

SKIPTON FUND: APPEALS PANEL

The appointment of a Panel Chair and four Panel Members

Information pack for applicants

The closing date for receipt of applications for this post is

28 APRIL
~~xxx~~ **2006**

Electronic versions of this information pack are available from our website at www.appointments.org.uk/vacancies

Recruitment Services
NHS Appointments Commission
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West One
Duncombe Street
Leeds
LS1 4PL
Tel: 0870 240 3802
Email: info@apcomm.nhs.uk

Please quote Ref NAT216 in all correspondence

Contents:

About the Appeals Panel

- Role of the Appeals Panel
 - Terms of reference
-

About the posts

Qualities required

- Chair
- Medical Members
- Lay Member

Duties and role

Time commitment

Fees

Appointments and Tenure of Office

Applying for a post through the NHS Appointments Commission

About the NHS Appointments Commission

How we will handle your application

Guidance on completion of the application form

Dealing with your concerns

Application form

THE ROLE OF THE SKIPTON FUND APPEALS PANEL

The Government (all four UK administrations) have collectively established a scheme to make ex-gratia payments to individuals infected with hepatitis C as a result of receiving NHS blood or blood products. A private company limited by guarantee (called the Skipton Fund) has been established to operate the scheme and make payments. The scheme has been in operation since 5th July 2004.

The scheme provides for two levels of payments, the first for individuals who develop chronic hepatitis C infection, with a further second payment for those who go on to develop cirrhosis or primary liver cancer, as a direct result of hepatitis C infection due to NHS blood or blood products.

Claims are assessed and decided by the Skipton Fund based on evidence submitted by the claimant. Clearly not all these claims are successful and claimants have the right to appeal to the independent Appeals Panel, against the decision of the Skipton Fund.

The secretariat for the Panel is provided by the Skipton Fund.

Terms of Reference

The role of the Appeals Panel is to reconsider the cases of any claimants who appeal against individual decisions made by the Skipton Fund. The Panel will look at how the decision was reached and examine all available evidence, or seek further written evidence where necessary, in order to either confirm or change the Skipton Fund's decision. In considering the evidence the Appeal Panel will look solely at the written evidence and will not seek personal attendance. The Panel will not be able to consider appeals against the ex-gratia payment scheme itself, but only to examine the process to determine the claims within the terms of the scheme.

Appeals may be made against decisions concerning both stage 1 and stage 2 payments. For stage one appeals, the Panel will need to determine whether, on the balance of probabilities, chronic hepatitis C infection resulted from receipt of NHS blood or blood products, and for stage two appeals, the likelihood, on the information provided, that the claimant has developed cirrhosis or primary liver cancer.

Constitution of the Appeals Panel

The Appeals Panel will be chaired by a legal professional and will consist of three medical members (a general practitioner, a haematologist and a hepatologist) and a lay member.

Arrangements will be put in place for the Appeals Panel to take additional expert hepatological advice (to review the evidence in favour of cirrhosis

where claims for the second payment have been turned down) should this prove necessary.

SKIPTON FUND APPEALS PANEL - QUALITIES REQUIRED

CHAIR

Essential

You must:

- ◆ Be a Queen's Counsel or a senior lawyer;
- ◆ Have leadership skills and an ability to work equally with professionals and lay people;
- ◆ Be able to engage in and lead informed debate with other members who may have differing views, and form a consensus
- ◆ Be able to analyse complex information and make impartial judgements;
- ◆ Have excellent communication skills and be able to present your views in a clear and straightforward manner;
- ◆ Have the ability to be objective and remain dispassionate whilst retaining empathy and a non-judgemental approach;

Desirable

You might:

- ◆ have experience of official Committees or tribunals

MEDICAL MEMBER

Essential

You must:

- ◆ Be one of the following:
 - A haematologist – preferable with an interest in transfusion medicine and/or haemophilia
 - A Hepatologist
 - A General Practitioner
- ◆ Be an acknowledged expert in your particular field
- ◆ Be able to work equally with professionals and lay people;
- ◆ Be able to engage in informed debate with other members who may have differing views, and form a consensus
- ◆ Be able to analyse complex information and make impartial judgements;

- ◆ Have excellent communication skills and be able to present your views in a clear and straightforward manner;
- ◆ Have the ability to be objective and remain dispassionate whilst retaining empathy and a non-judgemental approach;

Desirable

You might:

- ◆ have experience of official Committees or tribunals

LAY MEMBER

Essential

You must:

