



Department for  
Business, Energy  
& Industrial Strategy



**Competition and Markets Authority, Chair**

**Candidate Information Pack**

**December 2020**



**The Commissioner for  
Public Appointments**

## Ministerial Message to Candidates

*Dear Candidate,*

*Thank you for your interest in becoming Chair of the Competition and Markets Authority (CMA).*

*The CMA is the UK's highly regarded competition and consumer agency, promoting competition for the benefits of businesses and consumers in the UK. Vigorous competition is pivotal to a vibrant and fair economy and society and the Government is committed to ensuring that markets work well for all.*

*The CMA is an important part of the UK regulatory environment, and this is a very exciting time for the organisation. As the Chair you will build on the CMA's successful response to the Coronavirus Covid-19 pandemic, driving business behaviours and informing government responses that will support the economy as it recovers. Working with the CMA's board and its senior executive team, you will help shape the future of the UK's competition and consumer protection regime as it takes on a greater role at the end of the transition period and increases work in the digital sector.*

*The CMA is an independent non-Ministerial Department and has significant powers to investigate and act if it finds that companies are behaving anti-competitively in a market. The Government committed in its manifesto to 'tackle consumer rip-offs and bad business practices' and to enable businesses to 'unleash their enormous potential'. The candidate should not only support the CMA to bring direct benefits to consumers but also the wider economy, delivering effective competition that spurs business efficiency and innovation, in turn, raising productivity, growth and job creation.*

*The CMA has been preparing for a larger, more public role following the end of the transition period and we are looking for the right person to help set the direction and lead the CMA Board through the next few years.*

*We are looking for a clear thinker with a vision of the future role of the CMA that puts competition and consumers at the heart of our economy. The successful candidate will work with the other Board members to set the strategic direction of the CMA and will lead the Board brilliantly and with integrity, inspiring confidence and trust and driving excellence.*

*We want the CMA to continue to develop – deepening its knowledge, experience and creativity to recommend the right solutions and remedies for everyone in society. If you believe you have the experience and qualities, we are seeking to Chair this important organisation, we very much look forward to hearing from you.*

**The Rt Hon Alok Sharma MP**  
**Secretary of State for Business, Energy & Industrial Strategy**



## VACANCY DESCRIPTION

### **The Organisation:**

The Competition and Markets Authority (CMA) is the UK's primary competition and consumer body. It promotes competition for the benefit of consumers, and the UK business environment, both within the UK and internationally, and its aim is to ensure that markets work well for consumers, businesses and the economy.

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 BEIS Secretary of State sets the policy framework for competition which gives the CMA powers to investigate mergers, breaches of the Competition Act 1998 (CA98) prohibitions, poorly functioning markets and to protect consumers from unfair trading practices. The CMA also considers appeals against the economic regulators' decisions. Larger cross-border EU cases are currently enforced by the European Commission and following the end of the transition period the CMA will take on more of these cases.

The CMA is directly funded by Her Majesty's Treasury and is accountable to Parliament. Once in 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 Competition and Markets Authority, Chair:**

The new Chair will lead an effective Board, setting the strategy for the organisation to meet new challenges including supporting the UK economy to grow post-coronavirus pandemic and taking more, and more complex, cases previously heard by the European Commission.

The non-executive Chair, together with the non-executive members of the Board, will bring appropriate challenge to the decisions made by the executive in running the organisation. The Chair must work effectively with the CMA's Chief Executive, executive team, non-executive members, and the CMA's panel of independent competition and consumer experts. In doing so, the Chair will need to gain and retain the confidence of a wide range of stakeholders including Government, business, consumer groups, competition specialists and other international competition authorities.

The CMA Board currently consists of a Chair, five non-executive members and other members including the CMA Chief Executive and Executive Directors. Two of the



non-executive members are also members of the CMA's independent decision-making Panel.

The Board establishes the overall strategic direction of the CMA within the policy framework laid down under the Act. The Board ensures that the CMA as a statutory body fulfils its statutory duties and functions. It considers the opinions and reports of the CMA Accounting Officer and oversees the appropriate use of public funds.

