



# **Civil Aviation Authority (CAA)**

## **Chair of the CAA Consumer Panel**

**Information Pack**  
January 2012

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## Introduction from the Chair of the CAA

A regulator exists to protect the interests of consumers and of the public. The CAA's clear commitment is to ensure that this is central to all our work: in safety, in market regulation and consumer protection, and in terms of the impact of aviation on the environment. However, improving passenger experiences is not only a matter of avoiding things going wrong. We also have an important role to play in creating the preconditions for innovation, investment and improvement in service quality. Empowering consumers so they can get the best from the competitive market is an important way to achieve this.

The creation of the CAA Consumer Panel represents a major step forward for the CAA in its efforts to meet the ambitions set out in its Strategic Plan<sup>1</sup>. The Panel will replace the Air Transport Users Council (AUC), whose model of passenger representation had remained basically unchanged for forty years. The Panel expects to build on the successes of the AUC and it will be key to ensuring that the passenger experience is placed at the heart of the regulatory regime. Keeping the remit for passenger representation within the CAA structure is also in line with the Government's stated desire to avoid any additional regulatory burden on industry.

The Panel will help us deliver choice and value for current and future aviation consumers, including where competition is insufficient to be relied upon for the protection of consumers. We will rely on the Panel to shine a light on the problems consumers face and give the CAA an insight into the priorities for passengers and the everyday problems they encounter. We also want the Panel to suggest practical solutions to these problems. In short, the Panel will give consumers a louder voice in the regulatory process and help the CAA to deliver on its commitment to put the consumer at the heart of its work.

As the first Chair of a new organisation, the successful applicant will be expected to play a significant part in shaping the role of the Chair and the Panel. We are looking for a Chair who shares the values of the CAA and is committed to helping us shape our regulatory activity around the needs of current and future aviation consumers. We want someone who will provide effective leadership to the members of the Panel and ensure that its advice is evidence-based and is drawn from the breadth of expertise and experience that the Panel members can offer. We also want someone who is adept at creating and maintaining effective relationships with a range of other consumer organisations, industry and senior CAA staff, including at Board level.

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<sup>1</sup> <http://www.caa.co.uk/docs/1743/CAA%20Strategic%20Plan%202011-16%20v2.pdf>

I, and my senior colleagues, are committed to making the Consumer Panel a success and will expect to work closely with the Chair to ensure that the the interests of consumers and the public are put at the heart of all that we do.

A handwritten signature in black ink that reads "Deirdre Hutton". The signature is written in a cursive style with a large initial 'D'.

***Dame Deirdre Hutton, CBE***  
***Chair, Civil Aviation Authority***

# Setting the Role in Context

## Role of the CAA

As the UK's independent, specialist civil aviation regulator, the CAA safeguards the public interest by regulating safety in the sector, managing the UK's airspace and promoting choice, value and fair treatment for aviation. Its specific responsibilities include:

- Air Safety
- Economic Regulation
- Airspace Regulation
- Consumer Protection
- Environmental Research & Consultancy

In addition, the CAA advises the Government on aviation issues, represents consumer interests, conducts economic and scientific research, produces statistical data and provides specialist services.

For more information about the CAA, including the latest corporate reports, please visit [www.caa.co.uk](http://www.caa.co.uk)

## The CAA Consumer Panel

As part of its Strategic Plan, the CAA described how it plans to develop a new approach to consumer issues. The plan sets out the CAA's objective for improving outcomes for consumers:

*To improve choice and value for aviation consumers now and in the future by promoting competitive markets, contributing to consumers' ability to make informed decisions and protecting them where appropriate.*

As part of its strategy to achieve this objective, the CAA announced changes to the system of representation for air travellers in order to give the consumer a stronger voice in the regulatory structure and improve the passenger experience. An important part of this change is the creation a CAA Consumer Panel to represent passengers generally and also guarantee that the CAA receives independent advice supporting air travellers, thereby placing the passenger experience at the heart of the regulatory regime.

## The role of the Panel

The UK benefits from a diverse and innovative aviation market. Aviation delivers significant consumer benefits through competition amongst airports, airlines and other service providers, and when consumers are empowered to make informed choices. But there are occasions when competition is insufficiently adequate to protect consumer interests. There are also significant challenges in how to empower consumers in an ever-evolving market, where there is sometimes an almost bewildering array of choices and some suppliers choose not to present information sufficiently clearly. Passengers also have sector-specific legal rights to mobility assistance and help during a flight disruption, and the CAA has committed to raising awareness of these sometimes complex rights and the levels of industry compliance.

