



# Professional Standards Appointments Committee

## TERMS OF REFERENCE: DRAFT V170220

### Accountability

1. The Professional Standards Appointments Committee (ProSAC) is accountable to the Regulatory Nomination Committee.

### Composition

2. Membership of the Committee will be a maximum of six, with an equal number of non-lay accountant and lay members.
3. The Chair and Alternate Chair<sup>1</sup> of the ICAEW Regulatory Board (IRB) will be ~~an~~ ex-officio members of the Committee for the period of their office on IRB.
4. A member of the ICAEW Nominating Committee will be an ex-officio member of the Committee for the period of their term on the ICAEW Nominating Committee
5. A Chair will be elected annually by the members of the Committee and will be responsible for chairing meetings and advising on the agenda. If the elected Chair is unable to attend a meeting they may delegate the role for that meeting to another member of the Committee.
6. The quorum for a meeting is 4 members: 2 non-lay accountant and 2 lay<sup>2</sup>.

### ~~Powers and authorities~~ Purpose

7. The Committee has authority delegated from the Regulatory Nomination Committee and is responsible for the appointment of the members of the professional conduct and regulatory

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<sup>1</sup> This is the Chair of the ICAEW Regulatory Board for legal services related matters

<sup>2</sup> 'Lay' for non-legal services related appointments means someone who is not and never has been a member, affiliate or employee of the ICAEW or any other accountancy body and such further relevant restrictions as may be appropriate to enhance public confidence in the regulatory process. In making lay appointments, the focus will normally be on consumers of accountancy services and stakeholder organisations rather than those who have more general experience of regulation of other professional services. 'Lay' for legal services related appointments means (as defined in paragraph 2(4) of Schedule 1 of the Legal Services Act 2007) a person who has never been—

(a) an authorised person in relation to an activity which is a reserved legal activity;

(b) a person authorised, by a person designated under section 5(1) of the Compensation Act 2006, to provide services which are regulated claims management services (within the meaning of that Act);

(c) an advocate in Scotland;

(d) a solicitor in Scotland;

(e) a member of the Bar of Northern Ireland;

(f) a solicitor of the Court of Judicature of Northern Ireland.

committees (including their chair and vice-chair) [\(see Annex\)](#), and the Reviewer(s) of Complaints.

### Operation of the Committee

8. Decisions on appointments require unanimous agreement from the Committee present at the meeting. The Chair has no second or casting vote.
9. There will be four meetings a year to an agreed schedule of business for each meeting.
10. The Committee will report on its decisions to the [Regulatory](#) Nomination Committee.
11. The Committee will operate in accordance with the Regulatory Appointments Policy.
- [12.](#) All appointments must be governed by the overriding principle of selection based on merit, by the well-informed choice of individuals who, through their abilities, experience and qualities, match the needs of the committee in question. The Committee shall not make any appointment without first scrutinising the proposal.
- ~~12-13.~~ [All appointments will be made in accordance with the policy on Equality, diversity and inclusion and Active Members.](#)
- ~~13-14.~~ All appointees must be committed to the principles and values of service in the public interest and perform their duties with integrity.
- [15.](#) The process of appointment must be transparent by making information about the process and appointments publicly available.
- ~~14-16.~~ [No person shall be involved in any decisions as to their own appointment.](#)
- ~~15.~~ [Candidates for appointment will normally be identified in the following ways:](#)
  - ~~• Advertisement: Appointments may be advertised within ICAEW to committees, in the professional press and/or national or local press, and on the ICAEW website.~~
  - ~~• List: The Professional Standards Appointment Committee secretary will maintain a list of candidates who have contacted ICAEW to express an interest in appointment or have been identified through an earlier advertisement. Names may be kept on such a list for up to three years and individuals will be considered for vacancies as they arise.~~
  - ~~• Nomination by other bodies: ICAEW may approach professional or other reputable bodies for nomination of suitable appointees.~~
  - ~~• Executive Search agencies: ICAEW may engage the services of professional search and recruitment agencies to identify suitable candidates if it considers it appropriate in any particular case.~~
  - ~~• Recommendation: ICAEW members may recommend candidates for consideration.~~
- ~~The Committee will make appointments to the Professional Conduct and Regulatory quasi-judicial committees (including their chair and vice-chair) and to the positions of Reviewer of Complaints~~
- ~~21-17.~~ The chair of the committee concerned (or their nominee) and the Executive Director, Professional Standards (or their nominee) may interview candidates for membership of the committees and for the positions of Reviewer of Complaints before review by the Professional Standards Appointments Committee to ensure suitability for appointment. A report of the interview will be made to the panel when it considers the appointment.

## **Annex: Professional Standards committees**

### **Regulatory committees**

- [Audit Registration](#)
- [Insolvency Licensing](#)
- [Investment Business](#)
- [Practice Assurance](#)
- [Legal Services Committee \(formerly the Probate Committee\)](#)

### **Disciplinary committees**

- [Investigation](#)
- [Disciplinary](#)
- [Fitness](#)
- [Appeal](#)
- [Review](#)

### **Other committees**

- [Chartered Accountants Compensation Scheme](#)
- [Legal Services Compensation Scheme](#)
- [Professional Indemnity Insurance](#)

[Committees that are within the remit of the Professional Standards Appointment Committee also include the joint committees.](#)