

Operational Management Guidance
 Appointment of REC Chairs & Vice-Chairs
 And
 Reappointment of REC Chairs and Vice-Chairs

Author: Head of Corporate Governance
Date of Release: August 2013
Version No, Status & Date: V2.2 Final 2016.03.18
Approved By: UKREDG
Supersedes Version: V1.4
Review Date: 2017.03.18
Owner: Director of Operations
Scope of Document: This document applies to HRA staff, HRA REC members and the Devolved Administration Staff and REC members as set out below

This guidance will apply within:

Country	Applicability	Comment
England	Yes / No	
Northern Ireland	Yes / No	Not applicable
Scotland	Yes / No	Read 'Scientific Officers' for RES Manager Read 'Health Boards' for HRA
Wales	Yes / No	Not applicable

This policy and procedure has been developed with consideration to the HRA's six core values: Inspiring Leadership, Integrity, Trusted, Transparent, Collaborative and Empowering. Further information on our values is available on the HRA Website.

1. Background

The Health Research Authority (HRA) attaches considerable importance to the appointment of Chair and Vice Chair positions and the influence this has on its organisational effectiveness. The HRA will expect officers to provide leadership and direction to committee members to support and take forward Research Ethics Service (RES) initiatives. The HRA will expect officers to be an ambassador for the HRA in their dealings with external stakeholders and researchers.

The standard term which a REC member may serve is five years although a second five year term may be requested. The appointment process set out below for Chairs and Vice Chairs of Research Ethics Committees is in line with the Governance Arrangements for Research Ethics Committees (GAfREC).

In Scotland, the Scientific Officers act as RES Managers and the Health Boards as the HRA.

2. Purpose

This document details a procedure which will facilitate the appointment of Research Ethics Committee Chairs and Vice-Chairs. The aim of the document is to ensure that the appointment process is fair and transparent.

The HRA recognises and actively promotes the benefits of a diverse workforce and is committed to treating all employees and volunteers with dignity and respect regardless of race, gender, disability, age, sexual orientation, religion or belief. The HRA has an *Equality and Diversity Policy*. This requires the fair and equal treatment of all staff and those individuals in non-paid membership roles. The HRA wishes to ensure that all individuals are recruited, trained and promoted on the basis of ability and the requirements of the role and those principles extend to the appointment of individuals who give freely of their time to serve voluntarily on Research Ethics Committees.

This document describes the approach to appointing REC Chairs and Vice-Chairs in a way that is free from bias and also describes how monitoring will be carried out.

3. Scope

The procedures set out in this document are designed to provide a 'bank' of individuals who have been identified as suitable for future Chairing roles as well as appointing to immediate vacancies should they arise. This will aid in making timely appointments to REC Chair or Vice-Chair vacancies. The mechanism differs from the process for appointing Chairs and Vice-Chairs following a merger of RECs which is set out in the document: *Management of Change - Closure or Merger of Research Ethics Committees* and will continue to apply.

The procedures in this document will apply to RECs in England and Scotland. Appointments in Northern Ireland are public appointments and will not be affected. Current arrangements in Wales will continue to apply.

4. Reference Documents

- HRA Chairs Allowance and Payment Policy
- Management of Change Guidance for the Closure or Merger of Research Ethics Committees
- Governance Arrangement for Research Ethics Committees (GAfREC)
- Standard Operating Procedures for Research Ethics Committees

- Interview Questions and Scoring for Chair and Vice Chair Interviews (document held in confidence by the HRA Corporate Projects and Management Support Officer).

5. Responsibilities

Responsibilities for the recruitment of REC Chairs are split into two aspects.

The interview process

The HRA Corporate Projects and Management Support Officer is responsible for arranging interviews. The Head of Corporate Governance is the Appointing Authority lead for the organisation and is responsible for Chairing the interview panel. The Appointing Authority lead is responsible overall for the interview process.

