

Competition and Markets Authority

Office for the Internal Market OIM Panel Chair & CMA Non-Executive Director

Candidate Pack

Revised closing date: 5 September 2021

If you have any questions, require further information, or would like this candidate pack in alternative format, please contact the Campaign Manager, Sophie Austin at publicappointments@beis.gov.uk

20 August, 2021



Contents

- 03: Ministerial Foreword
- 04: Office for the Internal Market
- 05: Competition and Markets Authority
- 06: The Role (1)
- 07: The Role (2)
- 08: Diversity
- 09: Essential Criteria – Panel Chair
- 10: Essential Criteria – Non-Executive Director
- 11: Desirable Criteria
- 12: Terms of Appointment
- 13: How to apply
- 14: Assessment Panel, Process and Timing
- 15: Conflicts of Interest and Due Diligence
- 16: The Seven Principles of Public Life
- 17: Complaints and Privacy Policy

Ministerial Foreword

Dear Candidate,

Thank you for your interest in becoming Chair of the Office for the Internal Market (OIM) within the Competition and Markets Authority (CMA).

The UK Internal Market Act underwrites the freedom to trade without barriers between different parts of the UK following our departure from the European Union, creating vital and long-term certainty for businesses and workers across all parts of the UK.

Just as importantly, the Act also tasks a newly established Office for the Internal Market with supporting the smooth running of the UK internal market, by carrying out a set of independent, expert, and technical advisory, monitoring, and reporting functions to support the development and effective operation of the UK internal market on an ongoing basis. The UK Government and the devolved administrations will be able to draw on the OIM's advice on the economic impacts of proposals and regulations and the OIM will report equally to the UK Parliament and all devolved legislatures.

It is the Government's intention to bring the OIM into operation in Autumn 2021. Key to that goal is the appointment of the right person to ensure the provision of independent and impartial expert advice by the OIM panel. We are looking for a clear thinker with a vision that places the OIM at the heart of continued prosperity and wellbeing of people and business throughout the whole of the United Kingdom, and who represents the same lived experience of inclusivity and diversity as those whose interests they will be expected to promote. The successful candidate will work with the OIM Panel Members to lead the OIM Panel with integrity, inspiring confidence, trust and driving excellence.

If you believe you have the experience and qualities, we very much look forward to hearing from you, as we are seeking to Chair this important new public body.

Rt Hon Kwasi Kwarteng MP
Secretary of State for Business, Energy and Industrial Strategy



Office for the Internal Market

The Office for the Internal Market (OIM) is being created following the passage of the United Kingdom Internal Market Act 2020. Established within the Competition and Markets Authority (CMA), the Act places a duty onto the new body to carry out a set of independent advisory, monitoring, and reporting functions to support the development and effective operation of the UK internal market on an ongoing basis. Once set up later this year, the OIM will analyse the health of the UK internal market and report to the UK Parliament and the devolved legislatures.

At the highest level, the OIM will be guided by and must have regard to the clear objective set out within the Act, which is to support, through the application of economic and other technical expertise, the effective operation of the internal market in the interests of all parts of the United Kingdom, consumers, and those with an interest in its operation.

The OIM will deliver:

- **The provision of non-binding economic and technical reporting and advice:** if requested by an administration, the OIM will provide non-binding and expert advice on the potential economic impact of proposed regulations on the UK internal market.
- **Proactive and reactive monitoring:** the OIM will undertake macro-level reporting on the health, functioning, and evolution of the UK internal market on an annual basis. In addition to this, it will provide sectoral and regional monitoring and reporting, and periodic system monitoring of the Market Access Principles, including any interaction between and impact of common framework agreements on the operation of the internal market at least once every five years. The provision of this monitoring by the OIM will ensure that emerging trends and developments are identified, and the economic impact of regulations on the UK internal market can be independently assessed.

The OIM will carry out these functions equally in relation to all administrations to support a UK internal market that works equally in the interests of all parts of the UK.