The Panel will support the CAA in its role to protect air passengers. It will act as a “critical friend” to the CAA, providing a consumer perspective on all aspects of the CAA’s work. It will provide expert advice to the CAA board that is constructive and realistic but also cognisant of the decisions that the CAA will have to make as a regulator. This will be supported by the CAA and the Panel sharing information and ideas regularly and, in particular, early in the regulatory process.

The Panel will have “internal independence” from the CAA. In general, it will provide oversight and advice on the CAA regulatory approach to the delivery of choice and value for consumers across the aviation market, consistent with better regulation principles. It will also actively help the CAA to conceive, develop, and manage the delivery of this regulatory approach and to set its priorities in relation to all areas that affect commercial air passengers.

It will have scope to make public statements and it would be expected to publish an annual report, in addition to its meeting agendas and minutes. It could use this public face to hold the CAA to account – for example, it could ask the CAA to explain formally why it might disagree with the Panel’s advice. But the Panel will not be a campaigning organisation with a substantial public profile. Nor would it normally respond to either CAA or other consultations.

It is expected that the Panel’s main focus would be on how regulation affects passenger service, quality and value, and particularly on compliance and enforcement activities in relation to consumer protection legislation. The Panel will also consider broader passenger experience issues such as the CAA’s complaints handling process and the quality and nature of advice given by the CAA to consumers. It might also consider other areas of the CAA’s regulatory remit including issues relating to how best to regulate airports in the future so as to support the development of increased competition and deliver more consumer-focussed regulation; how best to handle environmental concerns such as those about local noise and air pollution where difficult trade-offs can be required between additional services for consumers and the interests of the wider public; and how consumer interests are incorporated into safety regulation.

## **Key activities**

The objective of the Panel is to “understand how aviation can deliver choice and value to consumers, and help the CAA deliver regulation that promotes the interests of consumers and the public.”

The role of the Panel will evolve over time, but we expect it to focus on the following activities.

- To help the CAA to understand fully, and take account of, the interests of consumers in its policy development and decisions.
- To use existing CAA research, request the CAA to undertake new targeted research, and to gather intelligence, to understand the aviation consumer experience.
- To provide the CAA with feedback from a consumer perspective on the effectiveness of its policies and practices.
- To help the CAA develop its approach to consumer engagement to inform its work.
- To challenge the CAA on behalf of aviation consumers, as appropriate, and if required, through publicly available written notices, in order positively to influence outcomes for passengers.
- To maintain an overview of developments in the aviation market from a passenger perspective and developments affecting consumers in other markets.

## **Independence of voice**

The CAA is committed to ensuring that the Panel has sufficient independence to make a difference, through having an ability to speak with authority and to challenge the CAA if appropriate. We plan to secure this “internal independence” from the CAA by ensuring that the Panel:

- Reports directly to the CAA Board.
- Has its own area on the CAA website.
- Is able to issue written requests for data/research – which the CAA will either provide or give a written explanation of why the data cannot be provided. This explanation can be published by the Panel.
- Is able to issue written notices to the Board highlighting views and advice, which require a written response from the Board. These written responses could be made available on the Panel’s webpage.
- Publish an annual report.

These arrangements will evolve with time, and can be varied with the agreement of the CAA’s Chair.

## **The proposed structure**

The Panel will operate at arm’s length from the CAA in order to guarantee its internal independence within the CAA corporate structure. It will report directly to the CAA Board. The Panel Chair will produce a strategic review annually for the CAA Board in which it will indicate the proposed plan and priorities for the coming year. The Panel will have no legal basis and governance of the Panel will fall within the corporate structure of the CAA.

The CAA's Regulatory Policy Group will provide secretariat support to the Panel, although these arrangements may be reviewed after an appropriate period of time.

### **Costs**

It is estimated that the annual direct cost of the Panel will be approximately £44,000. There will also be additional indirect costs in terms of the use of existing CAA staff to support the Panel including providing the Secretariat function.

## About the Role

As the first Chair of a new organisation, the Chair will be expected to help shape the role of the Chair and that of the Panel. Appointment of the Chair will be made by the CAA for a term of three years which may be renewed for a maximum of one further term of three years. This is a part time appointment. The remuneration is based on a time commitment of a minimum of 2 days per month and is £15,000 per annum plus reasonable expenses.

Below are the objectives and the key contacts the Chair will maintain and some success measures that the Panel's achievements, and by extension the Chair's, could be measured against.

