

Title of report	Appointment of Lay and Social Service Panel Members and reappointment of Legally Qualified Chairs to the Fitness to Practice Committee
Public/Confidential	Public
Summary/purpose of report	The purpose of the report is to recommend individuals into various roles related to Fitness to Practise Panels.
Recommendations	<p>Council is asked to:</p> <ol style="list-style-type: none"> 1. approve the appointment of 26 Lay and Social Services panel members to the Fitness to Practise Committee 2. approve the reappointment of 13 existing Legally Qualified Chairs to the Fitness to Practise Committee.
Author	Hannah Coleman, Head of Regulatory Improvement and Hearings
Responsible Officer	Chris Weir, Acting Director of Regulation
Link to Strategic Plan	<p>The information in this report links to:</p> <p>Outcome 1: People who use services are protected by ensuring the regulated workforce is fit to practise.</p>
Link to Risk Register	Risk 1: We fail to ensure that our system of regulation meets the needs of people who use services and workers.
Impact Assessments	<ol style="list-style-type: none"> 1. An Equalities Impact Assessment (EIA) was not required. 2. A Data Protection Impact Assessment (DPIA) was not required. 3. A Sustainability Impact Assessment (SIA) was not required.

Documents attached	<p>Appendix 1: Confidential list of Lay and Social Services panel members to be appointed.</p> <p>Appendix 2: Confidential details of existing Legally Qualified Chairs whose reappointment is being proposed.</p>
Background papers	None

EXECUTIVE SUMMARY

1. On average we hold 17 Fitness to Practise hearings per month (excluding case management meetings). Each full hearing requires one lay member, one social service member and one legally qualified chair to sit on the Panel.
2. We have eight lay and 16 social service members coming to the end of their maximum seven-year term in 2023. To ensure we can continue to run hearings we propose appointing a further cohort of lay and social service members as detailed in Section 3. In addition, we have 13 legally qualified chairs (LQCs) approaching the end of their current term of appointment. Their proposed reappointments are detailed in Section 5 - 7.

APPOINTMENT OF FITNESS TO PRACTISE COMMITTEE MEMBERS

3. We carried out a recruitment exercise to appoint approximately 12 lay and 12 social service panel members to the Fitness to Practise Committee. We advertised the posts with closing dates of 16 August for both roles, and a second closing date of 19 September for a re-run of the lay member role to attract more applicants. We received 87 social service member applications and shortlisted 26 for interview. We received 40 lay applications and shortlisted 24 for interview. Interviews took place throughout September and October 2022 with 13 preferred social service member candidates and 13 lay member candidates selected as listed in Appendix 1.
4. If Council approves the appointment of the candidates in Appendix 1 they will be appointed for a period of three years with an option to extend for a further period not exceeding four years.

REAPPOINTMENT OF FITNESS TO PRACTISE COMMITTEE MEMBERS

5. We appoint LQCs for a period of three years with an option to extend for two additional two-year terms (seven years in total).
6. The LQCs detailed in Appendix 2 have reached the end of their second term of appointment. There have been no unsatisfactory appraisals of these members. All LQCs have expressed an interest in reappointment.
7. Council is asked to approve the reappointments of the 13 members detailed.

IMPLICATIONS

8. If Council does not approve the appointments and reappointment, we will have insufficient members to hold the required Fitness to Practise panel hearings. This would compromise the safety of people using services and their carers.

RISKS

Legal Risks

9. We have an averse appetite towards regulatory and legal compliance.
10. We have a cautious appetite towards the effective management of our regulatory function.
11. We have a cautious appetite towards exposure to scrutiny.
12. We must run Fitness to Practise panel hearings in order to fulfil our statutory function of protecting the public and require enough panel members to achieve this. Without the appointment and reappointment of members we will be unable to timeously hold hearings required.
13. To stand up to scrutiny, we must carry out the appointment of panel members in a way that is impartial and free from apparent bias. We had an independent member of each interview panel for panel members to ensure impartiality.

IMPACT ASSESSMENTS

Equalities

14. An Equalities Impact Assessment was not required. The outcome of this report is an operational matter which does not directly impact any of the three requirements of Public Sector Equality Duty or protected groups either positively or negatively. Recruitment has followed appropriate practices to ensure a fair process.

CONCLUSION

15. Council is asked to:
 - appoint the lay and social service members listed at Appendix 1 to the Fitness to Practise Committee, subject to receipt of satisfactory Disclosure Certificates
 - reappoint the Legally Qualified Chairs listed at Appendix 2 to the Fitness to Practise Committee, subject to receipt of satisfactory Disclosure Certificates.