In addition, and consistent with the CMA's existing powers, the OIM will have a power to proactively gather information from businesses, consumers, and public bodies to support its advisory, monitoring and reporting functions. This will allow reports and monitoring to be based on timely, rigorous, and accurate evidence.

Competition and Markets Authority

As stated, the OIM will sit within the CMA which is the UK's primary competition and consumer body. It promotes competition for the benefit of consumers, both within the UK and internationally, and its aim is to ensure that markets work well for consumers, businesses, and the economy.

The establishment of the OIM within the CMA will mean the CMA's considerable economic expertise will be available to support the work of the OIM and the development of the UK internal market.

The CMA is a non-Ministerial department which was established by the Enterprise and Regulatory Reform Act 2013 on 1 April 2014. The CMA has staff in London, Edinburgh, Belfast, and Cardiff.

The CMA is directly funded by Her Majesty's Treasury and is accountable to Parliament. At the beginning of each Parliament, a Strategic Steer to the CMA is published by the Government outlining the key focuses and challenges for competition. Sponsorship for the organisation is shared between HM Treasury (funding) and BEIS (policy).

The Role (1)

The Chair will lead the work of the OIM Panel by:

1. Providing effective leadership and strategic direction to form a cohesive and focused Panel following its creation, enabling a high standard of discussion and debate, helping to steer the advice and reporting given by facilitating collaborative working including through working effectively with the OIM staff team.
2. Overseeing the delivery of expert and independent advice to the four administrations and legislatures on the potential impact of proposed regulatory changes on the UK internal market, constituting and leading task groups where necessary.
3. Participating in and chairing OIM task groups as necessary.
4. Overseeing the proactive and reactive monitoring and reporting on the health of the UK internal market, including trends and developments across sectors and regions.
5. Ensuring the OIM can carry out its statutory functions, supported by market intelligence from UK businesses, professionals, and consumers.
6. Representing the OIM Panel on the CMA Board; and
7. Representing the OIM Panel in the public sphere, being the spokesperson for its work across UK Government, in Parliament and the three Devolved Administrations and legislatures.

The Role (2)

The Chair of the OIM Panel will, by virtue of their appointment, also be appointed as a Non-Executive Director of the CMA. In this capacity, the Chair of the OIM Panel will work with other CMA Board members to:

1. Ensure that the CMA fulfils its statutory duties and functions and that the principles of good corporate governance are observed.
2. Establish the overall strategic direction of the CMA within the policy framework laid down under the Enterprise and Regulatory Reform Act 2013, setting organisational priorities including through the annual plan process.
3. Scrutinise the CMA's performance in meeting its goals, including through annual performance and concurrency reports.
4. Support and constructively challenge the executive team.
5. Ensure that the CMA maintains a sound system of financial control and makes appropriate use of public funds while having regard for the opinions and reports of the CMA Accounting Officer.
6. Decide to publish market study notices and whether to refer a market for a more detailed investigation (i.e. "Phase 2 investigation").
7. Make rules of procedure for merger reference groups, market reference groups, and special reference groups.
8. Foster productive relationships with key stakeholders, making the case for sound competition and consumer protection practices.
9. Ensure policies are in place to manage risks to the CMA's operations and the achievement of its objectives; and
10. Support the CMA's strong commitment to respect, equality of opportunity, diversity of skills and experience and public service values.

Diversity

We are committed to increasing the diversity of our boards and bringing in talent, regardless of its origins. We encourage applications from all candidates regardless of ethnicity, religion or belief, gender, sexual orientation, age, disability or gender identity. We particularly welcome applications from people with ethnicity, gender and disability characteristics currently underrepresented on our Boards.

Arrangements for candidates with a disability: As a Disability Confident leader, we guarantee to interview anyone with a disability whose application meets the essential criteria for the post. More details on the criteria can be found in this pack. If you wish to apply through the Disability Confident scheme, you will need to tick that option on the Diversity Monitoring form that you will submit alongside your application.