The appointment process

Following the completion of the interview process, the Research Ethics Service is responsible for the appointment of officers to particular RECs. The Operations Coordinator is responsible for holding and maintaining the bank of appointable officers. The Head of Research Ethics Service (England) will oversee this process and ensure REC Managers and Regional Managers consider future planning for their Committees.

6. Process for appointing Chairs and Vice-Chairs

- 6.1. The HRA's favoured position is normally to appoint to vacant Chair or Vice Chair positions from within a Committee. To facilitate the timely appointment to vacant positions the HRA operates a recruitment procedure which involves the appointment of REC members to a bank of appointable Chairs and Vice Chairs.
- 6.2. REC members with more than 1 years' experience who are interested in becoming a Vice Chair or Chair are invited to apply for an interview on a regular basis throughout the year.
- 6.3. This document sets out the process for appointing officers to the bank of appointable Chairs and Vice Chairs as well as the process for certain situations where it may not be possible to utilise the bank.
- 6.4. **Appointment to the Bank**
 - 6.4.1. On a regular basis, depending on expected vacancies and when the Head of RES England deems necessary, interested REC members with over one year's experience will be invited to apply for an interview to become a Chair or Vice Chair. The Corporate Projects and Management Support Officer on behalf of the Appointing Authority lead will manage this process.
 - 6.4.2. Individual REC members who express an interest in appointment will be provided with a copy of the relevant role description and will be invited to provide a written statement indicating why they wish to stand as a potential Chair/Vice-Chair and what they would bring to the role alongside a CV.
 - 6.4.3. Members will be asked to identify a referee, normally the Chair of their current committee, and may include the collective views of the committee. The Corporate Projects and Management Support Officer will arrange for a reference to be sought prior to interview.
 - 6.4.4. Upon receipt of an expression of interest and CV the Head of Corporate Governance and Head of RES (England) will shortlist the candidates. To be eligible for an interview the candidate must:
 - 6.4.4.1. Have a reference, supporting their application, from their current REC Chair or appropriate other e.g. (Vice-Chair, member, or previous REC chair)
 - 6.4.4.2. Meet the terms and conditions of service as a REC member including relevant attendance and training requirements.

6.4.4.3. Have been a REC member for a minimum of 1 year.

6.4.5. REC members who have not met their terms and conditions of service will not be shortlisted.

6.5. Interview Process

6.5.1. Selection interviews will be organised by the Corporate Projects and Management Support Officer. The Corporate Projects and Management Support Officer will arrange an interview day and invite shortlisted candidates to attend. The interviews should take place at a time and location which is convenient to the majority but may necessitate candidates travelling to other REC Centres to attend an interview. Expenses for attending an interview will be paid in accordance with the *Reimbursement of HRA Committee members' expenses policy*.

6.5.2. The selection panel should comprise:

- a. the Head of Corporate Governance or an appropriately qualified HRA manager as identified by the Head of Corporate Governance (*will Chair the panel*)
- b. the HRA Director of Operations/Head of RES (England) or an operational manager identified by the Head of RES (England)
- c. Two existing Chairs or Vice-Chairs (drawn from RECs where no member has expressed an interest) or a member of the NREAP

6.5.3. The membership of the Panel may be adjusted, with the agreement of the Head of Corporate Governance and Head of RES (England) where panel availability is a problem. At least one member of the panel should have attended recruitment and selection training.

6.5.4. A robust scoring mechanism is in place. Candidates achieving an overall rating of 16 and above are normally deemed appointable as a Vice Chair. Candidates who achieve an overall rating of 20 and above may be considered as a Chair. Candidates achieving an overall rating of 15 or below would not normally be considered as suitable for either post.

6.5.5. The interview panel will have some flexibility in making any decisions which may differ from the above scoring mechanism. For example, the panel may decide a candidate with a score of 21 is suitable to be appointed as a Vice-Chair but not suitable as a Chair at this point in time with more experience as Vice-Chair required. Or alternatively a candidate who scored 17 may still be deemed not appointable if the panel had serious concerns regarding an answer to a particular question. The panel will make this decision on a case by case basis and detail any reasons for the decision taken.

