

The General Dental Council Standing Orders for the Non-statutory Committees of Council 2011

Preamble

The Council is governed by the Dentists Act 1984 (as amended). Schedule 1 Part 1 Section 8A gives the Council the power to regulate its own procedure by Standing Orders subject to any provision of the Act or Rules made under the Act. This means that the Standing Orders must comply with the Act and the Rules.

Standing Orders are made by Council and can be amended by Council.

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PART 1

1 Application, Commencement and Interpretation

- 1.1 These Standing Orders contain the procedures by which the Committees of Council carry out their functions and shall come into force on 23 September 2011.
- 1.2 In these Standing Orders:
 - “Act” means the Dentists Act 1984, as amended;
 - “Committee” means all those Committees of the Council other than the Statutory Committees;
 - ”Council” means the General Dental Council;
 - “OCPA Assessor” means an Independent Appointments Assessor from the Office for the Commissioner of Public Appointments or equivalent body,
 - “Statutory Committees” means all those Committees of Council mentioned in section 2 of the Act, namely the Investigating Committee, the Interim Orders Committee, the Professional Conduct Committee, the Health Committee, the Professional Performance Committee and the Registration Appeals Committee.
- 1.3 Unless otherwise stated, terms used in the Standing Orders have the same meaning as in the Act.
- 1.4 The Chair of Council, having consulted the Chief Executive and Registrar and Secretary, may give a view as to the interpretation of these Standing Orders. The Chair’s view on this shall be final.

2 Committee Chairs

- 2.1 There will be an appointments process to select Committee Chairs. Council members seeking appointment as Committee Chairs will be asked to self-nominate and to provide evidence to support their application.
- 2.2 Candidates will be invited to attend an interview and their selection will be determined by a selection panel comprised of the Council Chair, another Council member (not seeking appointment as Committee Chair) and an OCPA Assessor.
- 2.3 Committee Chairs will then be involved in the selection of Committee members.

3 Secretary

- 3.1 The Chief Executive and Registrar is the Secretary to all Committees save for the Audit Committee.
- 3.2 The Chief Executive and Registrar may appoint the Head of Secretariat, or, in the Head of Secretariat’s absence, another member of staff as appropriate, to act as Secretary. Where practicable, the Committee Chairs will be notified of the appointments.
- 3.3 The Chief Executive and Registrar shall, after consultation with the Chair, appoint a member of staff as appropriate, to act as Secretary to the Audit Committee.

4 Attendees

- 4.1 Committee Chairs may invite individuals from outside the Council to attend Committee meetings. Such individuals will have the right to receive relevant Committee papers. They may take part in the discussion, including giving advice, but may not make decisions.
- 4.2 Council members may, with the agreement of the relevant Committee Chair, attend meetings of Committees of which they are not members but may not take part in Committee discussions except with the permission of the Chair and may not take decisions or vote.
- 4.3 The Chair of Council may be a member of any Committee with the exception of the Audit Committee.

5 Arrangements for Committee meetings

- 5.1 Meetings will only be held when the Chair of the Committee is satisfied that the amount of business or the urgency of business justifies a meeting, and, where the Committee Chair so determines, a meeting shall be called.
- 5.2 The Secretary shall, except where circumstances make it impracticable to do so, notify the members of the relevant Committee, in writing, of the time, date and place of a meeting at least 5 working days in advance of the date of the meeting.
- 5.3 The Secretary shall send an agenda and papers setting out the business to be discussed at a meeting to the members at least 3 working days in advance of the meeting.
- 5.4 Following discussion with the relevant Head of Department and/or Director the Committee Chair and the Secretary of the Committee shall, by agreement, determine the content of the agenda, taking account of competing priorities.
- 5.5 If necessary, the Committee may meet by telephone conference with the agreement of the Committee Chair. The Committee shall not take any decisions under delegated authority at a meeting held by telephone conference.

6 Declarations of interest by Committee members

- 6.1 A member of a Committee who has an interest in any matter under consideration at a Committee meeting, whether or not declared in the Register of Members' Interests, shall promptly disclose that interest to the meeting.
- 6.2 A declaration of interest relevant to items on the agenda should be made at the start of the discussion of the item to which it relates and should be recorded in the minutes. In the event of a member not appreciating at the beginning of a discussion that an interest exists, the member should declare such an interest as soon as he or she becomes aware of it.
- 6.3 In any case of doubt the member should openly declare the possibility of an interest and the Chair of the Committee will decide whether it is a prejudicial interest, in accordance with SO 6.7 below.
- 6.4 If a member believes that another member present has an interest in an item for discussion and that interest has not been declared, he or she should inform the Committee Chair. The Committee Chair will establish whether or not there is an

interest which should have been declared, and will if necessary make a ruling in accordance with SO 6.7 below.