As the Chair, you will have the following responsibilities:

- Providing effective leadership and strategic direction to form a cohesive and focused Board – enabling a high standard of discussion and debate and facilitating collaborative working;
- Maintaining an open and productive relationship with the Chief Executive and the executive team, providing appropriate challenge and support in achieving the objectives of the CMA;
- Working effectively with the Chair of the CMA Panel and Inquiry Chairs, recognising that the Panel must make its decisions independently of the Board;
- Enabling the Board to take consistent, proportionate and fair decisions, ensuring that the Board has the information necessary to perform its tasks, including relevant views from Ministers and other stakeholders;
- Working with the Chief Executive to influence, and collaborate with, key stakeholders, including Ministers, business, voluntary and community bodies and regulators, making the case for sound competition and consumer protection practices;
- Steering the organisation towards one which has the capability to oversee firms operating in digital and tech markets and the operational and technical challenges which that presents;
- Ensuring the Board is guided by and sets high standards of propriety for the organisation, including the efficient and effective use of staff and resources; and
- Ensuring appropriate evaluation of the performance of the Board and individual members, working with the Board and Senior Independent Member to ensure it has an appropriate and diverse range of skills, and that workloads are effectively managed.



## **Person Specification:**

It is essential that your application **demonstrates substantial evidence of achievement** in the following areas:

### **Essential Criteria**

- An ability to provide effective leadership of the Board, develop consensus and empower challenge, and to drive forward a clear strategic vision during a time of significant change.
- Excellent analytical skills, judgement and sound decision-making are required, and the ability to develop and implement robust governance arrangements.
- Awareness, knowledge and understanding of business and markets.
- Good understanding of how large organisations operate.
- A strong commitment to equal opportunities and diversity.
- The ability to inspire dedication, pace and innovation, ensuring the development, sustainability and high performance of the Board as a whole and of individual members.
- Excellent influencing and communication skills, including the ability to command trust and confidence at all levels, engage successfully with external audiences and build relationships internationally.

Although direct experience of competition or consumer issues would be welcome, we encourage applications from individuals with any relevant experience and background, including but not limited to competition, consumer, regulation, digital, retail, financial services or other environments.

## **Terms of Appointment:**

Successful candidates will be appointed for a period up to 5 years (to be agreed) and may be eligible for reappointment. This appointment is expected to begin in late-2021.

The CMA Chair will typically be expected to work around 2 days per week, receiving an annual remuneration package of £106,666 per annum, plus reasonable expenses. The Chair will be required to attend Board meetings in London and Edinburgh, Cardiff and Belfast. There will be occasional international travel.

The Chair must demonstrate a high standard of corporate and personal conduct and



will be expected to meet the ethical standards expected of public office holders embodied in the [seven principles of public life](#) in all aspects of the role and abide by the Cabinet Office Code of Conduct for Board Members of Public Bodies (2019) and relevant CMA values, policies and procedures.

Candidates must disclose information on financial and non-financial interests, which if they were appointed, could lead to a conflict of interest or be perceived as such.

It is very important therefore that all candidates provide appropriate details which might be construed as being in conflict with the appointment. If it appears that a possible conflict might exist, or arise in the future, this will be fully explored with a view to establishing whether it is sufficiently significant to prevent the individual from carrying out the duties of the post. This may be explored by the interview panel.

You should particularly note the requirement to declare any conflict of interest that arises in the course of the office's operations 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. Compliance with the CMA's conflict of interest policy will apply for up to two years post appointment.

The successful candidate will be required to have or be willing to obtain security clearance to [Security Check](#) (SC).

**BEIS is committed to providing equal opportunities for all, irrespective of race, age, disability, gender, marital status, religion, sexual orientation, transgender and working patterns and to the principle of public appointments on merit with independent assessments, openness and transparency of process.**

BEIS also offers professional training courses on public sector finance and governance for those new to the public sector.

## HOW TO APPLY

Please submit materials by email to [Responses@RussellReynolds.com](mailto:Responses@RussellReynolds.com). The closing date for applications is 11.00 pm, 31<sup>st</sup> January 2021. **Late applications will not be accepted.**

Your submission should include:

1. **2012-020L: CMA, Chair 342** in the subject line of your email.
2. A current CV with educational and professional qualifications and full employment history, giving details where applicable e.g. of budgets and numbers of people managed and highlighting relevant achievements or experience.



3. A supporting statement explaining why this appointment interests you and giving evidence of how you meet the appointment criteria and competencies as detailed in the person specification (maximum length 2 sides A4).
4. Complete and return the Diversity Monitoring and Conflict of Interest Form in Appendix I.
5. Notification of any dates you are unable to accommodate within the indicative timetable set out below.

