

CP 3.2 Membership Code, Part B

- Members' Contribution, Development and Payment

This code applies to the Chairman and all Members (collectively referred to as 'Board Members') of the Passengers Council, as established by section 19 of the Railways Act 2005 (as amended) and referred to in this code as Passenger Focus.

1. Attendance and Performance

- 1.1. Members' performance in their role will be reviewed at the end of their first and subsequent years of their Board membership.
- 1.2. The Chairman is responsible for the annual performance review for all Board Members. The performance review process may be reviewed from time to time by the Audit and Risk Assurance Committee (ARAC).
- 1.3. The review will explore, understand, and record Members' performance on the basis of the contribution they have made to the Board's goals and the competencies they demonstrate in fulfilling their role. It may also consider contribution objectives for the forthcoming year.
- 1.4. An agreed written record of the performance review will be made and copied to the Member (it is recognised that the first year of membership is a 'learning curve'). Once agreed, a copy of the written record will be sent to the appointing authority.¹
- 1.5. Board Members are normally appointed on the basis of a minimum service contribution (MSC) of up to 4 days per calendar month. This time commitment reflects the travel and attendance at Board and other meetings, reading and preparation time, and other activities. The target overall attendance rate for board and similar meetings is seventy five percent.
- 1.6. However, it is recognised that there is a balance to be achieved between attendance, and contribution in other respects. The performance review will explore a Member's contribution in its totality and may well conclude that non-achievement of the target attendance rate is mitigated by a significant contribution in other respects, or vice versa.
- 1.7. In certain cases, the Chairman may agree to an increase or decrease in the MSC, subject to the agreement of the Sponsor. Payment may be adjusted accordingly.

2. Training and Development

- 2.1. Passenger Focus is committed to developing the skills of all Members, but in particular new Members, where required.
- 2.2. Linked to the original criteria for selection, against which Members are appointed, there is a set of core skills and qualities which are desirable for effective membership.

¹ The Commissioner for Public Appointments has determined that such reviews are a necessary precursor for consideration for re-appointment, if eligible.

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2.3. Prior to the performance review a short framework checklist is provided for completion by the Member and then discussed with the Chairman. This enables Members' strengths to be identified and recorded and any weaknesses or gaps in knowledge to be addressed through training and development opportunities.

2.4. There will be a compulsory induction day organised for new Members and they may be nominated a mentor, if required. All Members will have the opportunity to attend relevant external conferences and seminars. Overall priorities for generic development during any business year may be determined on the basis of a checklist compiled through consultation with Members.

3. Payment for Public Service

3.1. Members will receive a payment in return for their public service. Payments are made gross and will be subject to statutory deductions as appropriate to individual circumstances.

3.2. Members who need to be absent for compassionate reasons from their duties to the Council will in no way be disadvantaged in doing so with regard to the consideration of that Member's performance and/or attendance.

3.3. Any Member wishing to decline payment, for any reason, will be in no way disadvantaged by comparison with Members who accept payment. Similarly, the expectation of Member's performance will remain unaltered.

4. Expenses and allowances

4.1. Expenses properly (wholly, necessarily and exclusively) incurred will be reimbursed in accordance with published guidelines, which apply to all Members and Staff.

4.2. It is expected that Members will travel by public transport wherever possible and practicable.

4.3. Rail travel should be standard class unless there is a good business reason for travelling first-class, in which case this reason should be stated.

5. Termination of Appointment

5.1. Compliance with Part A of this Code is a condition of appointment and a breach of it may lead to an appointment being terminated. It should also be noted that certain types of breach might also involve sanctions under criminal law.

5.2. If the provisions of the Codes (Part A or Part B) are in conflict with the terms of appointment by the Secretary of State, the latter shall have supremacy.

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5.3. Members who wish to resign from the Board should do so in writing to the Secretary of State, copied to the Chairman. The resignation will be deemed to be effective on the last day of the month in which it is tendered, unless otherwise agreed.

5.4. The Secretary of State may terminate appointments at any time, without notice or compensation.

6. Declaration and acceptance of the Code

6.1. This Code is promulgated by the Board of Passenger Focus by agreement with the Department for Transport and has effect from 1 May 2014. It has been developed in the context of the Cabinet Office's Guidance on Codes of Conduct for Board Members of Public Bodies of 2011. The Code is part of the condition of appointment to the Board as set out in section 2 of the annex to the Secretary of State's offer of appointment letter.