- 6.5 For the purposes of this Standing Order a member has a prejudicial interest where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.
- 6.6 If the Committee Chair decides that a member's interest in a matter is a prejudicial interest and that he or she needs to withdraw (and the Chair's ruling on this shall be final), the member shall leave the room for the duration of the discussion on that matter.
- 6.7 Members who have a prejudicial interest in relation to a particular item of business shall not count towards the quorum for the meeting whilst that item is under consideration.

7 Issues requiring urgent response between Committee meetings

- 7.1 Issues which occur between Committee meetings and requiring an urgent response and additional input beyond that provided by relevant staff, should be put by the Chief Executive to the relevant Committee Chair and Secretary, who will, where reasonably possible, consult Committee members.
- 7.2 Any response given under SO 7.1 above shall be reported at the next Committee meeting and recorded in the minutes.

8 Reporting and Expenditure of Committee

- 8.1 All Committees are directly accountable to the Council.
- 8.2 No Committee is to carry out any activity requiring expenditure beyond that which has already been approved by Council.
- 8.3 Each Committee (with the exception of the Appointments Committee) shall report after each meeting outlining any decisions taken under delegated authority and any recommendations to Council; this shall be a written report if possible.
- 8.4 Each Committee shall report annually to Council on its expenditure, its progress made against the work programme for that year and its planned work programme for the preceding year.

9 Publication of Committee agendas and papers

- 9.1 Subject to the remaining provisions of this Standing Order, all Committee agendas and accompanying papers shall be published on the extranet for Council members in advance of each meeting.
- 9.2 The Chair of a Committee, having consulted the Chief Executive and Registrar, may decide that all or any part of the agenda and/or accompanying papers shall not be published where publication would lead to the inappropriate disclosure of:
 - a) the personal data or sensitive personal data (within the meanings of the Data Protection Act 1998) of an individual;

- b) information relating to an employee or office holder, former employee, or applicant for any post or office;
- c) the terms of, or expenditure under, a tender or contract for the purchase or supply of goods or services or the acquisition or disposal of property;
- d) legally privileged information or any issue or papers relating to legal proceedings which are being contemplated or instituted by or against Council;
- e) action being taken to prevent or detect crime or to prosecute offenders;
- f) information given to the Council in confidence;
- g) any other matter, the public disclosure of which would or would be likely to prejudice the effective discharge of the Council's functions.

10 Absence of the Committee Chair

- 10.1 If the Chair of the Committee is absent from, or otherwise unable to preside at a meeting, the members present shall choose one of their number to serve as chair at that meeting.

11 Committee decisions

- 11.1 Decisions will be reached by vote on the following occasions:
- (a) when the Chair of the Committee determines that no clear consensus has emerged;
 - (b) when a member requests a vote to be taken and this is supported by at least one other member;
 - (c) in any other circumstance where the Chair of the Committee concludes that a vote should be taken.
- 11.2 Voting will be by simple majority and will be conducted by a show of hands.
- 11.3 If an equality of votes occurs the Chair of the Committee shall have a casting vote.
- 11.4 The minutes of the meeting will record the results of voting and show the numbers for and against the proposal and the number of abstentions, if any.

12 Minutes of Committee meetings

- 12.1 The Secretary shall be responsible for the preparation of minutes of each meeting which, when read in conjunction with the papers presented to the meeting, provide an accurate and authoritative record of the meeting and are sufficiently detailed to provide an audit trail of issues, and any decisions taken.
- 12.2 The minutes shall record the attendance of members.
- 12.3 At each meeting the Committee shall approve the minutes of the preceding meeting as a correct record. When the minutes have been approved they shall be confirmed by the signature of the Chair of the Committee.

PART 2 – APPOINTMENTS COMMITTEE

13 Appointments Committee

- 13.1 It shall be the general function of the Appointments Committee to assist the Council in connection with the exercise of any function relating to the appointment of members of the Statutory Committees, including the recruitment, selection, appraisal and disciplining of Statutory Committee members or particular Statutory Committee members (for example, the Chair)¹.
- 13.2 The remit of the Appointments Committee is set out at Annex 1.

