



# Chair of the 2019 Voluntary Scheme for Branded Medicines Pricing and Access (VPAS) – Dispute Resolution Panel

Information pack for applicants

Closing date: midday on 01 November 2021  
Reference no: VAC-1789



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# Introduction

## **A message from Elizabeth Woodeson, Director of Medicines & Pharmacy**

Dear Applicant

Thank you for your interest in this post and for your time reading this applicant information pack.

The Voluntary Scheme for Branded Medicines Pricing and Access (VPAS) has been in existence in one form or another for over 50 years. The current scheme agreed in 2019 aims to deliver the most innovative and cost-effective medicines to patients more quickly, whilst ensuring the NHS obtains the branded medicines it needs at reasonable prices, and also allowing the pharmaceutical industry to earn the money it needs to spend on researching and developing new and improved future medicines.

There is a balance to be drawn between these objectives. Sometimes it is not possible for the Department and the industry to agree where that line should be drawn. This is when a referral is made to an independent body – the VPAS Dispute Resolution Panel. We are seeking a Chair for that Panel who can oversee resolution of those disputes both impartially and effectively.

I do hope you are excited by the challenges this opportunity presents and that you will be inspired to apply.

Elizabeth Woodeson

Director of Medicines & Pharmacy

Department of Health and Social Care

# Section 1 – The Role

## 1.1 Role and Responsibilities of the Chair of the VPAS Dispute Resolution Panel

### Introduction

The Department of Health and Social Care is seeking to make an appointment to the VPAS Dispute Resolution Panel (DRP).

### Role and Responsibilities of the Chair

The Chair of the Dispute Resolution Panel will initially explore the possibility of a compromise and settlement of any dispute through informal mediation between both Parties. If a settlement cannot be reached through informal mediation, the Chair will convene a formal panel meeting to decide the dispute. To do so they will:

- Prepare for panel meetings, reading panel papers attentively, identifying key issues, requesting supplementary written evidence, and drawing on expert professional advice as necessary.
- Liaise with the joint Department of Health and Social Care (DHSC) and Association of the British Pharmaceutical Industry (ABPI) secretariat to ensure proper administration procedures are completed and that cases are handled in an effective manner.
- Support training for members of the panel and joint secretariat as appropriate and ensure both they and the other panel members have received appropriate training ahead of any hearing.
- Chair meetings of the panel impartially, leading discussion and ensuring due process is followed.
- Ensure that all those attending a panel hearing are treated with respect and courtesy and given a platform for their evidence and views.
- Ensure that clear and accurate records of meetings and panel hearings are recorded, working with the joint secretariat as necessary.
- Facilitate the active participation of all panel members in contributing to the panel's consideration of cases.

- Lead the deliberations and decision-making of the panel and help ensure that the reasoned decision of the panel is sound; based on the relevant facts; and presents the reasoning behind the panel's conclusions.
- Communicate decisions promptly and accurately.
- Safeguard the confidentiality of all panel papers and panel discussions.

## **Qualities required for the role of the Chair**

The Department of Health and Social Care values and promotes diversity and encourages applications from all sections of the community. The boards of public bodies should reflect the population they are there to serve. Boards also benefit from fresh perspectives, and we are always keen to encourage candidates with private sector experience to consider applying for our roles.

## **Essential Criteria**

To be considered, you must be able to demonstrate that you have the qualities, skills and experience to meet all the essential criteria for appointment.

The Chair should be a solicitor or barrister qualified to practise in England and Wales, Scotland or Northern Ireland of at least seven practice years' standing and/or a person who has at least seven practice years' experience of significant mediation or dispute resolution. In addition, the Chair should have:

- Experience and knowledge of the world of industry, commerce and/or the healthcare sector relevant to cases likely to be brought before the panel.
- The ability to chair a panel in accordance with regulations, guidance and the rules of VPAS. The ability to ensure that all panel members are able to explore issues openly and honestly, to facilitate all panel members' active participation in meetings, and to manage disagreements between panel members.
- Experience of mediating or resolving complex issues and disputes by liaising with a variety of individuals and organisations.
- The ability to quickly understand complex and technical issues and to consider and interrogate evidence when making decisions. The ability to communicate decisions and the justification for decisions clearly and concisely.
- The ability to identify solutions to difficult problems. A practical and thorough approach to problem solving.

- An objective, independent and impartial approach.
- IT literacy and confidence communicating through digital technologies.

