

# Industry Board Member Appointment Brief and Application Pack

Closing date: 12pm Monday 9<sup>th</sup> November 2015

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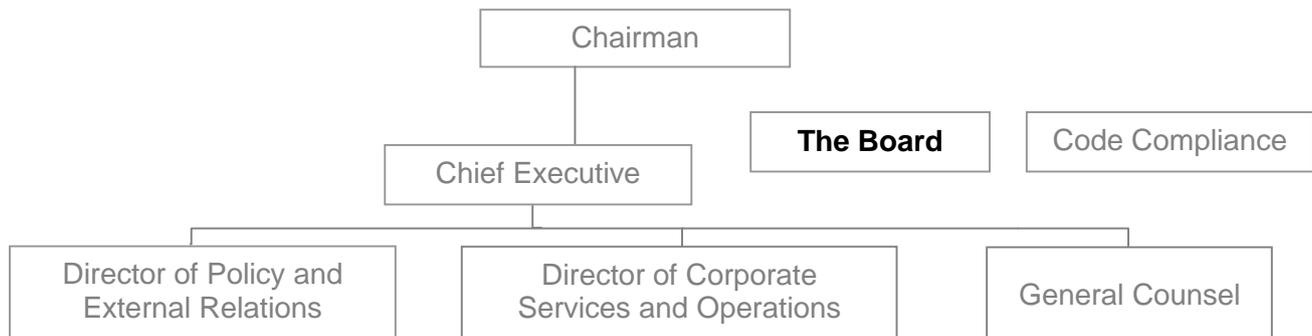
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# Job Statement and Person Specification

- Job Title:** Board Member (non-executive director, part-time, industry)
- Overall Purpose:** To reach agreement on strategic plans and policies to enable PhonepayPlus, and any of its subsidiaries, to discharge its current and future responsibilities through the Executive.



## Core Duties:

- Set and review the strategy and forward plans and policies for the organisation
- Formulate the code and ensure its effective application
- Attend and influence board meeting discussions in determining strategy, plans and policy
- Attend the spring and autumn Industry Forum, or other industry facing meetings from time to time
- As a director of PhonepayPlus exercise all necessary responsibilities under relevant UK company law
- Through board meetings, supervise the work of the chief executive of PhonepayPlus, who is accountable to the board for ensuring that the executive provides an effective and efficient service
- Play an active role in committees or ad hoc work groups that PhonepayPlus may create from time to time
- Maintain knowledge, understanding and awareness of key developments within the field of PRS and the wider micropayment market.

## Person specification:

- Significant experience in a senior strategic thinking role
- Preference for experience at board level
- Ability to make reasoned and sound judgements with integrity in a complex environment

- ❑ Independent minded, fair and impartial, with no conflicts of interest, particularly in relation to the PRS industry
- ❑ Significant business experience within fixed and mobile networks/premium rate and the wider micropayment market (and where no conflicts of interest exist).
- ❑ Understanding of public policy making in a consumer protection environment
- ❑ Ability to set aside personal views and preferences to look objectively at services and products to understand risks and the proportionate responses to these
- ❑ Possess the inter-personal skills necessary to make a full contribution to board discussions and decisions and to act as a public face of the organisation as necessary
- ❑ Strong intellectual and analytical capabilities
- ❑ Flexible in availability
- ❑ Upholds the seven principals of public life (these can be found in the 'additional information' section of this document on page 15)

# Role Specifics

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The time commitment of a Board Member is likely to average up to two days a month, although it is difficult to be precise about this.

The annual rate paid to Board Members is currently set at £15,762.

Expenses are paid in line with our expenses policy.

Successful applicants will be offered a term of three years, with the possibility of this being extended for a further three years. Re-appointment is not automatic and must be approved by Ofcom.

These appointments are for Non-Executive Director office holders and for the avoidance of doubt are not employees of PhonepayPlus. They are however paid through PAYE.

A link to the Board Member's Handbook can be found [here](#).

# How to apply

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If, after reading this information, you do decide you wish to apply please do so by sending a full up-to-date Curriculum Vitae along with a short covering letter setting out how you meet the essential criteria for the post as identified in the person specification.