- ◆ Be able to represent public opinion and bring a non-scientific perspective to the work of the Panel;
- ◆ Be able to work with professionals;
- ◆ Be able to engage in informed debate with other members who may have differing views, and form a consensus
- ◆ Be able to analyse complex information and make impartial judgements;
- ◆ Have excellent communication skills and be able to present your views in a clear and straightforward manner;
- ◆ Have the ability to be objective and remain dispassionate whilst retaining empathy and a non-judgemental approach;

Desirable

You might:

- ◆ have experience of official Committees or tribunals

Role of Panel Chair and Members

The Panel Chair and Members have a collective responsibility for the operation of the Appeals Panel. They will be required to:

- ♦ engage fully in collective consideration of each case, taking account of the information available, including the substance and principles of the Scheme;
- ♦ reach fair and considered decisions in what can be difficult situations; engage fully in collective consideration of each case, taking account of the information available, including the substance and principles of the Scheme;
- ♦ act within the terms of the Appeals Panel 's remit.

Communications

Panel members will not communicate directly with claimants, their caring physicians or any physicians involved with their applications. Administrative tasks will be carried out by the Skipton Fund who will present appeals for consideration by the Appeals Panel. The Appeals Panel will submit its decisions directly to the Skipton Fund, who will be obliged to accept those decisions. Should Panel members require any further information about the case when considering an appeal, it should be requested on behalf of the Panel by the Skipton Fund.

Training

Training requirements will be considered by the Chair of the Appeal Panel, during the induction of new Appeal Panel members.

Time commitment and location

It is anticipated that the Appeals Panel will meet in London several times initially to clear the backlog of appeals outstanding, which currently stands at around 50. Once that is complete, it is envisaged that the Panel will meet for up to a day approximately twice a year, though this will depend on the number of appeals received.

Fees and allowances

- ♦ The following rates of daily attendance fees will be paid:
 - Chair – £200
 - Medical members - £140
 - Lay member - £100

- ◆ Fees are taxable under Schedule E and subject to Class 1 National Insurance contributions. They are not pensionable.
- ◆ The Panel Chair and Members also eligible to claim allowances at rates set centrally, for travel and subsistence costs necessarily incurred on Panel business.

Appointments and Tenure of Office

- ◆ The NHS Appointments Commission makes appointments to the Appeals Panel on behalf of UK Health Ministers. Terms of appointment will be for periods of up to 3 years; Chairs and Members may serve up to a maximum of 10 years.
- ◆ The appointment can be renewable at the end of the first period of office, subject to satisfactory appraisal and the needs of the Panel. There should therefore be no expectation of automatic reappointment.
- ◆ You should also note that this post is a public appointment or a statutory office rather than a job and is not subject to the provisions of employment law.
- ◆ All members on appointment are required to subscribe to a Code of Practice, which will be made available to all Appeal Panel members. The Code contains a requirement to declare any potential conflict of interest that might arise in the course of Panel business. Any relevant business interests, positions of authority or other connections with commercial, public or voluntary bodies will need to be declared and will be made public.

In exercise of its duties, the Panel and its Chair and Members should ensure that it continues to observe the highest standards of propriety including impartiality, integrity and objectivity.

APPLYING FOR A POST THROUGH THE NHS APPOINTMENTS COMMISSION

ABOUT THE NHS APPOINTMENTS COMMISSION

The NHS Appointments Commission was established in April 2001 to make all Chair and non-executive appointments to NHS Trusts, Primary Care Trusts and Health Authorities and has also been delegated the powers to appoint members to the Skipton Fund Appeals Panel.

In setting its remit, the Secretary of State for Health requires the Commission to ensure that all the procedures it uses for recruitment and appointment are open and transparent and take account of the procedures set by the Office of the Commissioner for Public Appointments.

The Chair of the NHS Appointments Commission is Sir William Wells and he is supported by eight Regional Commissioners who are responsible for the integrity of the appointment process.

All appointments are made on merit in accordance with the Code of Practice laid down by the Commissioner for Public Appointments who monitors appointments to all public bodies and ensures that all appointments are made on merit after fair and open competition.

HOW WE WILL HANDLE YOUR APPLICATION

The advertisement or this application pack will give you details of the specific vacancies for which you can apply.