### Job purpose

The Chair will:

- work with the CAA to recruit Panel members;
- lead and work with Panel members in setting the strategic vision and direction of the Panel;
- lead discussions and chair the meetings of the Panel;
- represent its members through engaging in effective dialogue with staff at both the CAA and external stakeholders;
- co-operate with consumer groups and other stakeholders to further the reasonable interests of passengers;
- contribute to public debate on questions on aviation consumer policy in the UK on behalf of Panel members; and
- manage the workings of the panel, in co-operation with CAA staff, including:
  - representing the Panel with the CAA in agreeing an annual budget;
  - determining the governance arrangements of the Panel in agreement with the CAA;
  - arranging publication of an annual report;
  - agreeing operational and financial objectives and performance indicators with the CAA; and
  - ensuring effective communication with internal and external contacts.

### Key contacts

The post-holder must develop and maintain a wide range of senior contacts across the UK aviation sector, other external stakeholders and CAA staff.

Key contacts include:

- senior management of airport operators and UK airlines (and their associations);
- senior management at consumer organisations such as Which?, Passenger Focus, the passenger groups of Airport Consultative Committees and disability groups;
- senior representatives of Government bodies, and other economic regulators; and
- colleagues across the CAA, including
  - executive board members;
  - non-executive board members; and

- senior colleagues in all CAA groups.

### **Success measures**

The Chair will have overall responsibility for the success of the Panel.

The Panel's overriding purpose will be to improve choice and value for consumers and generally help to ensure that the passenger interest is taken into account in the CAA's regulatory activity. However, the Panel will be an advisory body and not in a position to make decisions. Therefore, to a large extent, its successes cannot be separated from the CAA's successes. For example, its success might be measured through its ability to:

- Help ensure that the CAA delivers its target outcomes in improving choice and value for consumers, as set out in the CAA Strategic Plan. In particular that the CAA:
  - delivers a regulatory approach to consumer issues that is more consistent, disciplined and proportionate;
  - identifies consumer issues and resolves them in a more structured and consistent manner;
  - formulates and promotes policies that further the reasonable interests of passengers; and
  - maintains credibility and standing over its ability to understand consumer perspectives.
- Helps ensure that the passenger interest is taken into account by the CAA, where appropriate, to achieve its publicised target outcomes:
  - within its "Safety Plan" to improve aviation safety in a proportionate and cost-effective way that results in safety improvements of benefit to aviation and the public at large; and
  - for improving environmental performance in the CAA Strategic Plan.

However, it is important that the Panel develops tools for measuring its own particular successes. These might include:

- ability to gather intelligence that keeps the Panel in touch with the consumer experience;
- quality of advice, including whether it is timely, constructive and evidence based;
- influence on CAA decision-making;
- ability to operate transparently by publishing activities;
- co-operation with external stakeholders and CAA; and
- value for money

And it is important that success is assessed. This might be through:

- outputs, impact and outcomes of a work programme;
- accounting for activities in an annual report (which will be included within the CAA's annual report) and on the CAA's website; and
- feedback from CAA stakeholders, other consumer organisations and colleagues.

## **Person Specification**

This is a high profile role. The Chair will play a key role in helping to set the strategic direction of the Panel and will lead its development.

The CAA wishes to attract applicants with a strong intellect, commercial acumen and the ability to understand complex economic and business issues. Applicants should be independent in thought and able to engage in effective dialogue with senior CAA staff and external stakeholders. Personal gravitas and credibility are essential.

The Chair will lead discussions and chair the meetings of a high-level public body. Experience of leading discussion during meetings of a similar body is therefore desirable. He or she also needs to demonstrate an ability to build a consensus on the Panel, whilst recognising that on occasions there may be diverse views, and provide necessary strategic leadership. Candidates should also have a keen interest in consumers' experiences and an understanding of how regulatory and public law processes interact with technical and commercial factors to shape real-world outcomes.

The Chair must have a personal commitment to equality and diversity.

### **Background and experience**

1. Track record of significant achievement in, and relevant experience of, consumer issues, in particular of how they are shaped by regulation and policy.
2. Board-member experience of a national body of a similar size and influence.
3. Track record which demonstrates the ability to inspire and command the confidence of a range of stakeholders, including senior CAA management.
4. Track record of leading action to promote equality and diversity.
5. A knowledge of aviation issues is an advantage but not a requirement. Those new to the industry should show a track record demonstrating their capability to build quickly an effective understanding of the sector.

### **Skills and qualities**

You will be required to demonstrate that you:

1. are able to lead the Panel effectively, in a manner that establishes and maintains the independence and authority of the role of Chair, and maintains the Panel's independence while working constructively with the CAA and other stakeholders;
2. communicate clearly and authoritatively;

3. have strong intellectual ability, including using qualitative and quantitative evidence and drawing conclusions from research and market data, and identifying creative and innovative solutions to complex problems;
4. have proven ability to identify issues and influence policy development.