Visit [www.phonepayplus.org.uk/careers](http://www.phonepayplus.org.uk/careers). You can apply using our on-line application form or alternatively by post to:

Laura Carter  
 PhonepayPlus Ltd  
 25<sup>th</sup> Floor, 40 Bank Street  
 London, E14 5NR  
 e-mail: [recruitment@phonepayplus.org.uk](mailto:recruitment@phonepayplus.org.uk)

The closing date for your completed application is 12pm on Monday 9<sup>th</sup> November 2015.

We actively seek to recruit those from all backgrounds. To achieve this we need to gather data on the background of people applying for jobs here. To help us we would appreciate it if you could complete and return with your application our Diversity Monitoring Form. This is voluntary and you can find the form on the careers page of our website, together with this application pack, for downloading.

<http://www.phonepayplus.org.uk/jobs/how-to-apply>

There is an opportunity for candidates to have an informal confidential conversation about the vacancy with a current serving Industry Board Member. Should they wish to do so, please phone Laura Carter, HR Business Support Executive on 020 7940 7402 to arrange. Candidates invited for an interview will be given the opportunity to have an informal discussion with a current serving Industry Board Member prior to their interview with the panel.

Candidates will be informed if they are successful in their application and are to be invited for interview the week commencing 16<sup>th</sup> November 2015. We plan to hold interviews for short listed candidates on the 1<sup>st</sup> and 3<sup>rd</sup> of December 2015.

Interviews will be held at the PhonepayPlus offices at 40 Bank Street, London, E14 5NR.

The Interview Panels consist of:

David Edmonds	Chairman of the Board (Chair of the Selection Panel)
Kevin Brown	Board Member – Non Industry
Peter Hinchliffe	Board Member – Non Industry
Graham Howell	Corporation Secretary, Ofcom

Selection panel members are appointed in line with best practice and merit.

## References:

References will be taken up prior to interview, covering the last five years of work activity. References must be satisfactory to PhonepayPlus. You should give the names of at least two senior level people who can act as suitable referees and who can comment on your suitability for this role.

**Ofcom:**

As agreed in the MOU with Ofcom; all Non-Executive Director appointments to PhonepayPlus Board are required to have Ofcom approval.

**Asylum and Immigration:**

All offers of appointment are subject to confirmation that you are permitted to work in the United Kingdom in accordance with the provisions of the Asylum and Immigration Act 1996. Successful applicants will be required to present their original passport as evidence of this.

**Qualifications:**

It is our policy to check statements on qualifications and all offers of appointment are subject to this. Successful applicants will be required to present their original certificates as evidence of their stated qualifications prior to a formal offer.

**Other Checks:**

It is our policy to ask all those who work for us to satisfactorily complete our standard application form and medical questionnaire. These documents will be dispatched with any offer of appointment documentation.

**Diversity:**

We are under-represented at Board level by women and those from ethnic minorities and welcome applicants from these Groups.

**Expenses:**

PhonepayPlus does not generally consider reimbursement of travel expenses for first interviews. However, consideration for reimbursement will be given for second interviews or for first interviews, part reimbursement, where travel involves exceptionally long distance and a case has been put forward for financial hardship. Each case will be determined on its individual merits.

# Additional Information

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## About PhonepayPlus

PhonepayPlus is the UK's independent regulator of premium rate services.

Premium rate services are the goods and services that you can buy by charging the cost to your phone bill or pre-pay account. They include directory enquiries, voting on TV talent shows, donating to charity by text or downloading apps on your mobile phone.

Our regulation is open, fair and robust, underpinned by a Code of Practice approved by Ofcom. As the telecoms, internet and payments sectors continue to grow globally at an unprecedented rate, PhonepayPlus takes action to safeguard consumers and help cutting-edge providers of digital content and services to thrive.

### Our vision:

Anyone can use premium rate services with absolute confidence in a healthy and innovative market. Within our remit and expertise, we seek a more consistent approach to regulating micropayments that are like PRS.

### Our mission:

Our mission is to achieve our vision and be a world-class regulator by:

- Putting the consumer at the heart of everything we do through providing effective regulation, information and assistance.
- Understanding the market in which we operate and how it is evolving, so that we can take early, proportionate and targeted action where needed to prevent consumer harm.
- Working with providers to build a healthy market with high standards of compliance.
- Having a Code of Practice that is cutting edge in protecting consumers while also supporting innovation in a fast-changing digital landscape.
- Applying our Code in a way that is impartial, fair, transparent, effective and proportionate.
- Working with Government, other regulators, industry, consumer bodies and international partners on matters within our remit and expertise.