6.5.6. The interview panel has the option to request mentorships with an experienced REC Chair or initial introductory periods to help support certain candidates.

6.5.7. The *Interview Questions and Scoring for REC Chair and Vice Chair Interviews* will provide the interview panel with further information regarding the interview procedure itself and the scoring of answers.

6.6. After the interview

6.6.1. The day after the interview or as soon as possible thereafter the Head of Corporate Governance will contact, by telephone where possible, each of the candidates to provide feedback on the interview. This should include discussion of areas they performed well in, and also a discussion regarding any improvements or gaps in training or knowledge which may be helpful when they commence the role or if they were to apply for the role again.

6.6.2. The Head of Corporate Governance will confirm to the Operations Coordinator and Head of RES (England) the scores from the interview, any provisos to certain appointments such as mentorship requirements, and confirmation that the candidate has been contacted and informed of the outcome.

- 6.6.3. The Head of Corporate Governance will write to the successful candidates to confirm they are appointable as a REC Chair / Vice Chair and to specify whether they will be added to the bank of appointable officers or whether they can be appointed straight away (depending on whether a suitable vacancy is available). The Head of Corporate Governance will copy this letter to the Regional Manager, the REC Manager and the REC Chair (if applicable).
- 6.6.4. The Operations Coordinator will maintain the bank of appointable officers and ensure it is updated following each interview day.

6.7. Appointment to a REC

- 6.7.1. As a part of their role in managing the membership of their committees, REC Managers will, in collaboration with their Regional Manager, alert the Head of RES and the Operations Coordinator to anticipated Chair/Vice-Chair vacancies. Vacancies may arise at the end of the permitted maximum term of office or as a result of a change in personal circumstances or resignation.
- 6.7.2. When a specific vacancy for a REC Chair/Vice-Chair is identified, this will be brought to the attention of the RES Manager who will consult with the Head of RES (England) to identify a suitable candidate from the bank of appointable members. The HRA's favoured position is normally to appoint to vacant Chair or Vice Chair positions from within a Committee. If a suitable candidate is not available on the bank from within the REC, vacancies should generally be offered in line, with highest scoring candidate first, however some discretion is allowed to ensure the constitution of the REC is not compromised and to provide expertise where it is required. Though not mandatory it is deemed good practice to match a Lay Chair with an Expert Vice Chair (and vice versa).
- 6.7.3. The Head of RES (England) will agree the appointments with the Director of Operations and the Head of Corporate Governance. The individual identified will be contacted by the Head of RES to confirm their interest and availability. They should be offered the opportunity to discuss the vacancy with the Regional Manager and to attend a meeting of the REC as an observer and to meet with the current Chair and REC Manager of the committee if attending from outside of the REC. A member of the operations management team may accompany the member at the observation meeting.
- 6.7.4. Subject to confirmed interest, the Head of RES will liaise with the Operations Coordinator to arrange the issue of a Letter of Appointment and notify the REC Manager and Chair / Vice Chair.
- 6.7.5. The Regional Manager should ensure that the *HRA Chairs Allowance and Payment Policy* is followed, finance is informed, and the *Office Holder Payroll Starter Form* and *Bank Details (BACs) Form for Office Holders* (within the *HRA Chairs Allowance and Payment Procedure*) are completed.
- 6.7.6. For the first meeting the Vice Chair of the REC may, in the absence of the outgoing Chair, chair the meeting to allow the new Chair to observe the practice of the meeting.

6.8. Instances when appointment via the bank is not possible

- 6.8.1. There may be instances when appointment using the bank of appointable officers is not possible; for instance a sudden resignation where there are no suitable officers on the bank.
- 6.8.2. Also, whilst there will be regular invitations to REC members to apply for interview, sometimes REC members may have missed the opportunity to apply or changed their decision.

