

Governance statement

GPHC0040 Version 1.2

This policy sets out the key governance principles of the GPhC and our approach to maximising openness in Council meetings



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1. Introduction

- 1.1 This policy sets out the key corporate governance arrangements for GPhC and outlines the approach we take to maximise the amount of Council business which is conducted in public, in line with the principles of good regulation.

2. Purpose

- 2.1 This policy is designed to provide an overview of the corporate governance arrangements of the organisation.

3. Scope

- 3.1 The Council is responsible for deciding the organisation's aims and for making sure that they are achieved. The Council accounts for the organisation's performance to Parliament, the Scottish Parliament and the Welsh Assembly, representing the public.
- 3.2 The GPhC organisation is headed by the Chief Executive and Registrar (CE&R). The CE&R manages the staff, resources and business of the organisation, assisted by the Senior Leadership Group.
- 3.3 The CE&R is required to assure the Council as to the organisation's achievement of the aims set out by Council and as to the management of the risks facing the organisation.
- 3.4 Governance arrangements are implemented through the GPhC's governance and assurance framework. This includes the Scheme of Delegation, Authority Framework, Standing Financial Instructions as well as a number of supporting policies and procedures.

4. Openness in Council Meetings

- 4.1 Transparency and accountability are two of the five principles of better regulation. As a regulator and public body, these are vital to our effectiveness and the public interest. Our decision-making must be open, transparent and subject to public scrutiny.
- 4.2 As such, the default position for Council business is that it will be conducted in public. In line with the Standing Orders of the Council, members of the public may attend meetings of the Council. Council meeting agendas, papers and minutes are routinely published on our website.
- 4.3 It may, however, be appropriate and necessary, for some matters to be discussed in confidential business. This is also provided for in the Standing Orders of Council.
- 4.4 Generally, items discussed in confidential business will fall within specified criteria, for example, where information is sensitive for personal or commercial reasons.
- 4.5 The Council may take business as confidential when the item:
- could be prejudicial to the effective conduct of the GPhC's functions if discussed in public; or
 - contains information which has been provided to the Council in confidence; or
 - contains information whose disclosure is legally prohibited, or is covered by legal privilege; or
 - is part of a continuing discussion or investigation and the outcome could be jeopardised by public discussion; or
 - refers to an individual or organisation that could be prejudiced by public discussion; or
 - relates to negotiating positions or submissions to other bodies; or

- g. could be prejudicial to the commercial interest of an organisation or individual if discussed in public session; or
 - h. could be prejudicial to the free and frank provision of advice or the exchange of views for the purpose of deliberation if discussed in public; or
 - i. needs to be discussed in confidence due to the external context, for example, during periods of heightened sensitivity such as during an election period.
- 4.6 This is not an exhaustive list and there may be occasions when a judgement will need to be made in relation to a specific item of business.
- 4.7 There will also be some routine matters of confidential business, for example, confidential minutes of the Audit & Risk, Finance & Planning, and Remuneration Committees.
- 4.8 Additionally, not all items which would fall within the above criteria need necessarily be excluded from public business. A judgement will be made in each case as to whether it is appropriate to include an item in confidential business or whether it could be reasonably be discussed in public. Items should be discussed in public whenever it is reasonable and appropriate to do so.
- 4.9 The GPhC is covered by the Freedom of Information Act 2000 (Fol Act). The Fol Act provides a general right of access to information held by public bodies in the course of carrying out their public functions, subject to certain conditions and exemptions. The fact that an item has been discussed in confidential session at Council does not mean that information relating to it, including papers and confidential minutes, is not disclosable under Fol.
- 4.10 Any requests made under the Fol Act will be considered in line with our usual procedures. There is more information available on our website [here](#).