### Our core values:

We continue to adhere to the principles of good regulatory practice. In addition, we have these core internal values and behaviours for carrying out our work:

#### **Forward looking**

We understand the market in which we operate and understand how technology, business models and consumer behaviour are changing and may change in future. We seek proactively and collaboratively to build compliance and to work with industry at an early stage to address emerging consumer issues rather than responding to problems after they have emerged.

#### **Credible and trusted**

We act in a way that demonstrates that we are independent, impartial, trustworthy, transparent, accessible and consistent in all we do. Consumers can rely on us to deliver effective regulation and

industry can rely on us to understand their business, to act proportionately and to explain and consult on what we do.

***Reasonable and Intelligent***

We demonstrate sound judgment and act on the basis of evidence. We are principled and pragmatic towards providers and are aware of the commercial and technical environments under which industry operates.

***Focused on delivery***

We are effective and accountable. We project manage our work effectively to deliver results. We manage resources efficiently so as to ensure we continue to provide good value for money.

***Prompt, open and transparent***

We understand that both providers and consumers benefit from prompt action to resolve issues. We are transparent about our processes and the reasoning behind decisions.

## Our Three Year Plan

The purpose of this plan is to ensure widespread understanding of and agreement to PhonepayPlus' vision, mission and key objectives for 2014 to 2017.

The plan sets the direction for our work and will shape our annual budgets and business plans over the period.

The five key objectives for PhonepayPlus between 2014 and 2017 are:

### Objective 1:

***To help consumers use PRS safely.***

- Help consumers to obtain redress where they have suffered harm.
- Put in place additional protections for vulnerable consumers, such as children.
- In collaboration with partners, provide information and support to consumers about potential risks and how to avoid them.

### Objective 2:

***To continue to drive up compliance levels and trust in the market.***

- Make effective and proportionate use of enforcement powers under our Code.
- Update our Code and Guidance to ensure they remain effective and future-proof.
- Engage actively, and share information, with industry and other stakeholders throughout the value chain.

### Objective 3:

***To identify and prevent emerging risks to consumers.***

- Use research and market intelligence to identify emerging issues in the market.
- Develop our market expertise and partnerships with other regulators, consumer bodies and organisations such as internet security companies.
- In collaboration with phone providers and others, take early action through enforcement, policy development and other tools to prevent emerging issues from becoming active problems.

### Objective 4:

***To ensure that regulatory frameworks keep pace with market changes.***

- Develop our knowledge of how the market in digital content and services is changing and of the implications of this for consumers, providers and regulation.
- Work with industry, other regulators and government to build a consensus on the best and most effective responses to these changes.

### Objective 5:

***To deliver effective and efficient regulation.***

- Ensure that our regulation continues to deliver the outcomes for consumers set out in our Code.
- Ensure that we use resources efficiently and provide good value for money.

A full copy of the strategic plan may be viewed [here](#) on our website.

## PhonepayPlus' Relationship with Ofcom

Ofcom is the statutory regulator responsible for regulating the UK communications market. Ofcom was created under the Communications Act 2003. That Act makes provision for the regulation of premium rate services (PRS). The relevant provisions are set out at s120-124 of the Act. A link to the Act is [here](#).

These provisions include definitions of PRS and PRS providers, criteria for approving the Code (which includes funding and independence) and backstop powers for Ofcom to support PhonepayPlus' enforcement activity.

PhonepayPlus' relationship with Ofcom is governed by a Memorandum of Understanding (MoU) the most recent version agreed in March 2015, and is available on the PhonepayPlus website [here](#).

Whilst Ofcom has delegated its statutory enforcement duties in relation to PRS to PhonepayPlus, it continues to approve the Code which is developed and enforced by PhonepayPlus.

Various protocols set the respective responsibilities of Ofcom and PhonepayPlus for issues of shared interest. The relationship with Ofcom is considered by both organisations to be both strong and effective both at the Board and Executive levels. A senior director of Ofcom acts as an interface between the two organisations and attends all Board meetings in an observer capacity. The Chairman meets with Dame Patricia Hodgson, Ofcom's Chairman, 2-3 times annually to discuss matters of mutual interest.

