



Department for  
Business, Energy  
& Industrial Strategy

**acas** working  
for everyone



The Commissioner for  
Public Appointments



## **Advisory, Conciliation and Arbitration Service (Acas)**

**Council Member**

**Applicant Pack**

**December 2020**

## Ministerial Foreword

Dear Candidate,

Thank you for your interest in becoming a Council Member for Acas (Advisory, Conciliation and Arbitration Service). Acas Council Members play a key role in the strategic direction of the organisation. We are seeking new members who understand contemporary workplace relations, the wider labour market, and who are able to shape and support the organisation's aims and ambitions.

Acas is an independent and impartial Non-Departmental Public Body which is sponsored and largely funded by BEIS, and operates independently of ministers. It has statutory responsibilities to promote the improvement of employment relations and to provide conciliation services. Acas provides individuals and businesses with services which support better employment relations, including a telephone helpline, online guidance and workplace training and advice.

Acas contributes to delivering a competitive, efficient and effective labour market which supports economic growth and employment and has an important role in supporting BEIS and wider government objectives. We are looking for the best and brightest, and welcome applications from people of all walks of life who can drive this important agenda.

This role offers personal and professional challenges and is very rewarding. If you have the experience, skills and drive we are looking for, I hope that you will consider applying for this post.

***Paul Scully MP***

***Minister for Small Business, Consumers and Labour Markets***

## Vacancy Description

### The Organisation

Acas is Britain's leading specialist on workplace relations and is at the forefront of supporting employers and employees to build better working lives for all. Acas has a rich history of employment relations coupled with deep knowledge and expertise which underpin its success.

Acas has its origins in the 19<sup>th</sup> century when the government set up a voluntary conciliation and arbitration service. It remained under the government control for some time and had several incarnations, becoming the Industrial Relations Service in 1960 and the Conciliation and Advisory Service in 1972.

Legislation in the mid-seventies brought key developments. The Employment Protection Act of 1975 established the Advisory Conciliation and Arbitration Service, Acas, which was launched in 1976. Unlike its predecessors Acas was, and remains, independent of government control with a tri-partite Council to direct it.

Acas support good relationships between employers and employees which are key to business success. When things go wrong Acas help by providing conciliation to resolve workplace disputes, and they offer free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. Acas also deliver high quality training and tailored advice to employers. Their expertise is based on millions of contacts with employers and employees each year.

### Vision and Ambitions

Acas' vision is to make working life better for everyone in Great Britain. It has ambitions which drive activity to deliver the vision by:

- Promoting good practice in the workplace,
- Resolving workplace disputes,
- Helping employers to be compliant with regulation,
- Advising employees and workers to understand their rights,
- Using insight to inform policy.

### Acas' Services

Acas are Britain's workplace experts, and their work is delivered through three strategic aims:

a) *Advising on good practice in everyday working life*

Acas provides expert advice, guidance and training on workplace relations and employment law. It does this through a range of online, telephone and face-to-face services to both employers and employees.

b) *Resolving disputes and managing conflict at work*

Acas is at the forefront of resolving workplace disputes with its statutory conciliation service, which prevents most claims from reaching employment tribunal. It also offers conciliation services for collective disputes, often preventing industrial action and enabling a constructive route out of difficult situations, for example British Airways and Northern Rail in recent months. These services offer value for money to the taxpayer and reduce the harmful impact of workplace disputes.

c) *Influencing employment policy and debate*

Acas uses its strategic voice to influence the world of work and workplace relations, both regionally and nationally. It engages audiences through a range of channels including policy papers and events to shape thinking and provide independent expert commentary on emerging trends. It offers its insight to government and other stakeholders on all aspects of workplace relations.

## **Acas Council**

The Acas Council was established by statute to set the strategic direction and priorities of Acas and to safeguard its independence. The Acas Council consists of a Chair and eleven members who represent employer, worker, or independent interests; all are appointed by the Secretary of State for Business, Energy, and Industrial Strategy (BEIS).

The Council also makes sure that Acas:

- Properly safeguards public funds and works as economically, efficiently, and effectively as possible,
- Responds promptly to public requests for information,
- Operates sound environmental policies and practices,
- Observes high standards of corporate governance at all times.

The current Chair is Clare Chapman.