BEIS has appointed Russell Reynolds Associates to advise on this appointment.

If you have any questions or wish to discuss the role or the process further, please contact the RRA team at [Responses@RussellReynolds.com](mailto:Responses@RussellReynolds.com) or on PH: 020 7198 1870.

Candidate information 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.

Information on the timetable for this campaign, selection process, requisite security clearance, and the interview panel can be found on the Centre for Public Appointments webpage for this vacancy at <https://publicappointments.cabinetoffice.gov.uk/>



## INDICATIVE CAMPAIGN TIMETABLE AND SELECTION PROCESS

### Indicative timetable

Closing date: 31<sup>st</sup> January 2021

Panel sift: Week commencing 22<sup>nd</sup> February 2021

Informal conversations / referencing: Weeks commencing 8<sup>th</sup> and 15<sup>th</sup> March 2021

Senior staff engagement exercise: Weeks commencing 22<sup>nd</sup> and 29<sup>th</sup> March 2021

Panel interviews: Weeks commencing 5<sup>th</sup> and 12<sup>th</sup> April 2021

Pre-Appointment Hearing with BEIS Select Committee: May / June 2021

Appointment Announced: August 2021

Start date: by agreement

### Selection Process

Applications will be sifted by the assessment panel and a shortlist of candidates for interview will be drawn up. Candidates shortlisted for interview will then follow a 3-part selection process:

1. You will have a 'fireside chat' with the CEO or Chair of the CMA. Feedback will be shared with the Chair of the interview panel.
2. You will be invited to attend a staff engagement exercise with participants from the CMA, BEIS and HMT. The session will be observed by a psychologist and a report will be provided to the interview panel.
3. You will have a formal interview with a panel of 3 interviewers comprising questions and discussion.

If you are shortlisted for the role, due diligence checks 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 at that stage.





## Recruitment Panel

The Assessment Panel will comprise:

- **Panel Chair and BEIS Representative:** Jaee Samant, Director General, Markets Frameworks, Department for Business, Energy & Industrial Strategy
- **HM Treasury Representative:** Phil Duffy, Director General, Growth and Productivity, HM Treasury
- **Senior Independent Panel Member:** Perdita Fraser, University of Edinburgh governing body, adviser to Ashoka UK, a partner of SJF & Co

### Pre-appointment scrutiny:

This appointment is subject to pre-appointment scrutiny by the BEIS Select Committee.

Pre-appointment scrutiny is an important part of the appointment process for some of the most significant public appointments made by Ministers. It is designed to provide an added level of scrutiny to verify that the recruitment meets the principles set out in the Governance Code on Public Appointments.

The pre-appointment scrutiny aspect of the appointment has two parts.

First, information concerning the appointment and the Minister's preferred candidate will be shared with the relevant select committee. As part of this process you will need to be content for your name and your CV to be shared with the select committee as the Government's preferred candidate. You may also be required to complete a pre-appointment hearing questionnaire which could include, among other things:

- declarations of any relevant potential conflicts of interest;
- what you see as the priorities and key risks for the organisation;
- questions about how you would lead the board and work with stakeholders;
- your commitment to standards in public life and how you would handle being in the public eye.

Normally any information provided to the select committee by the Government or a candidate will be published.

Second, it is likely that the select committee will decide to call the Government's preferred candidate to a public hearing before the select committee to answer questions relating to their suitability to the role. You would not be expected to have an in-depth technical knowledge of how the body works or an exact plan of what you would do in the role, however you will be expected to provide a credible representation of your understanding of the work of the body and what your role in its future would be.

**The proposed date for a pre-appointment hearing is yet to be confirmed but is**



**expected to be in May or June 2021.**

The Government is committed to making the public appointments as accessible as possible so that no one is deterred from applying. The Department will provide support to you to help you prepare for the hearing and the clerks to the select committee will also be available to discuss with you how the hearing will run. You will also be supported by the Department in working with the select committee should you require any adjustment to enable you to participate fully in the hearing process.

For more information about pre-appointment scrutiny, please see the [Cabinet Office Guidance: Pre-appointment scrutiny by House of Commons Select Committees](#)



## DIVERSITY AND EQUAL OPPORTUNITIES

The Department for Business, Energy & Industrial Strategy (BEIS) 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.

## 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 Governance Code, 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.

**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 Appointment's website](#).