Adjustments: All candidates are entitled to request reasonable adjustments at any stage of the application process. If you would like to discuss reasonable adjustments prior to submitting your application, please contact the campaign manager at publicappointments@beis.gov.uk.

Essential Criteria – Panel Chair

Your application **must demonstrate substantial evidence of achievement** in the following areas:

1. Experienced leader with proven ability to quickly earn the trust and confidence of multiple groups simultaneously.
2. Exceptional communication skills including extensive experience of stakeholder engagement and a proven ability to interact with and tailor approach to varied stakeholders at a senior level.
3. Ability to develop strategy and provide strategic direction.
4. Strong understanding of relevant economic indicators and analytical approaches to developing and evaluating regulation.
5. Ability to take sound and reasonable decisions while maintaining independence of thought and judgement.
6. Broad experience of regulatory frameworks across the UK and impact of regulation on business, professionals, and consumers, including within one or more of the goods, services, or professional qualifications sectors.

Essential Criteria – CMA Non-Executive Director

The Chair of the OIM Panel will, by virtue of their appointment, become a Non-Executive Director of the CMA. To be suitable for appointment as a Non-Executive Director of the CMA, your application must also **demonstrate substantial evidence of achievement** in the following areas:

1. The ability to challenge constructively, scrutinise advice and question received wisdom.
2. Excellent analytical and decision-making skills.
3. Exceptional influencing skills.
4. The ability to collaborate effectively with others at a senior level, including organisational leaders and board members.
5. The ability to maintain independence of thought and judgement.
6. Strong leadership skills.
7. A strong commitment to equal opportunities, diversity of skills and experience.

Desirable Criteria

1. Experience at board level in executive or non-executive leadership roles in the private, public or third sector.
2. Recent experience in these areas would be welcome:
finance, competition or consumer policy and enforcement, business, retail, digital, public or regulatory policy, and working with the devolved administrations.

Terms of Appointment

Appointment Term: The term will be for a maximum of 5 years.

Remuneration: £27,000 per year for work undertaken as a Non-Executive Director of the CMA and a separate £400/day fee for work as OIM Panel Chair. Remuneration and expenses are taxable.

Time Commitment: You will be expected to spend approximately 3 days per month on your role as a Non-Executive Director of the CMA and approximately 30 days per year as on work as the OIM Panel Chair, but this will be dependent on case load.

Nature of Appointment: The role of Non-Executive Director of the Competition and Markets Authority is a Public Appointment, regulated by the Commissioner for Public Appointments, and made by the Secretary of State for Business, Energy and Industrial Strategy. The role of OIM Panel Chair is a Ministerial Appointment made by the Secretary of State for Business, Energy and Industrial Strategy. The post holder would be an officeholder and not be an employee of the Department or the Competition and Markets Authority.

Location: The CMA has offices in London, Edinburgh, Cardiff and Belfast. Where travel is required expenses will be reimbursed.

Availability: The successful candidate will be encouraged to take up their appointment as soon as possible, following the successful completion of pre-appointment checks and security clearance (at Security Check (SC) level).

How to apply

Your application is submitted in two parts.

Both parts must be submitted **by 11pm on 5 September 2021** in order for your application to be considered complete. Applications received after this date will **not** be considered.

Part one: CV and Statement of Suitability

- **You must submit one document which contains both a statement of suitability/cover letter and your CV.** Your statement of suitability must be no longer than four pages and your CV must be no longer than two pages. The key to a good application is to give the reader specific information about how you meet the criteria for appointment. In this instance, you must demonstrate the essential criteria required for both the Panel Chair and Non-Executive Director roles. Think about your knowledge, skills, experience and personal attributes, and take full advantage of the space available. Provide practical evidence that best demonstrates how you meet the es
- Save the document as **'Surname, First initial – URN 431 – OIM'**
- Send to publicappointments@beis.gov.uk with **'URN 431 – OIM'** in the subject heading.