The current Council members are:

- Neil Carberry (Chief Executive of the Recruitment and Employment Confederation);
- Mike Clancy (General Secretary and Chief Executive of Prospect);
- Anne Davies (Dean of Oxford Faculty of Law and Professor of Law & Public Policy);
- Mike Gooddie (Director of Human Resources for the Canal & River Trust);
- Jayne Haines (Senior Vice President of Talent, Learning & Organisation Development at GSK);
- Sally Hunt (former General Secretary of the University and College Union);
- Susan Jordan (former Vice President of HR at Retails UK and Ireland);
- Christina McAnea (Assistant General Secretary at Unison);
- Jane McNeill QC (member and former Head of Old Square Chambers);
- Paul Nowak (Deputy General Secretary of the Trades Union Congress);
- Ben Summerskill (Director of the Criminal Justice Alliance).

(some terms in office end in 2020)

The Acas Council meets every two months and is responsible for setting the overall strategic direction of Acas, for determining its priorities and for overseeing the development of Codes of Practice and guidance on workplace matters.

Acas is staffed by Civil Servants and is led by a full-time Chief Executive, Susan Clews. Susan chairs the Executive Board and is responsible for the running of Acas' operations in line with Council strategy, and she is also Acas' Accounting Officer. Further information about Acas can be found at [www.acas.org.uk](http://www.acas.org.uk)

### **The Role**

As a member of the Acas Council you will provide strategic guidance on the work of Acas. You will work closely with the Chair of Acas and the Chief Executive ensuring the Council and executive operate effectively and with propriety. Members assist the Chair in ensuring the Council holds the executive to account for delivery against its strategic and business plans and for the efficient discharge of its statutory functions.

You will contribute to the development of Acas policy and guidance, which will inform our work with employers, employees, and government. Your experience will be used to tailor responses to public consultations, Codes of Practice, and how Acas respond to the changing world of work.

You will be uniquely placed to support Acas' agenda to influence and engage with key industries across Great Britain. This may involve speaking engagements on behalf of Acas and some travel. There will be opportunities to join working groups and round-table discussions on topical workplace challenges, for example Non-disclosure agreements and zero hours contracts.

The Council is a tri-partite body with representation of employers, workers, and independents. A breakdown of these is below. For all roles we are seeking candidates who meet the essential and desirable criteria set out below.

### ***Employer Council Member Role***

Candidates for the employer roles should have a good understanding of employment issues facing employers/businesses in the UK. Candidates are expected to have held or currently hold a senior leadership position with an employer or are a senior member of an employer association. Candidates must demonstrate business acumen and experience of having led strategic change in the workplace.

### ***Worker Council Member Role***

Candidates for the worker role should have a sound understanding of issues facing workers in the UK. Candidates are expected to hold a senior leadership position within a trade union or an employee representative body. Candidates must demonstrate a clear understanding of employee relations within the working environment.

### ***Independent Council Member Role***

For the independent member (neither an employer nor employee representative) we are looking for people who have a demonstrable understanding of labour market issues, employment relations or workplace good practice.

## **Person Specification**

The ideal candidate will have interest in and experience of work in the field of employment relations, workplace policy and dispute resolution. They will be passionate about bringing a positive change to working life across Great Britain. They will demonstrate understanding around the ambitions of the organisation and share insight on how Acas can grow and develop to meet its goals.

## **Selection Criteria**

Candidates should be willing to work alongside colleagues from a variety of backgrounds and provide constructive challenge when required. Candidates should be driven and open to supporting Acas as and when priorities change. Other essential and desirable criteria are listed below:

### **Essential criteria:**

- Ability to work at senior leadership level.
- Strategic thinking in an organisational context.
- Ability to contribute to consensus decision making on complex issues while maintaining independence of mind.
- An understanding of issues relating to employment relations and good workplace practice.
- Ability to build constructive and effective relationships.
- Excellent communication skills, both verbal and written.
- Personal commitment to improving workplace relations practice and effectiveness.

### **Desirable:**

- A solid understanding of corporate governance, financial control and reporting, performance, and delivery.
- Proven experience of audit and risk management.

## **Terms of Appointment**

### **Term Length**

Appointments are for three years with the possibility of reappointment for a second term, subject to satisfactory performance appraisals and ministerial approval. The maximum term length for any individual is nine years (three terms).

### **Remuneration**

The time commitment is on average three days per month with at least six Council meetings per year. Part of this commitment includes attendance at an external planning and review event and members are also expected to attend other sub-committees as required. Sub-committees meet at least three times a year.