## The Board, Code Compliance Panel and the Executive

The Board comprises a part-time Chairman (non-executive), the Chief Executive of PhonepayPlus and up to six part-time members (non-executives). A minority of the Board Members are appointed on the basis that they have connections with the premium rate industry and do not exercise any adjudicatory functions. Non-industry members form the majority of the Board and are independent of the premium rate industry, with some members required to carry out adjudicatory responsibilities.

The main functions of Board members involve:

- Within the context of the Memorandum of Understanding with Ofcom, formulating PhonepayPlus strategies and policies, including the development and enforcement of the Code
- Setting and reviewing the three year strategy and annual business plan
- Supervising the work of the Executive which is accountable to the Board for ensuring the provision of an effective and efficient regulatory service
- Reviewing the effectiveness of the Code Compliance Panel, adjudicates on cases and undertakes review hearings
- Fulfilling the statutory duties, acting in the interests of PhonepayPlus and ensuring proper care of its assets.

The work of Board members involves attendance at the following meetings, usually held at our offices in 4 Bank Street, London, E14 5NR:

- The Board, which normally meets in the morning, averaging about five meetings a year
- Away days of approx. two per year, focussing on planning
- Standing committees and ad hoc working groups, which vary in subject matter and composition and which normally meet during the day. It is not practicable to estimate the time commitment, as the selection of Committees on which a Board member serves depends partly on the availability and interests of the Board member however this may include up to ten meetings per year.

Other aspects of the work are carried out from each Board member's home/office, including:

- Reading and preparing for meetings of the Board and relevant Committees and Working Groups
- Miscellaneous work, including drafting papers or commenting on Executive drafts
- There is also a wide range of other activities in which Board members may be involved, including meetings with industry or other interested bodies, attendance at PhonepayPlus Forums, visits to service providers and media interviews. It is not practicable to quantify these, which will in any case depend partly on Board member availability.

A List of our current board members and a short biography on each member may be found [here](#) on our website.

## **Committees:**

Current working committees of the Board are as follows:

### **Resources Committee:**

- Responsible for overseeing expenditure, presenting the PhonepayPlus budget and monitoring core activities and performance
- Supervising long term and strategic financial planning and policy, the annual business plan and budget process and approval of management accounts
- Responsible for overseeing the PhonepayPlus human resources strategy, agreeing substantive changes to employment policy and advising the Board on significant employment matters
- Overseeing policies, the remuneration strategy and review of organisational design issues and structure
- Responsible for scrutinising performance management data for all aspects of PhonepayPlus' core activities including the KPI's agreed with Ofcom.
- Responsible for evaluating the work and performance of the Committee and overseeing arrangements for the appointment of designated senior Executive posts.

### **Audit, Risk & Corporate Governance:**

- Responsible for managing the internal and external audit processes, as well as dealing with matters relating to risk management within PhonepayPlus
- Responsible for considering the adequacy of internal financial control systems, security audit of IT systems and infrastructure, funding and collection arrangements of the levy
- Responsible for reviewing the business continuity and disaster recovery plans, insurance arrangements
- Responsible for reviewing the corporate governance arrangements and making recommendations to the Board
- Responsible for evaluating the work and performance of the Committee.

### **The Board and the Code Compliance Panel Relationship:**

The Code Compliance Panel is the body to which the Board delegates its adjudicatory function and non-industry Board members form a minority of its general makeup.

The relationship between the Code Compliance Panel and the Board is characterised by six principles:

- The Code Compliance Panel is responsible for all undertaking all adjudications, reviews and oral hearings under the Code
- The Board is responsible for determining all policy issues
- The Code Compliance Panel is accountable to the Board for its performance
- The Board and Code Compliance Panel maintain an on-going, two way dialogue on policy issues

- The Board may issue guidance to the Code Compliance Panel on general or specific policies/strategies and/or issue Code Guidance to industry. The Code Compliance Panel will have the strongest regard to the Board's Guidance in its application of the Code and the facts of the individual cases
- In the event of conflict between Guidance and the Code, the Code Compliance Panel will apply the Code.

**The Executive:**

Our Executive maintains a permanent average full-time equivalent headcount of around 48 staff.

Our budget for 2015/16 £4.4 million.

A structure chart of our organisation can be found on our website [here](#).

## The Seven Principles of Public Life

### **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 their 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:**

In carrying out public 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 interests.

### **Leadership:**

Holders of public office should promote and support these principles by leadership and example.