

THE COMPETENCY FRAMEWORK

Committee members

1. The **core competences** against which performance of every committee member (including chairmen) is assessed are in the following areas, details of which are outlined in **Table 1.1**:
 - A. **Working within a legal framework**
 - B. **Analysis and decision-making skills**
 - C. **Collaboration and communication skills**
 - D. **Integrity and impartiality**
 - E. **IT skills**

2. In addition to the above core competencies, committee chairmen will also be assessed against competences in the following areas, details of which are outlined in **Table 1.2** below:
 - E. **Management of the hearing**
 - F. **Leadership skills**
 - G. **Drafting skills**

Legal advisers

3. The **core competences** against which performance of every legal adviser is assessed are in the following areas, details of which are outlined in **Table 1.3**:
 - A. **Working within a legal framework**
 - B. **Analysis and decision-making skills**
 - C. **Collaboration and communication skills**
 - D. **Integrity and impartiality**
 - E. **IT skills**

4. In addition to the above core competencies, legal advisers will also be assessed against competences in the following areas, details of which are outlined in **Table 1.4** below:
 - F. **Management of the hearing**
 - G. **Additional communication skills**
 - H. **Technical skills**
 - I. **Drafting skills**

Assessors and regulatory assessors

5. The review process for assessors and regulatory assessors takes the form of an evaluation through review of an individual's performance against defined core competences, in all cases providing evidence based judgement as to the extent that a given competency has been demonstrated by the assessor or regulatory assessor.

6. The competences against which the performance of every assessor or regulatory assessor is assessed are in the following areas, details of which are outlined in 1.5 below:
 - A. **Technical and drafting skills.**
 - B. **Working within a legal framework**
 - C. **Analysis and decision-making skills**
 - D. **Integrity and impartiality**

TABLE 1.1

CORE COMPETENCY FRAMEWORK REQUIREMENTS FOR ALL COMMITTEE MEMBERS (INCLUDING THE CHAIRMAN)

Core competency	Performance indicators
<p>Working within a legal framework</p>	<ul style="list-style-type: none"> • demonstrate an understanding of the legal framework, the legal tests to be applied and the rules of procedure • demonstrate knowledge and understanding of the relevant regulations as set out in the ACCA Rulebook • demonstrate an understanding of the Committee’s function in relation to public protection, maintaining the public confidence in the profession, declaring and maintaining proper standards of conduct • balance public protection and public interest against other issues appropriately • understands and demonstrates required conformity with data protection and storage for all hard-copy and electronic (paperless) information
<p>Analysis and decision-making skills</p>	<ul style="list-style-type: none"> • demonstrate clear evidence of having read and understood the contents of the papers • demonstrate the ability to analyse large volumes of written, complex material • understand the evidence presented • able to make an objective assessment of the evidence and identify key issues • able to express his thinking clearly, identifying relevant points on the papers and/or from both parties • actively and constructively participate in discussion and structured decision-making having regard for the procedural and/or legal tests to be applied, proportionality, and, all necessary regulatory and/or legal guidance however given • able to make decisions within an appropriate timeframe
<p>Collaboration and communication skills</p>	<ul style="list-style-type: none"> • attentive throughout the hearing or meeting • able to refer to relevant documents within the papers • possesses a familiarity with and demonstrates a proficient use of all appropriate information technology • listen to the views of colleagues, and any other parties to the hearing or meeting • able to constructively challenge the views of others • able to compromise and accept the majority view if necessary • ask clear, concise and relevant questions in an appropriate manner • treat colleagues, and any within and external to the hearing or meeting with courtesy, respect and dignity • punctual throughout the hearing
<p>Integrity and impartiality</p>	<ul style="list-style-type: none"> • able to act with integrity and discretion • sensitive to issues of equality and diversity when examining the evidence, during discussion and decision-making • adopt an objective approach avoiding bias or prejudice

	<ul style="list-style-type: none"> able to recognise a conflict of interest and to raise it where applicable
IT skills	<ul style="list-style-type: none"> comfortable using a variety of IT packages to review and use documentation for hearings and meetings

TABLE 1.2

ADDITIONAL COMPETENCY FRAMEWORK REQUIREMENTS FOR ALL COMMITTEE CHAIRMEN

Further to Table 1.1 above, additional indicators applicable to those who chair a committee include:

Core competency	Performance indicators
Management of the hearing	<ul style="list-style-type: none"> identify the issues in the case and elicit relevant evidence, opinions and advice conduct the proceedings in accordance with the Rulebook explain the process to unrepresented parties to the hearing provide appropriate leadership throughout the hearing manage time effectively, allowing sufficient time for breaks and deliberation ensure the committee act proportionately to strike a fair balance between the rights of the relevant person and the public interest to proceed expeditiously ensure that the hearing is conducted so as to effect a timely determination of the issues.
Leadership skills	<ul style="list-style-type: none"> facilitate discussion and structured decision-making ensure all members actively participate in discussion and decision-making value the contribution of members provide feedback to members when appropriate and report any exceptional performance to the Board demonstrate courtesy toward all participants
Drafting Skills	<ul style="list-style-type: none"> ensure the determination is well reasoned and reflects regulations and ACCA's Rulebook ensure the determination reflects the collective views of the Panel