- 6.8.3. Upon identifying that there are no suitable candidates on the bank an urgent invitation will be sent by the REC Manager to the REC Committee members. This will ask any interested members who fulfil the role requirements to apply for interview with an urgent interview to be arranged.
- 6.8.4. In the event no REC members apply for the role the Head of RES will notify the Director of Operations to consider next steps. These may include in the interim seeking a REC Chair from another Committee to act as Chair, appointing an acting officer from within the Committee on a short term basis whilst an alternative is identified or potentially suspending the REC.

7. Reappointment process for Chairs And Vice-Chairs

- 7.1 The standard term of office of a Chair or Vice-Chair appointed under this process will be five years from the date of appointment. Where a member is appointed as an officer during their second term, their membership may be extended until the completion of their term as an officer. At least six months prior to the expiry of the first term, the REC Manager should bring the anniversary to the attention of the Regional Manager.
- 7.2 A Chair/Vice Chair may serve a second term of office. This application will be considered by the Regional Manager in consultation with the RES Manager. Issues which will be taken into account may include: meeting attendance; meeting the training requirements; the performance of the committee in terms of meeting timelines and the accreditation process. Subject to agreement, the Regional Manager will liaise with the Operations Coordinator to arrange the issue of reappointment documentation. Any decision to reappoint a Chair/Vice-Chair will be confirmed by (at least) e-mail. A copy of that e-mail will be provided to the REC Manager and uploaded to HARP.

8. Appointment of Alternate Vice-Chairs

- 8.1 The appointment of Alternate Vice-Chairs should be undertaken within the REC. Any member wishing to apply for the Alternate Vice-Chair position should let the Chair and REC Manager know. Once a list is drawn up of interested applicants, an interview should be arranged. The interview panel should comprise:
 - a. the Chair of the REC
 - b. the Regional Manager or Deputy Regional Manager

9. Monitoring of activities covered by the process

The REC Managers and Regional Managers will keep the membership of their committees, including the terms of office of the Chair and Vice-Chair, under on-going review to ensure continuity, the REC is constituted correctly and that a quorum can be maintained. Where upcoming vacancies can be anticipated well in advance (Chairs/Vice-Chairs approaching the end of their terms of office), the Regional Manager will alert the Corporate Projects and Management Support Officer.

The Operations Co-ordinator will maintain a central record in respect of the bank of appointable officers to ensure that the numbers and geographical distribution of those on the list is appropriate to the pattern of anticipated vacancies.

Quality Control checks and internal audits will be undertaken regularly to monitor the activities covered in this process.

10. How lessons are learnt and incorporated into the process

Regional Managers, and the Operations Co-ordinator may submit any comments on their experience of the application of this process to the RES Head of Operations to highlight any issues which may arise. These issues should be summarised and reported to the Head of Corporate Governance.

Interview panel members will be encouraged to feedback any comments on the process to the Head of Corporate Governance with the procedure updated regularly.

Findings from Quality Control checks and internal audits will be incorporated into this process.

11. Management of Documents and Records

Records for all recruitment processes will be kept by the Operations Coordinator for a period of 5 years after the interview following data protection requirements for the storing of confidential and personal information.

Any individual on the bank who is no longer a member of a REC will be removed from the list.

The REC Manager will keep a file for the appointed Chair/Vice-Chair which follows data protection requirements. Papers in respect of applications described in this document will be retained on that file as follows:

*Application Form 3 years following termination of membership

Statement 3 years following termination of membership

Letters of appointment 6 years after membership has terminated

Record of agreement to serving 2nd term of office from RES Head of Operations.

3 years following termination of membership

*Where an application form is not held for the original REC membership, this must be submitted at the time of application for the role of Chair/Vice Chair

12. Supporting paperwork/forms

A set of suggested interview questions and a scoring mechanism is held by the Corporate Projects and Management Support Officer and will be provided to the Chair of the interview panel in advance of the interview.