In addition to attendance at these meetings, Council members are expected to participate in sub-groups which advise on the production of new codes of practice and employment relations guidance issued by Acas.

Council members may not use any information learned through their Acas duties for personal gain or use their position to promote their private interests or those of anyone connected to them. Nor may they discuss or decide upon matters that affect them. They must declare any personal or business interests that might conflict with their responsibilities as Council members.

Members receive an annual remuneration of £1,695 in addition to £172 for each day of attendance plus reasonable travel and subsistence expenses

### **Member Liability**

The Department will provide that where a Council Member has acted honestly, reasonably, in good faith and without negligence they will not have to meet out of their own personal resources any personal civil liability which is incurred in the execution or purported execution of their Commissioner functions.

### **Standards in public life**

Candidates must confirm that they understand the standards of probity required of public appointees outlined in the 'Seven Principles of Public Life' drawn up by the Committee on Standards in Public Life.

### **Security Clearance**

Successful candidates must meet the security requirements before they can be appointed. The level of security needed is Baseline Personal Security Standard (BPSS).

## **Selection Process**

### **Timeline**

Closing date for applications: 10 January 2021

Shortlist panel meeting: To be confirmed

Panel interviews: To be confirmed

Successful candidates take up post: To be confirmed

### **Advisory Assessment Panel**

The advisory assessment panel will comprise:

- Emma Waite, BEIS, Deputy Director of Labour Markets – Chair
- Clare Chapman, Chair of Acas – Partner Organisation Representative
- Erik Wilson, COO of the Competition and Markets Authority - Independent Panel Member

### **Additional Information**

Please tailor your application to show how you meet the criteria listed. You should set out in your suitability for the role and how you meet the essential and desirable criteria set out in the person specification.

If you are shortlisted, due diligence will be carried out and your referees are likely to be contacted.

You will be asked to prepare some identification documents if you are invited to an interview – further information will be provided closer to the time. Interviews are likely to be held remotely through Microsoft Teams.

## How to Apply

For us to progress your application, you must submit both of the following documents before **11pm on 10 January 2021**. You **must** submit:

- a curriculum vitae; and
- a supporting statement

by email, with the subject “**Acas Council Members**” to:  
[publicappointments@beis.gov.uk](mailto:publicappointments@beis.gov.uk)

**If you do not submit both a curriculum vitae and a supporting statement by 11pm on 10 January 2021, your application will not be progressed any further. Late applications will not be accepted.**

We also ask that you complete an online application form, including diversity monitoring information, which can be found [here](#).

Your **curriculum vitae** and **supporting statement** must each be no longer than **two** pages in length.

If you submit documents which are longer than two pages, any **information not contained within the first two pages of each document will be disregarded and will not be seen by the assessment panel.**

Applicant packs can be provided in other formats upon request.

As a Disability Confident Leader, BEIS will offer interviews to disabled candidates who meet the published minimum requirements for a job or role. If you wish to apply for consideration under this scheme, please complete the declaration in the Diversity Monitoring Form provided. It is not necessary to state the nature of your disability. Whether you choose to apply under the Disability Confident scheme or not, you can still ask us to make particular adjustments for you when attending an interview. If you experience problems accessing or completing the diversity monitoring form or if you have any questions about the application process, please contact Sophie [Austin at publicappointments@beis.gov.uk](mailto:Austin@publicappointments@beis.gov.uk).

## Diversity and Equal Opportunities

The Department for Business, Energy and Industrial Strategy is committed to the principle of public appointments on merit with independent assessment, openness and fairness of process and to providing equal opportunities for all.

Applications are welcome from all, but we particularly encourage applications from women, people from an ethnic minority, people with disabilities and other underrepresented groups.

BEIS offers professional training courses on public sector finance and governance for those new to the public sector. BEIS works with Government Departments to ensure they have the capacity to attract the widest field of candidates and to make the best possible appointments. All applicants are asked to complete an anonymised Diversity Monitoring Form used for data gathering information only in order to ensure Departments are recruiting from the widest possible pool.

## Conflicts of interest

If you or a family member have any personal or business interest or potential conflict of interest with the activities of the Body, you will be expected to declare this.

Any conflict will not prevent you going forward to interview but may be explored with you during the selection process.

You will also be required to uphold the standards of conduct established by the Committee of Standards in Public Life, also known as the Nolan Principles (Please see below).