## Remuneration

- The Chair will receive £650 per day plus expenses. They will be paid for a minimum of 12 days per year (pro rata for part years) as a retainer even if required for fewer days, in return for which they will be expected to be available to hear disputes within no more than 30 days of a dispute being raised.
- Remuneration is taxable, and subject to National Insurance contributions, both of which will be deducted at source under PAYE before you are paid. Remuneration is not pensionable.
- You may claim travel and subsistence expenses, which are properly and necessarily incurred in carrying out your role and responsibilities as the Chair of the VPAS DRP, in line with travel and subsistence policy and rates for the Department of Health and Social Care. A copy of the policy and rates can be obtained from the Department of Health and Social Care.

## Time commitment

Variable depending on number of cases referred, though as a guide, dispute hearings, can last up to two days. Members will need to set aside time (up to six days) for preparation and drafting of cases and be expected to be available to hear a case within no more than 30 days of a dispute being raised.

## Location

Meetings are usually held in London but may be virtual depending on Covid-19 guidance.

Occasional travel to other locations may be required.

## Tenure of office

The Department of Health and Social Care senior responsible officer determines that the initial appointment will run until 31 December 2023 when the current VPAS ends.

The appointment may be renewed at the end of the first period of office, subject to consistently good performance for a further 5 year period. **There should therefore be no**

**expectation of automatic reappointment.** The maximum total term is 10 years before the role will be readvertised.

## **Accountability**

The Chair is appointed by the Departmental Senior Responsible Officer and are accountable to the Senior Responsible Officer for carrying out their duties and for their performance.

For further information regarding the role of the VPAS DRP and the role of the Chair please contact:

Michael Vidal

Email: [dhsc.drp@dhsc.gov.uk](mailto:dhsc.drp@dhsc.gov.uk)

## 1.2 VPAS Dispute Resolution Panel role and responsibilities

The 2019 Voluntary Scheme for Branded Medicines Pricing and Access (VPAS) is a UK-wide voluntary agreement between the Department of Health and Social Care and the Association of the British Pharmaceutical Industry (ABPI) that controls the prices of branded prescription medicines sold to the NHS by capping the rate at which overall NHS spending on branded medicines can rise. It is not binding under the law of contract but is given effect by the [NHS Act 2006](#). The branded medicine market is currently worth **£10 billion per annum**. There have been a series of Voluntary Scheme agreements since 1957, each lasting five years or so, though the schemes have evolved over time.

The Department of Health and Social Care, which is responsible for administering VPAS, and individual scheme members undertake to operate the agreement so that issues arising between them are normally resolved through discussion. Where such discussions do not resolve an issue, either party may refer the matter to a dispute resolution panel to be resolved according to dispute resolution procedures provided for in the VPAS, [Chapter 7](#) and [Annex 15](#). It is possible that the ABPI, as the industry body, may refer a matter to the dispute resolution panel if the issue spans the interests of the broader membership and not just an individual member.

The dispute resolution panel will consist of a Chair and two members. The Department of Health and Social Care will appoint the Chair, with the agreement of the ABPI. The other panel members are appointed by the Department of Health and Social Care and the ABPI respectively.

The rules of the Voluntary Scheme cover a number of different subjects including the affordability mechanism and associated payments, price adjustments, product launches, profit assessments and the provision of information. Further details about VPAS are available from: <https://www.gov.uk/government/publications/voluntary-scheme-for-branded-medicines-pricing-and-access>.

# Section 2: How to Apply

## 2.1 Making an application

Thank you for your interest in the appointment of the Chair to the VPAS DRP.

To make an application please email your CV, a supporting letter and completed monitoring forms to:

[appointments.team@dhsc.gov.uk](mailto:appointments.team@dhsc.gov.uk) – please quote **VAC-1789** in the subject field.

If you are unable to apply by email, please contact Jonathan Miller on 0113 2045454 to discuss alternative option.

Applications must be received by **midday on 01 November 2021**.

In making an application please note the following:

### Supporting letter

The supporting letter is your opportunity to demonstrate how you meet each of the criteria set out in the person specification. It will benefit the Advisory Assessment Panel if you can be clear which specific evidence you provide relates to which criteria. Providing separate paragraphs in relation to each criterion is common practice. Please write all acronyms in full first.

Please ensure your full name, the role to which you are applying and the corresponding reference number for the post are clearly noted at the top of your letter.

Please limit your letter to two pages, and type or write clearly in black ink.

### Conflicts of interest

If you have any business or personal interests that might be relevant to the work of the VPAS DRP and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your Supporting letter.

If appointed, you will also be required to declare these interests on appointment and they will be entered on a register which is available to the public.

