- (vi) Committee Chair feedback would no longer be sought;
- (vii) Feedback as part of the review system would no longer be sought on the organisation, the Chair or EMT; the focus of the review was the individual Council member. However, this would continue to be carried out as part of a separate exercise;

Review of Chair

- (viii) The Chair and Director of Council and Committee Services to identify a suitable, independent, non-HCPC individual to undertake the review of the Chair on an annual basis;
- (ix) This individual would contact the Chief Executive and members of Council directly to elicit feedback on the Chair;
- (x) The Chair to complete same template as the Council (and Committee) members but it would include the additional competencies against which she/he was recruited;

Review of Independent Audit Committee member

- (xi) The Independent Audit Committee member to undertake an annual self-assessment in the same way as other Council members;
- (xii) This review be carried out by the Chair of the Audit Committee and performance would be assessed against those competencies that the individual was recruited against;

Other issues discussed

- (xiii) Opportunities needed to be created throughout the year for ongoing reflection of Council and Committee performance. This should also include feedback from the Executive Management Team.
6. The pro forma for the self-assessment together with the guidance on the review process have now been updated and are appended to this paper.

Equality and diversity: Due regard was given to equality and diversity when the existing review system was put together and we have ensured that equality and diversity principles have been considered in drawing up the new review process.

Resource implications: For 2016/17, Council member review process will be supported by the HR department who will cover this area together with Council member appointments and training whilst the current Director of Council and

Committee Services is on maternity leave. It is not anticipated that any additional resource will be required since any review system will be supported within existing resource.

Financial Implications: There will be a cost attached for a third party to undertake a peer review process although this has not yet been quantified.

How does the paper support the Strategic Intent of the Organisation? A robust, comprehensive review system and training programme would support the 'good governance' objective within the Strategic Intent.

Conclusion: This paper sets out discussions held at the Council Training day on Friday 15 January 2016 in relation to the annual review of Council members. Council approval is sought to a revised process together with the associated documentation.

Appendices:

- (i) Council member annual review form (revised); and
- (ii) Council review guidance (revised).

Council member review form 2015-16

Name of member:		Review location:	
Date of review:		Contact number:	

Competencies for Council members [Please rate 1-5: 1: Poor, 2: Fair, 3: Average, 4: Good, 5: Very good]

Theme	Evidence	Rating	Comments
Strategic direction	Demonstrates understanding of, and contributes to the strategic direction and governance of the organisation.		
Accountability	Challenges the views and proposals of others, appropriately and effectively. Supports the work of the Executive, where appropriate. Accepts shared responsibility for corporate decisions.		
Equality and diversity	Demonstrates awareness of equality and diversity issues and applies this to their role.		

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Communication	Listens effectively to the views of colleagues, members of the Executive and other stakeholders. Communicates their views at Council meetings and HCPC events appropriately and effectively.		
Working as a team	Participates effectively in group discussions. Shares their expertise to help make good decisions. Build supportive, professional and co-operative working relationships with all colleagues, respecting diversity. Recognises the expertise of others.		
Understanding regulation	Demonstrates understanding of the purpose of regulation, the work of HCPC and the wider context, appropriate to their role.		

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Attendance

Council attendance													
[Committee 1] attendance													
[Committee 2] attendance													

Learning and development [Please rate 1-5: 1: Poor, 2: Fair, 3: Average, 4: Good, 5: Very good]

Please record your conclusions from core training sessions for this year for Council and Committees (if appropriate):

Title of training	Rating	Comments

Please record how you used your training entitlement this year, indicating how useful you found each session below.

Title of training	Rating	Comments

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Training for the coming year

Please tell us about training you would like to be provided with in the forthcoming year. If you have identified a specific training need, detail why you feel it would be of interest and of relevance to your role as a Council/Committee member:

If you do not consider that you require training or development in the following year please enter "no training required".

