

## Department for Environment, Food and Rural Affairs

### **Consultation on a new independent body for animal health: *A modern governance and funding structure for tackling animal diseases***

#### **Annex 6 - Procedures and principles of public appointments**

##### **Public Appointment Procedures – The Board of a Non Ministerial Department or Non Departmental Public Body**

1. The appointments process will follow the *Code of Practice* issued by the independent Commissioner for Public Appointments<sup>1</sup>. This sets out a regulatory framework for making public appointments and aims to ensure that appointments are made on merit following an open and transparent process.
2. Ultimate responsibility for making appointments to the boards of public bodies rests with Ministers. A role description and person specification for each appointment to the Board (both non-executive members and chair) will be agreed with the relevant Minister (Defra).
3. As required under the *Code of Practice* Independent Public Appointments Assessors (IPAAs) will be involved throughout the appointments process. These may be chosen using the Office of the Commissioner for Public Appointments (OCPA) Central List of Independent Public Appointment Assessors. At a minimum, these assessors will overview all main stages of the appointment process, including scrutiny of the draft application pack and any formal advertising or other publicity, and will be directly involved in short listing and interviewing.
4. To ensure transparency it is proposed that the livestock industries are represented on the scrutiny panel and that appointments are made following close consultation with the industry. This consultation will be in line with the requirements set out in the Commissioner's *Code*. It may also be appropriate to have an animal health/veterinary or other expert on the panel due to the nature of the work that the Body will be delivering. Membership of this panel could include:
  - ***When selecting the Board Chair***
    - Senior Civil Servant (Chair)
    - The independent public appointments assessor

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<sup>1</sup> The Commissioner for Public Appointments' Code of Practice for Ministerial Appointments to Public Bodies, August 2005

- Industry representative and/or independent expert
- ***When selecting other members of the Board***
    - Senior Civil Servant (Chair)
    - The independent public appointments assessor
    - The Chair of the Shadow Board (This would usually be the first appointment and would then be involved in the appointment of other Board members)
    - Industry representative or independent expert
5. The panel will aim to offer a choice of candidates, with at least two names put forward for each vacancy, for the approval of the Secretary of State. The Minister will make the final decision on appointments.

### **Terms of Appointment**

6. In line with best practice, the term for non-executive Board members will be up to 5 years. Members will be eligible for re-appointment.<sup>2</sup>
7. The length of these terms will be decided by the Minister (Defra) and will, in the first instance, be staggered so as to retain knowledge within the body as the terms expire.
8. Members of the Board will not be reappointed unless there is evidence that they have performed satisfactorily during their current term. Performance assessment procedures will be put in place in order to provide evidence for considering reappointments.
9. The appointee may resign at any time by notice in writing to the Ministers. The Ministers may terminate the appointment under certain conditions, which will be notified to the successful candidate on appointment.
10. The Seven Principles of Public Appointments are set out below.

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<sup>2</sup> It is anticipated that the initial appointment of the Chair Designate will be for 3 years from the point at which the new Body takes on its statutory functions after Royal Assent. Prior to that date the Chair Designate/Board members will act as a Shadow Board. During this transitional period, the Shadow Chair/Board members will be paid by Defra as consultants on a daily rate which is equivalent to the remuneration for the Chair Designate.

## **Seven Principles of Public Appointments**

### **Ministerial responsibility**

The ultimate responsibility for appointments is with Ministers.

### **Merit**

All public appointments should be governed by the overriding principle of selection based on merit, by the well-informed choice of individuals who through their abilities, experience and qualities match the need of the public body in question.

### **Independent scrutiny**

No appointment will take place without first being scrutinised by an independent panel or by a group including membership independent of the department filling the post.

### **Equal opportunities**

Departments should sustain programmes to deliver equal opportunities principles.

### **Probity**

Board members of public bodies 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 working must be transparent and information provided about the 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.