## Standards in public life and ensuring public confidence

Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of the public and Government. If there are any issues in your personal or professional history (including any convictions or bankruptcy) that could, if you were appointed, be misconstrued, cause embarrassment to Ministers or VPAS DRP or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the Advisory Assessment Panel and provide details of the issue/s in your Supporting letter. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media and blogs. Due Diligence may be carried out on any publicly available information and shared with the Advisory Assessment Panel.

The panel may explore any issues you declare with you before they make a recommendation on the appointment.

Failure to disclose such information could result in an appointment being terminated, as those who hold public appointments are expected to demonstrate the highest standards of corporate and personal conduct and are required to subscribe to the Code of Conduct for Board Members of Public Bodies, as part of agreeing to the terms and conditions of appointment. You can access this document at:

<https://www.gov.uk/government/publications/board-members-of-public-bodies-code-of-conduct>

There are also circumstances in which individuals may not be considered for appointment, due to them not meeting certain eligibility criteria for appointment. For further information, please refer to **Section 2.3: Eligibility Criteria**

If you wish to discuss any queries on conflicts, please see the contacts section.

## CV

Please ensure your CV includes:

- Your full name, title, home address, personal contact telephone numbers (land line and mobile), personal email address and details of any Twitter accounts and LinkedIn accounts including your Twitter handle/username.
- Similar contact details for two referees who will support your application. One referee should be the person to whom you are/were accountable in your current/most recent appointment or position of employment. Please indicate the relationship of each referee to you. References will be requested for short-listed candidates prior to interview

- Brief details of your current or most recent post and the dates you occupied this role. Please identify any past or present Ministerial appointments.

## **Monitoring form**

Please complete the monitoring form. Diversity monitoring information will not be seen by the Advisory Assessment Panel assessing your application.

## **Disability Confident Scheme**

The Department of Health and Social Care values and promotes diversity and is committed to equality of opportunity for all and to the appointment of disabled people. As part of the Disability Confident Scheme, we guarantee an interview to anyone with a disability who applies under the Scheme and whose application meets the essential criteria for the post.

### **What do we mean by a disability?**

To be eligible for the Disability Confident Scheme you must have a disability or long-term health condition, which could be physical, sensory or mental and must be expected to last for at least 12 months. You do not have to be registered as a disabled person to apply under this scheme.

If you wish to apply under the Disability Confident Scheme please complete Section E of the Monitoring form and return it with your application.

All applications will be acknowledged by email after the closing date.

## **Contacts**

For further information regarding the selection process, please contact

Jonathan Miller

Appointments Team

Tel: 0113 2045454

Email: [jonathan.miller1@dhsc.gov.uk](mailto:jonathan.miller1@dhsc.gov.uk)

**Chair of the VPAS DRP information pack for applicants**

For further information regarding the role of the VPAS DRP and the role of the Chair please contact:

Michael Vidal

Email: [dhsc.drp@dhsc.gov.uk](mailto:dhsc.drp@dhsc.gov.uk)

Please quote reference **VAC-1789** on all correspondence.

If you choose to apply, we would like to thank you in advance for your time and effort in making an application.

## 2.2 The Selection Process

The Appointments Team will deal with your application as quickly as possible and will advise you of the likely timetable at each stage.

Timetable:

- Closing date: Midday on 01 November 2021
- Shortlisting complete: 16 November 2021
- Interviews held: 07 December 2021
- If you are appointed as Chair, you will be required to chair the interview panel for the Member role. Interviews will be held on a date to be confirmed.

The selection panel will be:

- Stephen Hennigan, Deputy Director, Medicines Pricing, DHSC as Panel Chair
- Pinder Sahota, representative of ABPI
- Ann Gill, Independent Panel Member

The Independent Panel Member is independent of both the Department of Health and Social Care and the VPAS DRP.

After the closing date for applications:

- The Department of Health and Social Care may commission a pre-assessment of candidate applications which would then be provided to the Panel for consideration and to inform the shortlisting process. By applying, you are agreeing to your application being shared with another party for pre-assessment. The pre-assessor and the panel are reliant on the information you provide in your CV and supporting letter to assess whether you have the skills and experience required. Please ensure that you provide evidence to support how you meet all the essential criteria. It is the responsibility of the panel to determine who it believes best meet the criteria for the role, and who will be invited to interview.
- Interviews will be held on 12 November 2021.
- The Advisory Assessment Panel will select for interview only the strongest applicants who it feels have demonstrated that they best meet the criteria set out in the person specification. However, if you have applied under the Disability Confident Scheme and you meet all the essential criteria, then you will also be invited for interview.