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Summary of discussions

Signatures

Council member Date:.....
(I have seen this form and have discussed it with the Chair)

Council Chair Date:.....
(I have seen this form and have discussed it with the above Council member)

Guidance on the Council and Committee member review system

1. Introduction

- 1.1 The following guidelines are designed to help Council and Committee members complete the self-appraisal and feedback review process which will take place on an annual basis during March and April each year. This is so that the reviews can feed into the Council member appointments and reappointments timetable. If you have any questions or need further support, please contact the Director of Council and Committee Services.
- 1.2 Please note that the code of conduct states that all members must complete the annual performance review process.
- 1.3 In addition to the self-appraisal system, Council members will be expected to participate in a 360 degree review every two years. This will be undertaken by an independent third party and Council members will be asked to select who is approached to provide 360 degree feedback. This could include fellow Council members, members of the Executive, employees or members of outside organisations that they had worked with in connection with their HCPC role. Since this will be undertaken by an independent third party, this guidance focusses solely on the annual self-appraisal.

2. Objectives of the system

- 2.1 Members complete a self-appraisal form and conduct a review meeting with the Council Chair (or the Committee Chair, in the case of non-Council Committee members such as the Independent member of the Audit Committee). This meeting is an opportunity to discuss the conclusions from the review, along with key issues, feedback and objectives for the coming year, including plans for training and development. Appraisal forms should be submitted to the Secretariat at least three working days before the review meeting in order that the Chair has sufficient time to prepare for the meeting.
- 2.2 The objectives of the Council Member performance appraisal system will be to:
 - Acknowledge positive contribution to the work of Council and Committees;
 - Encourage and appraise personal and professional development;
 - Create clear expectations;
 - Maintain best practice;

- Identify areas for improvement in HCPC’s training and processes;
- Provide members and Chairs with feedback when conducting the self-appraisal process;
- Inform the reappointments process.

3. Competencies and the self-assessment

- 3.1 All members will be asked to assess themselves against those competencies against which they have been recruited. Council and Committee members are asked to provide a rating and comment on their performance in respect of each competency.
- 3.2 When undertaking the self-assessment, Council and Committee members should also give consideration to their responsibilities under the Council Code of Conduct and the seven principles of public life (see appendix).
- 3.3 The competencies (‘themes’) together with examples of evidence can be found below:-

Theme	Evidence
Strategic direction	<ul style="list-style-type: none"> • Demonstrates understanding of, and contributes to the strategic direction and governance of the organisation.
Accountability	<ul style="list-style-type: none"> • Challenges the views and proposals of others, appropriately and effectively. • Supports the work of the Executive, where appropriate. • Accepts shared responsibility for corporate decisions.
Equality and diversity	<ul style="list-style-type: none"> • Demonstrates awareness of equality and diversity issues and applies this to their role.
Communication	<ul style="list-style-type: none"> • Listens effectively to the views of colleagues, members of the Executive and other stakeholders. • Communicates their views at Council meetings and HCPC events appropriately and effectively.
Working as a team	<ul style="list-style-type: none"> • Participates effectively in group discussions.

	<ul style="list-style-type: none"> • Shares their expertise to help make good decisions. • Build supportive, professional and co-operative working relationships with all colleagues, respecting diversity. • Recognises the expertise of others.
Understanding regulation	<ul style="list-style-type: none"> • Demonstrates understanding of the purpose of regulation, the work of HCPC and the wider context, appropriate to their role.

4. Failure to Agree

4.1 In the event that a Council or Committee member does not agree with feedback received from the performance and development review, or if they feel they have been treated unfairly, they may submit their comments in writing to the Director of Council and Committee Services. These comments are placed on the Council (or Committee) member's file with a copy of the appraisal form.

5. Equality and diversity

5.1 All participants must guard against unfair discrimination on any grounds (including sexual orientation, religion or beliefs, race, sex or disability). Council Members will be assessed only on their ability to perform their role.

6. Confidentiality

6.1 All HCPC employees and Council and Committee members are required to keep details of any performance appraisal in which they participate confidential. All paperwork relating to performance appraisals will be kept on the Council member's respective file, which will be maintained in a secure environment, and destroyed according to the HCPC document retention policy.