PART 3 – TASK AND FINISH GROUPS

14 Remit and purpose of Task and Finish Groups

- 14.1 Council will define the remit of any Task and Finish Groups it creates and in doing so shall specify whether or not a Task and Finish Group shall report direct to it or to a Committee.
- 14.2 The purpose of a Task and Finish Group is to investigate and carry out detailed work on the development of specific, major policy initiatives over a defined period within a framework set by Council.
- 14.3 Task and Finish Groups do not make decisions.
- 14.4 Council shall specify the framework, lifespan, and frequency with which it wishes to receive reports from the Task and Finish Groups it creates.
- 14.5 Proposals from Committees for the creation of Task and Finish Groups, and the proposed membership, term and remit of such groups must be approved in advance by Council.

15 Chair and attendees of Task and Finish Groups

- 15.1 Following Council's decision to establish a Task and Finish Group, either the Council or its parent Committee, will agree its composition, including making decisions as to:
- (a) the number of members
 - (b) the number of staff, where appropriate
 - (c) a list of named external experts, where appropriate
- 15.2 Expressions of interest, which will include a supporting statement, will be invited from Council members. Where there are more expressions of interest than places available, the Chair of Council, together with the Chair of the relevant parent Committee (if any) will review all the supporting statements and determine the membership of the Group.
- 15.3 The members of Task and Finish Groups shall elect one of their number to be Chair of the Group.
- 15.4 All members of a Task and Finish Group have equal roles in fulfilling its remit.

¹ 3.(6)(a) The General Dental Council (Constitution of Committees) Rules Order of Council 2009

16 Arrangements for Task and Finish Groups

- 16.1 Other than SO 13, these Standing Orders shall apply to a Task and Finish Group as if a Committee.

Annex 1

Appointments Committee: Remit and Other Provisions

Key purpose

Ap1. To **assist** the Council in connection with the exercise of any function relating to the appointment of members, including the recruitment, selection, appraisal and disciplining of statutory committee members or particular statutory committee members (for example, the chair).²

Delegated powers

- Ap2. To appoint (or re-appoint) persons to serve on the following statutory committees–
- a. the Investigating Committee;
 - b. the Health Committee;
 - c. the Interim Orders Committee;
 - d. the Professional Conduct Committee;
 - e. the Professional Performance Committee; and
 - f. the Registration Appeals Committee
- Ap3. To determine the duration of the term of office of statutory committee members on their appointment or reappointment³
- Ap4. To appoint, from amongst the statutory committee members, persons to act as chairs of the statutory committees (“panel chairs”)⁴
- Ap5. To approve a learning and development plan for statutory committee members and receive assurances from the Executive that the plan is being implemented effectively
- Ap6. To approve an appraisal process for statutory committee members and receive assurances from the Executive that the process is being implemented effectively
- Ap7. To deal with issues relating to the conduct and performance of statutory committee members in accordance with the Disciplinary Procedure
- Ap8. To suspend or remove statutory committee members from office in accordance with the General Dental Council (Constitution of Committees) Rules Order of Council 2009
- Ap9. To obtain external legal or other professional advice as necessary via the Secretariat⁵
- Ap10. On the request of Council, to assist with the recruitment and selection of candidates to any other Office

Reporting to Council

Ap11. The Appointments Committee (“the Committee”) will provide the Council and the Chief Executive and Registrar with an annual report covering the year and any significant issues up to the date of preparing the report. The report will summarise the Committee’s activity for the year and bring to the Council’s attention any pertinent issues concerning the recruitment, selection, appraisal and disciplining of members.

² 3.(6)(a) The General Dental Council (Constitution of Committees) Rules Order of Council 2009

³ 4.(4) The General Dental Council (Constitution of Committees) Rules Order of Council 2009

⁴ 5.(1) The General Dental Council (Constitution of Committees) Rules Order of Council 2009

⁵ “If this information cannot be provided in house, the Secretariat budget for 2011 includes provision for seeking external legal advice.”

Ap12. The Appointments Committee will periodically review its own effectiveness and report the results to the Council.

Meetings

Ap13. The Appointments Committee will meet at least three times a year. The Chair of the Appointments Committee, the Council, the Chair of Council or the Chief Executive and Registrar may convene further additional meetings if there is urgent or additional business to be transacted; consideration will be given to the budgetary implications of holding additional meetings.

Ap14. The Chair of the Council is not a member of the Appointments Committee and may only normally attend meetings of the Committee at the invitation of the Committee Chair.