## **(Draft<sup>2</sup>) Terms of Reference of the CAA Consumer Panel**

1. The objective of the Panel is to “understand how aviation can deliver choice and value to consumers, and help the CAA deliver regulation that promotes the interests of consumers and the public.”
2. The Chair and Members will work towards the objective of the Panel, and not promote their own interests or those of any group or organisation for which they work or of which they are members.
3. The principal focus of the Panel will be on the key activities which fall within the CAA’s remit.
4. The Panel has an advisory role but does not have decision making responsibilities.
5. At the Chair’s discretion, the Panel can co-operate with airport consultative committees or with any consumer group, national or international, which can further the reasonable interests of passengers and support the Panel’s work.
6. The Panel and the CAA shall agree an annual work programme. The Panel may amend its work programme, as agreed with the CAA, in response to developments in the aviation market.
7. The Panel shall publish the agenda and minutes of its meetings.
8. The Panel shall produce for the CAA Board an annual strategic review; and shall produce an annual report on its activities, which shall be published as part of the CAA’s annual report.
9. The Panel shall determine its own rules of procedure. The CAA’s rules on conflicts of interest shall apply to the Panel, and any financial arrangements applicable to the Panel shall be handled under CAA’s standing processes.
10. The Panel shall meet at least four times a year.
11. The Panel shall consist of a Chair and up to 7 Members.
12. Appointment of the Chair will be made by the CAA for a term of three years which may be renewed for a maximum of one further term of three years.
13. Appointment of Members will be made by the CAA on the advice of the Chair of the Panel. Such appointments will be for a term of three years which may be renewed for a maximum of one further term of three years. However, the fact that a Member has served for a maximum period will not necessarily preclude his or her serving as Chair beyond the end of that time.
14. No employee of the CAA may be Chair or a Member of the Panel.

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<sup>2</sup> The Terms of Reference may be reviewed and amended with the agreement of the CAA’s Chair.

15. Members will be appointed as individuals and not as delegates of any particular interest group.
16. The Panel and CAA shall review the Panel's Terms of Reference from time to time, not less than every two years.

## How to Apply

The closing date for applications is 15 February 2012.

For all applications we require:

- A comprehensive CV;
- A covering letter outlining your suitability for the role
- Equal Opportunities Questionnaire

You can apply in one of the following ways:

- Visit **caacareers.com** and apply online.  
You will be asked to complete the Equal Opportunities Questionnaire at the start of your application.
- Email your covering letter and CV to [recruitmentLondon@caa.co.uk](mailto:recruitmentLondon@caa.co.uk). Upon receipt of your email you will be sent an Equal Opportunities Questionnaire for you to complete and return via email.
- Post your covering letter and CV to Civil Aviation Authority, CAA House, HR, Room 703, 45-59 Kingsway, London, WC2B 6TE.  
Upon receipt of your application you will be sent an Equal Opportunities Questionnaire for you to complete and return.

### Equal Opportunities

We are committed to a policy of equality of opportunity for employment and advancement. To help us implement and monitor this policy and to find out if it is working we need to have certain details about the people who apply to join us. It would help us if you would provide the information requested. However, this is entirely voluntary and whether you complete it or not will in no way prejudice your application.

### What happens to the questionnaire and answers?

The answers you give will be treated confidentially. The Questionnaire will be separated from your application and the information you give will not be shared with those involved in the selection process unless you declare that you have a disability and require reasonable adjustments to be made to the recruitment process. Other than that, your answers will be used only for the purpose of finding out if our Equal Opportunities policy is working. No other record of your answers will be kept.

## The Recruitment Process

We will advise all applicants whether they have been selected for a panel interview at the offices in London or not. If required we may hold a second round of interviews at a later date.

Please see the timetable below for specific dates.

Closing Date for applications - 15 February 2012

Interviews to be held on 23<sup>rd</sup> March 2012

### **Queries**

If you have any queries on any aspect of the appointment process, need additional information, then James Fremantle ([james.fremantle@caa.co.uk](mailto:james.fremantle@caa.co.uk), 0207 453 6731) will be pleased to take your call or email.

Iain Osborne, Group Director, Regulatory Policy, will respect the privacy of any initial approach or expression of interest in this role. He can be contacted at:

[Iain.Osborne@caa.co.uk](mailto:Iain.Osborne@caa.co.uk)

020 7453 6200