Supporting documentation:

Documents	Location/owner
Chair – Role Description	Intranet
Vice Chair – Role Description	Intranet
Standard letters	Operations Coordinator (G:Drive)
Invitation to interview	Corporate Project and Support Officer (G:Drive)
Successful at interview/appoint to waiting list	Head of Corporate Governance (G:Drive)
Unsuccessful at interview	Head of Corporate Governance (G:Drive)

(Chair/Vice Chair appointment letters)

(Intranet with Recruitment and Selection procedure)

Interview questions

Corporate Project and Support Officer (G:Drive)

Scoring sheet

Operations Coordinator (G:Drive)

Waiting list

Operations Coordinator (G:Drive)

13. Screening Questions - HRA Equality Analysis and Privacy Impact Assessment

EQUALITY AND PRIVACY SCREENING QUESTIONS			
FOR EVERY HRA POLICY (<i>defined by the Equality and Human Rights Commission (EHRC) as a function, strategy, procedure, practice, project, or decision</i>) PLEASE ANSWER THE QUESTIONS BELOW TO DETERMINE WHETHER FURTHER ANALYSIS IS REQUIRED.		YES / NO	If yes, please complete as required either the HRA Initial Equality Analysis and / or Initial Privacy Impact Assessment Template and copy and paste the completed assessment (s) below. This one document can be found on the Intranet.
Equality	With due regard to our Equality Duty, could this policy have the potential to have a detrimental impact on anyone with a protected characteristic?	Yes	
Privacy	With due regard to the Data Protection Act, does this policy involve the use of Personal Information?	Yes	

INITIAL EQUALITY ANALYSIS

An Equality Analysis is an examination of a proposed function, strategy, procedure, practice, project, or decision to see if it could adversely affect those with protected characteristics.

Aims and outcomes	Description / Details
Give a brief summary of the aims, purpose and outcomes of the policy / procedure in relation to equality and diversity.	<p>This document describes the approach to appointing REC Chairs and Vice-Chairs in a way that is free from bias and also describes how monitoring will be carried out.</p> <p>The HRA recognises and actively promotes the benefits of a diverse workforce and are committed to treating all employees and volunteers with dignity and respect regardless of race, gender, disability, age, sexual orientation, religion or belief.</p> <p>The HRA wishes to ensure that all individuals are recruited, trained and promoted on the basis of ability and the requirements of the role and those principles extend to the appointment of individuals who give freely of their time to serve voluntarily on Research Ethics Committees.</p>

Questions for you to answer in the analysis process	YES	NO
1. Will or does the policy / procedure directly or indirectly affect our workforce (including volunteers), stakeholders or the public?	x	
2. Could the policy / procedure involve or have an adverse impact upon the Public Sector Equality Duties to:		
• eliminate unlawful discrimination		x
• promote equality of opportunity		x
• foster good relations between people who share a protected characteristic and those who do not		x
3. If you have answered YES to any of the questions in 2. above, please explain the impact you have identified. N/A		
4. Could the policy / procedure have an adverse impact on some of our workforce (including volunteers), stakeholders or the public because they have one or more of the protected equality characteristics:	YES	NO
Race (race, colour and nationality (including citizenship), ethnic or national origins)		x
People with disabilities (including mental, physical, sensory, long term health, learning disabilities)		x
Gender (male, female)		x
Age (young and old)		x
Religion or belief (incl. non-believers)		x
Sexual orientation (lesbian, gay, bisexual)		x
Gender reassignment (the process of transitioning from one gender to another)		x
Pregnancy/ maternity		x
Marital/ Civil Partnership status		x
5. If you have answered yes to any of the protected characteristics above in question 4 please give further information about the potential adverse impact N/A		
6. Based on the responses above, please describe any actions that will be or have been taken to mitigate or minimise any negative impact for our workforce (including volunteers), stakeholders or the public. N/A		
7. Where appropriate give details of any consultation carried out related to the policy or procedure N/A		
8. Give details of any changes to be made to the policy or procedure as a result of the analysis. N/A		

If you have answered YES to any of the questions in 2 and 4 above and the answers to question 6, 7 and 8 do not mitigate and adequately address the adverse impact, you may need to complete a full Equality Analysis. Please consult the Corporate Secretary.