- If you are invited to interview and if you are unable to attend on the set date, then an alternative date can only be offered at the discretion of the Advisory Assessment Panel
- The Appointments Team will email to let you know whether you have been invited to be interviewed. Interviews will be conducted either by video/ teleconference or if face-to-face, in central London. We will confirm arrangements to shortlisted candidates in due course.'
- If invited to interview, the Advisory Assessment Panel may invite you to make a brief presentation at the start of the interview and will go on to question you about your skills and experience, including asking specific questions to assess whether you meet the criteria set out for the post.
- The Advisory Assessment Panel will also explore with candidates any potential conflicts of interest or any other issues arising from candidate's personal and professional history which may impact on an appointment decision (see section 2.1 for further details).
- Candidates who the panel believe are 'appointable', will be recommended to the Senior Responsible Officer who will make the final decision. The Senior Responsible Officer may choose to meet with shortlisted candidates, before or after interview, before making a decision. Candidates should therefore be prepared for a short time gap between interview and a final appointment decision being made. Candidates who have been interviewed will be kept informed of progress.
- If you are successful, you will receive a letter from the Senior Responsible Officer appointing you as the Chair of the VPAS DRP, which will confirm the terms on which the appointment is offered.
- **Please note that due to the volume of applications that are received it is not possible to routinely provide feedback to those not shortlisted for interview.**
- If you apply under the Disability Confident Scheme and you are not shortlisted for interview, we can provide a summary of the assessment of your written application, if you choose to request feedback.
- If you are unsuccessful at interview, you will be notified by the Appointments Team. We appreciate it takes a lot of time and effort to apply for roles, and prepare for and attend an interview, and that feedback is a valuable part of the process. Following interviews, the letter which confirms the outcome of the appointment process will provide the details of who you may approach for feedback on your interview and application, if you so wish.
- For further information on how we will manage the personal information that you have provided to us through your application, see **Section 2.4.**

## Queries

For queries about your application, please contact Jonathan Miller on 0113 2045454.

## Standards in public life

You will be expected to demonstrate a commitment to and an understanding of the value and importance of the key principles of public life. All successful candidates will be asked to subscribe to the Code of Practice for Scientific Advisory Committees (CoPSAC); you can access this document at:

<http://www.bis.gov.uk/assets/goscience/docs/c/11-1382-code-of-practice-scientific-advisory-committees.pdf>

## Diversity and equality of opportunity

The Department of Health and Social Care values and promotes diversity and encourage applications from all sections of the community.

## If you are not completely satisfied

The Department of Health and Social Care will aim to process all applications as quickly as possible and to treat all applicants with courtesy. If you have any complaints about the way your application has been handled, please contact Sally Brough-Hirst in the Department of Health and Social Care by emailing [Sally.Brough-Hirst@dhsc.gov.uk](mailto:Sally.Brough-Hirst@dhsc.gov.uk)

## 2.3 Eligibility Criteria

There are circumstances in which an individual may not be considered for appointment. They include:

1. persons who have received a prison sentence or suspended sentence of 3 months or more in the last 5 years
2. persons who are the subject of a bankruptcy restrictions order or interim order, or a debt relief order or interim debt relief order under Schedule 4ZB to the Insolvency Act 1986
3. persons who have had an earlier term of appointment with a health service body terminated on the grounds:
  - that it was not conducive to the interests or good management of the body that the person should continue to hold office
  - that the person failed to attend a meeting of the body on three consecutive occasions
  - that the person failed to declare a pecuniary interest or withdraw from consideration of a matter in respect of which the person had a pecuniary interest
  - of misconduct or failure to carry out the person's duties
4. anyone who is under a disqualification order under the Company Directors Disqualification Act 1986; or
5. anyone who has been removed from trusteeship of a charity.

Further advice about the Eligibility Criteria can be provided by contacting Jonathan Miller on 0113 2045454.

## 2.4 How we will manage your personal information

Your personal information will be held in accordance with the General Data Protection Regulation. You will not receive unsolicited paper or electronic mail because of sending the Department of Health and Social Care any personal information. No personal information will be passed on to third parties for commercial purposes.

When we ask you for personal information, we promise we will:

- Only ask for what we need, and not collect too much or irrelevant information
- Ensure you know why we need it
- Protect it and insofar as is possible, make sure nobody has access to it who shouldn't
- Ensure you know what choice you have about giving us information
- Make sure we don't keep it longer than necessary
- Only use your information for the purposes you have authorised

We ask that you:

- Provide us with accurate information
- Inform us as soon as possible of any changes or if you notice mistakes in the information we hold about you

If you apply for a post, we will share some of the information you provide with the members of the selection panel for the post to which you are applying, so that your CV and supporting letter can be assessed.

The diversity information you provide will not be used in the selection process and will therefore not be shared with the Advisory Assessment Panel assessing your application at any stage.

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