

# Ofcom



## APPOINTMENT OF BOARD MEMBER FOR SCOTLAND

### CANDIDATE INFORMATION BRIEF

JUNE 2017

Saxton Bampfylde

# 01 BACKGROUND

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## ABOUT OFCOM

Ofcom is the regulator for the UK communications industries, with responsibilities across television, radio, telecommunications, wireless communications and postal services. It operates under legislation including the Communications Act 2003 and the Postal Services Act 2011. Ofcom is accountable to Parliament but is independent of both Government and those it regulates.

Ofcom operates at the cutting edge of the digital communications industries in the UK, with a duty to further the interests of citizens and consumers, encouraging and enforcing competition. It has responsibility for overseeing television and radio broadcasting throughout the United Kingdom including, from April 2017, regulating the BBC under its new Charter; it is responsible for the universal service obligation in the postal sector; ensuring the effective use of spectrum; and that a wide range of electronic communications services are available (such as broadband and mobile telephony).

## BACKGROUND TO BOARD MEMBER FOR SCOTLAND

Following the Scottish independence referendum on 18 September 2014, Lord Smith of Kelvin was asked to convene cross-party talks and facilitate an inclusive engagement process across Scotland to produce recommendations for further devolution of powers to the Scottish Parliament. That process led to the Smith Commission Agreement, published on 27 November 2014. This made several proposals specific to the Office of Communications (Ofcom), including the provision of a formal consultative role for the Scottish Government and Scottish Parliament in setting the strategic priorities for Ofcom with respect to its activities in Scotland.

As noted in the Memorandum of Understanding between the UK Government, Scottish Government, Scottish Parliament and the Office of Communications, section 1 of the Office of Communications Act 2002, as amended by section 65 of the Scotland Act 2016, provides that the Scottish Ministers have the power to appoint a member of the Ofcom Board.

The Smith Commission Agreement made clear this should be a person who is capable of representing the interests of Scotland. Prior to the appointment, the Scottish Government will consult the Secretary of State for Culture, Media and Sport so the Secretary of State can ensure that the Board will function effectively as a whole. The appointee will have the same UK-wide responsibilities as other non-executive members of Ofcom.

To reflect the UK-wide nature of Ofcom's responsibilities and that Ofcom is a UK public body, this appointment will be made in accordance with the Cabinet Office's *Governance Code on Public Appointments* not the 2013 Code of Practice for Ministerial Appointments to Public Bodies in Scotland.

## ROLE OF THE BOARD

The Ofcom Board currently comprises nine Directors (currently six Non-Executive Directors including the Chairman and Deputy Chairman and three Executive Directors; non-executive directors will also be appointed in due course by the Welsh Government and the Northern Ireland Executive). The Board provides strategic direction and has oversight of Ofcom's statutory duties and responsibilities, its adherence to the principles of good corporate governance and Ofcom's commitment to carrying out its duties with independence and impartiality.

The Board acts on a collective basis. It takes decisions after considering recommendations made to it by the Ofcom Executive, which has operational responsibility and answers to the Board. The work of both the Board and Executive is informed by the contribution of a number of advisory bodies.

The Board meets monthly (except August). Meetings are held on a Tuesday normally from 9.00am to 2pm. There are also a number of Board sub-committees on which members are expected to sit.

The Ofcom Board meetings are formal: agendas and notes/minutes of meetings are published regularly on Ofcom's website. Meetings are usually held at Ofcom's London offices. Board members will sometimes be expected to attend meetings/functions in different parts of the UK.

## 02 THE ROLE

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Ofcom is seeking to further strengthen and balance the skills around the Board table with a new Board appointment during 2017.

The individual will have a business/commercial background, ideally with an interest in or understanding of the telecommunications sector or similar large scale service or retail undertakings. The individual should be at ease with fast moving high technology environments where innovation is commonplace and value chains are being constantly adapted and disrupted. The ability to translate technology innovation into potential market effects and structural shifts would be an advantage. He/she should understand the consumer interest in such environments.

This individual will also be expected to understand and participate in all the Board's discussions across its entire remit, including the impact of convergence on regulation across broadcasting including the BBC, fixed-line and mobile telecoms, postal services and spectrum.

The individual will be appointed as a Member of the Ofcom Board by Scottish Ministers (following consultation with the Secretary of State) and will have the same UK-wide responsibilities as all other non-executive Members of the Board. The appointed person will be able to contribute strongly to Board consideration of the wider context of challenges that face poorly served consumers across the UK e.g. people living in remote rural areas. They should also be familiar with engaging with Parliaments and Governments, including in a devolved context.

## 03 PERSON SPECIFICATION

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The candidate will be expected to meet the following criteria:

- understanding of issues affecting the communications sector in Scotland;
- knowledge and understanding of the political and constitutional context in Scotland;
- the ability to understand the business and economic principles underpinning the broadcasting, telecommunications and postal sectors in the digital environment;
- sound judgement and decision-making to ensure successful delivery in a highly complex organisation;
- an appreciation of the competitive and consumer dynamics of these fast changing sectors; the ability to operate at Board level and be team players working with the Chairman and other colleagues; and
- personal integrity of a high order; demonstrable understanding of Ofcom's need to make independent judgements under pressure; no conflicts arising from any commercial or political interests.

## 04 TERMS OF APPOINTMENT

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This appointment is for up to 4 years. The successful candidate must be prepared to commit to one to two days per week. In addition to attending meetings of the Board, the new member will be expected to serve on one or more Board Committees (including the Audit, Remuneration and Nominations Committees).

The appointee will be expected to strengthen understanding of technological innovation and related commercial models, in addition to associated policy and regulatory issues on the Main Board, represent audiences in Scotland and work with Board colleagues from the Nations. The successful candidate therefore will be expected to play a key role in respect of the Nations Committee and be willing to chair it if called upon, in addition to attending the Advisory Committee for Scotland.

Each of the short-listed candidates will have an opportunity to visit Ofcom and to be briefed by the Chairman, Chief Executive, Director of Ofcom Scotland and by other members of the Board.

### **Remuneration**

The fee for the role for up to 2 days a week is £42,519 per annum.

### **Expenses**

All reasonable and properly documented expenses incurred in performing the duties of this role will be reimbursed in accordance with Ofcom's expenses policy.

## HOW TO APPLY

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Saxton Bampfylde Ltd is acting as an employment agency advisor to Ofcom on this appointment. Candidates should apply for this role through our website at [www.saxbam.com/appointments](http://www.saxbam.com/appointments) using code QYXE.

Click on the 'apply' button and follow the instructions to upload:

- A detailed CV (no more than 3 pages) – this should provide details of your education and qualifications, employment history, directorships, membership of professional bodies and details of any publications or awards;
- A covering letter (no more than 2 pages) – setting out how you meet the criteria – please make sure you refer to the contents of this document;
- Diversity monitoring form; and
- Declaration of conflict of interest form.

The Diversity Form will be kept separately from your application and Conflicts of Interest Form, and will not be seen by the selection panel.

The closing date for applications is noon on Thursday 20 July 2017.

If you are unable to apply through the website, please email [belinda.beck@saxbam.com](mailto:belinda.beck@saxbam.com) quoting reference QYXE.