Full Equality Analysis required? NO

Author to type in name and date to verify analysis. (If further analysis is required, the Corporate Secretary must be informed).	NAME: Stephen Tebbutt DATE: 10.03.2016
---	---

INITIAL PRIVACY IMPACT ASSESSMENT

What is Privacy?

Privacy refers to freedom from intrusion and relates to all information that is personal or sensitive in nature to an individual

	YES	NO
Does the policy or procedure have any impact on privacy?		x
If Yes please give details below of the impact and the actions being taken to address any adverse impact. Documents stored confidentiality according to data protection requirements.		

If you have answered YES to the questions above and the answers do not mitigate and adequately address the adverse impact, you may need to complete a full PIA. Please consult the Corporate Secretary.

Full Privacy Impact Assessment required? NO

Author to type in name and date to verify analysis. (If further analysis is required, the Corporate Secretary must be informed).	NAME: Stephen Tebbutt DATE: 10.03.2016
---	---

Document Control

Change Record

Version Status	Date of Change	Reason for Change
1.0 Draft	2009.10.13	Initial draft in new format / replaces 19.11.08 version
2.0 Draft	2009.11.30	New terminology (Centre Manager) / section 11 revised / corrections
2.1 Final	2010.02.01	6.7 – add reference to involvement of NREAP (on recommendation of UKRDG)
v3.0	07.03.2011	Discussions at NRES / SHA Leads meeting February 2011
v3.0x	08.03.2011	Omit local recruitment processes / fully centralised
V4.0CP	23.09.2011	Add request for reference. Expand process to notify current REC members of vacancies.
V4.1	05/12/2011	Revised to replace SHA with HRA as the appointing authority, and to include 6.13 to accompany new Chair to first meeting.
V1.0 draft	07/03/2012	Revised to make changes suggested by NMG and include reference to associated documents, also to revise numbering of the document to make V1 HRA document.
v.1 Final	14.3.2012	Additional comments from HRA Interim CE
V1 Final	20.3.2012	Addition of reference to Scotland in the Background
v1 final	20.04.2012	Applicability information added to front cover
v1.2 (not released)	02.07.2012	Adjustment to 'reappointment process' @ 7.2 following June 2012 UKRDG
V1.3 final	14.10.2012	To remove the need to offer interviews to members of RECS where a vacancy has arisen and where members have not previously expressed an interest. Changes to staff titles and responsibilities
V1.4	01 08 2013	To add detail regarding discretion to appoint based on REC requirements. To allow the removal from the waiting list those who have not been appointed within 12 months and who are no longer a member of a REC. Changes to staff titles. Reference to HRA Chair's Allowance Payment Policy.
V2.0	16 11 2015	Updated with significant changes to the process and responsibilities section.
	16.02.2016	Reviewed by OMG and UKREDG
V2.2	18.03.2016	Minor changes requested by OMG and UKREDG (and subsequently change of job title of AA Lead)

Reviewers

Name (name of reviewer and/or management group reviewing)	Date Reviewed	Version Reviewed
UKRDG		2.0
UKRDG/NMG		1.0 draft (became V1 following establishment of HRA)
Janet Wisely		1.0 draft
Craig Gilbert		1.0 final
UKRDG/NMG		1.2/1.3 final
Joan Kirkbride, Stephen Tebbutt, Sheila Oliver		1.4 draft then final
OMG & UKREDG	16.02.2016	2.0
Stephen Tebbutt and Sheila Oliver	18.03.2016	2.2

Distribution of Approved Versions

Platform (e.g.HRA intranet or website)	Date of Publication	Version Released
To all RECs via OMEA 24		2.1 Final 2010.02.01
Extranet		4.0cp Final 2011.10.10
Extranet		4.1cp Final 2011.12.05
Extranet		1 Final 15.3.12 (became V1 following establishment of HRA)
Extranet		1.3 Final November 2012
G: Drive		1.4 Final
Intranet		2.2 Final