7. Chair's appraisal

7.1 The Chair will conduct a self-appraisal in much the same way as member of Council. However, the review meeting will be undertaken by an independent, non-HCPC individual who will be identified by the Chair and Director of Council and Committee Services.

7.2 Furthermore, this individual would contact the Chief Executive and members of Council directly to elicit feedback on the Chair.

7.3 The Chair would be expected to complete the same template as the Council (and Committee) members but it would include the additional competencies against which she/he was recruited. Following the review meeting, the facilitator of the Chairs meeting will produce a summary of discussions for agreement, which is signed and placed on the Chair's personal file.

8. Follow-up

8.1 Once the review form has been agreed by the Council and Committee members and the Chair, the individual training needs and other actions will be logged by the Secretariat. Training objectives will be assessed to see if there is any 'group' training that can be undertaken and individual requests will be taken up in conjunction with the Council member.

The Seven Principles of Public Life

- *Selflessness* - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- *Integrity* - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- *Objectivity* - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- *Accountability* - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- *Openness* - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- *Honesty* - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- *Leadership* - Holders of public office should promote and support these principles by leadership and example.

THE CODE OF CONDUCT

This code of conduct particularly applies to Council members whenever they take part in Council business, or whenever they represent the Council.

Council members should also bear in mind that due to the high profile nature of their role, even when they consider themselves to be working entirely in a private capacity, or for another organisation, they may still be viewed as a representative of, or an ambassador for, HCPC. They should therefore still be mindful of this code.

In addition, a Council member whose actions in another capacity may undermine their role as a Council member or public confidence in the Council, may have those actions judged against this code of conduct and action taken accordingly.

General guidelines

Council members should at all times:

- act in good faith;
- act in accordance with the Council's objective of protecting the public;
- act in accordance with the seven principles of public life as set out by the Committee on Standards in Public Life (see Appendix B);
- take personal responsibility for ensuring that they keep to the code of conduct; and
- treat others equally, fairly, and with respect.

Council members should not:

- act in a way that might bring the Health and Care Professions Council into disrepute; or
- use their position for personal gain or to promote their private interests.

Confidentiality

Most information to which Council members have access as part of their role will be in the public domain. However, there will be times when they may have access to information that is confidential. This may include papers from private sections of Council or committee meetings or information relating to HCPC employees.

Council members should not disclose any confidential information which they have been given because of their role as a Council member, other than for a proper purpose

or if they are required to do so by law. Council members should take appropriate steps to ensure that confidential papers are stored securely. Members should contact the Chief Executive if the status of any information is unclear.

If a member becomes aware of a breach in confidentiality, they must immediately notify the Chief Executive or the Chair.

Attending meetings

Council members should endeavour to attend all Council meetings, and any meetings of committees of which they are a member.

There may be circumstances in which Council members are unable to attend a meeting, in which case they should send their apologies as soon as possible to the Secretary of the Council or the relevant committee.

Where a Council member is unable to fulfil their role over a prolonged period, they will be asked to discuss their position on the Council with the Chair.

Council members' attendance records will form part of the Council members' annual performance review and particular consideration will be given to meetings where a Council member has not attended and has not given notice of their absence.

Council members' annual performance review

All Council members must participate in the annual performance review system, and follow the agreed procedure.

Breach of the Code

Any minor breach of this code of conduct will be dealt with in the first instance informally, for example by the Chair of a committee or another Council member drawing the breach to the Council member's attention during a meeting or similar.

If a Council member is concerned that another Council member may be in breach of this code, they should raise their concerns with the Chair.

However, where there is evidence of a deliberate, serious or continued breach of this code of conduct or a complaint is received about the conduct of a Council member this will be referred to the Chair, who will act in accordance with the complaints procedure set out in Appendix A and, if appropriate, will convene a special meeting of the Council.

Suspension or removal from office of a Council Member

A Council member may be suspended or removed from office in accordance with the provisions of the Health and Care Professions Council (Constitution) Order 2009.