Part two: Diversity Monitoring and Conflict of Interest Form.

- Complete this [form](#).

Assessment Panel, Process and Timing

The members of the Advisory Assessment Panel are:

- **Panel Chair and BEIS Representative:** Jaee Samant - Director General, Market Frameworks
- **UK Government Representative:** Sue Gray - Second Permanent Secretary, Cabinet Office
- **Representative of Organisation:** Jonathan Scott – Interim Chair, Competition and Markets Authority
- **Independent Panel Member:** Dominic Johnson CBE
- **Northern Ireland Executive Representative:** Giulia Ní Dhulchaintigh – Director, EU Exit Trade Negotiations
- **Welsh Government Representative:** Piers Bisson - Director, European Transition, Constitution and Justice
- **Scottish Government Representative:** Richard Rollison - Director for International Trade and Investment

The timeline for this campaign is indicative and subject to change. Please check the advert for any updates.

Advert closes	5 September 2021
Panel sift	TBC September / October 2021
Interviews	TBC –November/ December 2021
Candidates notified of the outcome	TBC January/ February 2022
Appointment confirmed	TBC March 2022

Conflicts of interest and due diligence

Applicants must disclose information on financial and non-financial interests and personal connections, which if they were appointed, could lead to a conflict of interest, or be perceived as such. Further guidance on the disclosure of information that may be relevant to a possible conflict of interest is provided below.

If it appears, from the information provided on the form, that an applicant's interests might give rise to a conflict, or perceived conflict, of interest with the CMA's current or prospective work this will be fully explored with the applicant with a view to establishing whether it is sufficiently significant to prevent the individual from carrying out the duties of the post. The selection panel will do this at interview stage.

Applicants should particularly note the requirement to declare any financial or non-financial interest that may give rise to a conflict, or perceived conflict, with the OIM/CMA's work that arises during the term of their appointment and the need to declare any relevant business interests, positions of authority or other connections with commercial, public, or voluntary bodies. These will be published in the annual report with details of all Board Members' remuneration and the CMA will publish a register of Board Members' financial and non-financial interests on its website. On leaving office, a Board Member or Panel Member is required to comply with the CMA's rules on acceptance of future employment or appointments.

If you have any queries or would like to discuss further, please contact the BEIS Appointments, Diversity and Talent Team at publicappointments@beis.gov.uk.

The Seven Principles of Public Life

In 1995 the Committee on Standards in Public Life defined seven principles for public life. All candidates for are expected to demonstrate a commitment to, and an understanding of, the value and importance of the principles of public service which are:

1. Selflessness
2. Integrity
3. Objectivity
4. Accountability
5. Openness
6. Honesty
7. Leadership

Further information on the principles of public life can be found [here](#).

Complaints Procedure and Privacy Policy

If you feel you have reason to complain you should direct your concerns in the first instance to the Public Appointments team (publicappointments@beis.gov.uk) who will make every effort to deal with these and respond to you within 48 hours.

If your complaint is not dealt with satisfactorily, you can find information about the steps you can take under BEIS Complaints Procedure [here](#).

The Commissioner for Public Appointments is the independent regulator of public appointments. The Commissioner's primary role is to provide independent assurance that public appointments are made in accordance with the [Governance Code on Public Appointments](#). The Commissioner also investigates complaints and may conduct an inquiry into the policies and practices followed in relation to appointments processes which he regulates. The Commissioner will not investigate complaints relating to non-selection unless it appears that the appointments process has breached the Governance Code on Public Appointments.

You can contact the Commissioner by email at publicappointments@csc.gov.uk or by post, as follows:

The Commissioner for Public Appointments, Room G/8, 1 Horse Guards Road, London, SW1A 2HQ.

Further information on the role of the Commissioner or the appointments process is available at: publicappointmentscommissioner.independent.gov.uk.

Privacy Policy – for our privacy policy, please refer to the BEIS Privacy Notice document attached to the advert for this role.