### **What is a conflict of interest?**

Public Appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable or political interest which might be material and relevant to the work of the body concerned should be declared.

There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict. It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

### **Surely a perceived conflict is not a problem, as long as I act impartially at all times?**

The integrity of the individual is not in question here. However, it is necessary for the standing of the individual and the board that members of the public have confidence in their independence and impartiality. Even a perceived conflict of interest on the part of a board member can be extremely damaging to the body's reputation and it is therefore essential that these are declared and explored, in the same way as an actual conflict would be. The fact that a member acted impartially may be no defence against accusations of potential bias.

### **What should I do if I think I have a conflict of interest?**

You will find a section on conflicts of interest in the online application form for you to complete. This asks you to consider and declare whether or not you have a real, or perceived, conflict. If you are unsure if your circumstances constitute a possible conflict, you should still complete this section, in order to give the Selection Panel as much information as possible.

**If I declare a conflict, does this mean I will not be considered for appointment?**

No - each case is considered individually. If you are short listed for interview, the Panel will explore with you how far the conflict might affect your ability to contribute effectively and impartially on the Board and how this might be handled, if you were to be appointed. For example, it may be possible to arrange for you to step out of meetings where an issue is discussed, in which you have an interest. However, if, following the discussion with you, the Panel believes that the conflict is too great and would call into question the probity of the Board or the appointment; they can withdraw your application from the competition.

**What happens if I do not declare a known conflict, which is then discovered by the Department after my appointment?**

Again, each case would be considered on its merits, but the Department may take the view that by concealing a conflict of interest, you would be deemed to have breached the Seven Principles of Conduct Underpinning Public Life and may terminate your appointment.

**What happens if I do not realise a potential conflict exists?**

This situation may arise where the applicant is not familiar with the broad range of work which a body covers and therefore does not realise that a conflict might exist. In some cases, the Panel, with their wider knowledge of the body, might deduce that there is a potential conflict issue, based on the information on employment and experience provided by the candidate in the application form. They will then explore this at interview with the candidate.

**What happens if a conflict of interest arises after an appointment is made?**

This could arise for two main reasons. The first is that the member's circumstances may change, for example, they may change jobs and in doing so, a conflict with their work on the board becomes apparent. The second is where a member is unfamiliar with the range of the work of the body, but after appointment, it becomes clear that a conflict exists where none had been envisaged during the appointment process.

In both cases, the issue should be discussed with the Chair of the board and the Chief Executive of the body concerned, in consultation with the Sponsoring Department, to decide whether or not the member can continue to carry out their role in an appropriate manner and each case is considered individually.

It may be that the conflict is such that it would be impractical for the member to continue on the board, if they would have to withdraw from a considerable amount of the body's routine business. In such, cases, the member may be asked to stand down from the body.

**Areas where a conflict could arise**

There are five main issues, which could lead to real, or apparent, conflicts of interest.

- Relevant pecuniary or other interests outside the organisation;
- Relationships with other parties/organisations which could lead to perceived or real split loyalties;
- Pending Government Policy could give unfair personal advantage to people with allied business interests – for example access to privileged information – trade secrets;
- Perception of rewards for past contributions or favours;
- Membership of some societies or organisations.

## **Making a complaint**

If you feel your application has not been treated fairly and you wish to make a complaint, you should initially send an email to: [publicappointments@beis.gov.uk](mailto:publicappointments@beis.gov.uk)

If you are not content with our response, please contact the Commissioner for Public Appointments at: [publicappointments@csc.gov.uk](mailto:publicappointments@csc.gov.uk)

Further information on complaints procedure can be found on the Commissioner for Public Appointments' [website](#).

## **The Seven Principles of Public Life**

In 1995, the Committee on Standards in Public Life defined seven principles which should underpin the actions of all who serve the public in any way.

Consistent with the Commissioner's Code of Practice, applicants will be assessed on merit, and all candidates for public appointment will need to uphold the standards of conduct set out in the Seven Principles of Public Life. These will be tested as part of the selection process and the selection Panel must satisfy itself that all candidates for appointments can meet these standards, which are:

### **Selflessness**

Holders of Public Office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or other friends.

### **Integrity**

Holders of Public Office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

### **Objectivity**

Carrying out Public Office business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of Public Office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of Public Office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of Public Office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of Public Office should promote and support these principles by leadership and example.

## BEIS Public Appointments Privacy Notice

This notice sets out how we will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the General Data Protection Regulation (GDPR).