- ◆ We will acknowledge receipt of your application form.
- ◆ The short-listing panel will first assess your completed form to see whether you have the general personal qualities and skills specified for the post for which you have applied. The candidates who best demonstrate that they have the specified skills will be selected for interview. We will let you know whether or not you will be interviewed.
- ◆ Short-listing and interview panels normally consist of three or four members.
- ◆ You will be asked questions by the interview panel to assess whether you can demonstrate that you have the qualities specified.
- ◆ If, in the view of the panel, you have the skills for the post and are one of the best candidates, your name will be recommended to the board of the NHS Appointments Commission who will make the final decisions.
- ◆ If you are successful, you will receive a letter from the Chair of the NHS Appointments Commission formally appointing you as Chair or member of the Skipton Fund Appeals Panel.
- ◆ If you are not selected you will be notified by the NHS Appointments Commission.

We will deal with your application as quickly as possible and will advise you of the likely timetable at each stage.

The closing date for receipt of completed application forms is xxx 2006

GUIDANCE ON THE COMPLETION OF THE APPLICATION FORM

FORM 1:

Part 1: Your personal details

As these are public appointments, basic information about those appointed is made public in a variety of official publications including press releases, the NHS Appointments Commission Annual Report, and the Cabinet Office's database of public appointments on the internet. This information includes:

- Full name
- Date of birth/gender
- Postal town
- Occupation type
- Brief career history/pen picture
- Type and period of appointment
- Remuneration paid
- Details of any ministerial appointments held
- Details of any political activity declared

Part 2: Post/s applied for

Please let us know your area of expertise. You may apply for any post for which you feel you are qualified.

Part 3: References

Your referees will not be approached unless you are invited for interview.

Parts 4 : Additional information

CV and continuation sheets

It may not always be possible to provide all the information we need in the space available on this application form. You should, therefore, attach a full CV and any continuation sheets necessary when returning the form. Please keep a copy of the form and any additional information you may send us.

Please make sure that you have read the list of qualities required for the post and any specific requirements before completing your form and preparing your supporting documentation. Your application should include evidence that you have as many as possible of the qualities required.

Part 5: Declaration of interests

Public bodies are expected to maintain a register of members' interests to avoid any danger of board members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties. All board members are therefore expected to declare any personal or business interest which may influence, or may be *perceived* to influence, their judgement. (This should include, as a minimum, personal direct and indirect financial interests, and should normally also include such interests of close family members. Indirect financial interests arise from connections with bodies which have a direct financial interest, or from being a business partner of, or being employed by, a person with such an interest.)

FORM 2: MONITORING INFORMATION

Parts 1, 2 and 3: Equal opportunities

We welcome applications from all sections of the community and are particularly anxious to ensure proper representation on boards of women, people from ethnic minorities and disabled people. All appointments are based on merit and the principles of independent assessment, openness and transparency of process.

Part 4: Ministerial appointments

Candidates for appointment are required to give full information about any ministerial appointments they hold. You should also include details of any current NHS board appointments you hold. Please ensure that you include full details of the body to which you have already been appointed, the period of appointment and annual remuneration or daily fees paid.

Part 5: Publication of monitoring information

Information is collected for monitoring purposes about ethnic origin, disability and political activity to ensure that the appointment process is fair and open. The Department of Health may ask the Appointments Commission to provide statistical information on ethnic origin and disability in response to Parliamentary Questions and other public enquiries. However, in line with Government policy, and in accordance with the provisions of the Data Protection Act, information about the ethnic origin and disability of **individuals** will only be made publicly available with the consent of the person involved. The application form asks individuals whether they are happy for this information to be made publicly available.

Part 6: Political Activity

Whether you are politically active in any way will not be a factor in the consideration of your application. Information on political activity is requested as required by the Commissioner for Public Appointments and is used for monitoring purposes only. It is not made available to short-listing or interview panels or to the board of the Commission.

DEALING WITH YOUR CONCERNS

In the first instance

For queries about your application, please telephone the Recruitment Services Centre on 0870 240 3802

If you are not completely satisfied

We aim to process all applications as quickly as possible and to treat all applicants with courtesy. If you feel that you have any complaints about the way your application has been handled, we would like to hear from you.

Please write to:

Sir William Wells
Chairman
NHS Appointments Commission
1st Floor, Cheapside House
138 Cheapside
London EC2V 6BB

Taking it further

The Commissioner for Public Appointments, Dame Rennie Fritchie, regulates and monitors ministerial appointments to public bodies and appointments made to NHS boards by the NHS Appointments Commission.

The Commissioner for Public Appointments has produced detailed guidance which the NHS Appointments Commission is required to follow. If you have reason to complain about the way your application for appointment was handled, you should first direct your concerns to Sir William Wells at the above address.

If, after receiving a comprehensive response you are still concerned, you can write to the Commissioner for Public Appointments at the address below:

The Office of the Commissioner for Public Appointments (OCPA)
35 Great Smith Street
London
SW1P 3BQ