### **YOUR DATA**

We may process the following personal data: name, contact details, employment history, qualifications, CV and other background information relevant to your application including sift and interview assessments, conflicts of interest, and political activity.

This may also include other information gathered as part of due diligence, including information obtained from public sources.

### **Purpose / Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data**

To the extent that you are providing your personal data in relation to a BEIS Public Appointments, the failure to provide this information will mean that we are unable to progress your application for the positions advertised.

### **Our legal basis for receiving and using your data**

Our legal basis for receiving and using this information is that BEIS and the Cabinet Office have both a legal obligation, and public task, to collect this data to ensure that high quality candidates are identified via robust recruitment processes in line with the Governance Code for Public Appointment published pursuant to Article 3(1) of the Public Appointments Order in Council 2019. If requested by the Commissioner for Public Appointments, this information can be shared pursuant to Article 4 of the Public Appointments Order in Council 2019.

We also process your data on the legal basis that it is necessary prior to entering into a contract/terms of appointment to carry out pre-appointment checks. We may process special category data which comes to light during due diligence checks which has manifestly been made public by you, or where it is of substantial public interest in order to carry out our functions. If you have applied for a BEIS public appointment we will share your information with the members of the Advisory Assessment Panel. If requested, it may also be shared with the Commissioner for Public Appointments pursuant to Article 4 of the Public Appointments Order in Council 2019. This will be in a non-identifiable way.

We also process your data on the legal basis that it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. This is enabled through section 149 of the Equality Act 2010. The specific category of personal data is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people with a view to enabling such equality to be promoted or maintained. It is not carried out for the purposes of measures or decisions with respect to your application for a government public appointment. You can choose not to declare this data.

Special category data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Our legal basis for processing this information is documented above.

### **Recipients**

If you apply or have been considered for a UK Government public appointment Information you supply to BEIS as part of your application for a UK Government Public Appointment may be shared with Cabinet Office.

Diversity data which may include age, gender, ethnicity, sexual orientation, recorded disability, faith and geographical location, principal employment sector, number of government public appointments held, and declarable political activity may be held in a non-identifiable form for up to 5 years. This information may be shared with OCPA, your name will not be included. This data may be published in summary form.

This data is shared with Cabinet Office IT suppliers in order to securely collect and store the data. Contractual obligations in line with data protection law are placed on our data processors to guard against loss of your data and require them to take all reasonable steps to treat your data reliably and with integrity.

### **Retention period**

Applicant data will be collected on behalf of the Office of the Commissioner for Public Appointments (OCPA) via a secure section of the HM Government Public Appointments website. BEIS may store your name, a summary of biographical details you shared and the outcome of your application for up to 3 years.

Diversity data which may include age, gender, ethnicity, sexual orientation, recorded disability, faith and geographical location, principal employment sector, number of government public appointments held, and declarable political activity may be held for up to 3 years. This information may be shared with OCPA in a non-identifiable format, your name will not be included. This data may be published in summary form.

The record of the sift and interviews will be held by BEIS for the duration of the post.

This data is shared with Cabinet Office IT suppliers in order to securely collect and store the data. Contractual obligations in line with data protection law are placed on our data processors to guard against loss of your data and require them to take all reasonable steps to treat your data reliably and with integrity.

### **Your rights**

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.

You have the right to object to the processing of your personal data where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, such as the exercise of a function of the Crown, a Minister of the Crown, or a government department; the exercise of a function conferred on a person by an enactment; the exercise of a function of either House of Parliament; or the administration of justice.

### **Automated decision making**

The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences. The provision of the information you provide is not connected with individual decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain things about an individual).

### **International transfers**

As your personal data will be stored on our IT infrastructure, and shared with our data processors, it may be transferred and stored securely outside the European Union. Where that is the case it will be subject to equivalent legal protection through the use of Model Contract Clauses or the Privacy Shield scheme.

### **Complaints**

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

**Contact details**

The data controller for Public Appointments is joint between the appointing department, OCPA and the Cabinet Office. The Department for Business, Energy & Industrial Strategy (BEIS). Contact details are, BEIS DPO at:

BEIS Data Protection Officer  
Department for Business, Energy and Industrial Strategy  
151 Buckingham Palace Road  
Victoria  
London  
SW1W 9SZ

Email: [dataprotection@beis.gov.uk](mailto:dataprotection@beis.gov.uk).