TABLE 1.3

CORE COMPETENCY FRAMEWORK REQUIREMENTS FOR ALL LEGAL ADVISERS

Core competency	Performance indicators
Working within a legal framework	<ul style="list-style-type: none"> • demonstrate an expert understanding of the legal framework, the legal tests to be applied and the rules of procedure • demonstrate expert knowledge and understanding of the relevant ACCA regulations • demonstrate an understanding of the Committee’s function in relation to public protection, maintaining the public interest, declaring and maintaining proper standards of conduct • balance public protection and public interest against other issues appropriately • understands and demonstrates required conformity with data protection and storage for all hard-copy and electronic (paperless) information
Analysis	<ul style="list-style-type: none"> • demonstrate clear evidence of having read and understood the contents of the papers • demonstrate the ability to analyse large volumes of written, complex material • able to highlight legal issues arising from the issues • understand the evidence presented • able to make an objective assessment of the evidence and identify key issues • able to express their thinking clearly, identifying relevant points from both parties • able to provide legal advice within an appropriate timeframe
Collaboration and communication skills	<ul style="list-style-type: none"> • able to explain any relevant legal, evidential or procedural issues to the committee and the parties in language that is easily understood by all • attentive throughout the hearing • able to refer to relevant documents within the papers • listen attentively to the views of colleagues, parties to the hearing and any third parties • able to constructively challenge the views of others • ask clear, concise and relevant questions in an appropriate manner • treat colleagues, parties to the hearing and any third parties with courtesy and respect • punctual throughout the hearing
Integrity and impartiality	<ul style="list-style-type: none"> • act with integrity and discretion • sensitive to issues of equality and diversity when examining the evidence, during discussion and decision-making • adopt an objective approach avoiding bias or prejudice • able to recognise a conflict of interest and to raise it where applicable
IT skills	<ul style="list-style-type: none"> • comfortable using a variety of IT packages to review and use documentation for hearings and meetings



TABLE 1.4

ADDITIONAL COMPETENCY FRAMEWORK REQUIREMENTS FOR ALL LEGAL ADVISERS

Further to Table 1.3 above, additional indicators applicable to all legal advisers include:

Core competency	Performance indicators
Management of the hearing	<ul style="list-style-type: none">• identify the issues in the case and elicit relevant evidence, opinions and advice• conduct the proceedings in accordance with the procedural regulations• provide appropriate leadership throughout the hearing• manage time effectively, allowing sufficient time for breaks and deliberation• ensuring the committee act proportionately to strike a fair balance between the rights of the relevant person and the public interest to proceed expeditiously
Additional communication skills	<ul style="list-style-type: none">• facilitate discussion and structured decision-making• ensure all Panel members actively participate in discussion and decision-making• value the contribution of members• provide feedback to members when appropriate• demonstrate courtesy toward all participants• ensure the views of the committee are accurately reflected in the final reasons for decisions
Technical skills	<ul style="list-style-type: none">• exhibit professionalism and show commitment by applying himself to providing a high standard of service• possess an in-depth and up-to-date expert legal knowledge in order to provide appropriate and relevant advice to the committee• possess familiarity with and ability to use appropriate information technology
Drafting skills	<ul style="list-style-type: none">• write final decisions using clear and concise language so that the parties would understand the findings, reasons and decisions• the determination reflects the collective view of the committee



TABLE 1.5

COMPETENCY FRAMEWORK FOR ALL ASSESSORS AND REGULATORY ASSESSORS

Core competency	Performance indicators
Technical and Drafting skills	<ul style="list-style-type: none"> • exhibit professionalism and showed commitment by applying himself to providing a high standard of service • possess an in-depth and up-to-date expert knowledge of the relevant subject matter of ACCA’s jurisdiction • give decisions and reasons using clear and concise language • present spell-checked, correctly formatted, high quality final reports
Working within a legal framework	<ul style="list-style-type: none"> • demonstrate an understanding of the legal framework, the legal tests to be applied and the rules of procedure • demonstrate knowledge and understanding of the relevant regulations as set out in the ACCA Rulebook • demonstrate an understanding of the disciplinary assessor’s function in relation to public protection, maintaining the public interest, declaring and maintaining proper standards of conduct • balance public protection and public interest against other issues appropriately
Analysis and decision-making skills	<ul style="list-style-type: none"> • clear evidence of having read and understood the contents of the papers • demonstrate the ability to analyse large volumes of written, complex material • understand the evidence presented • able to make an objective assessment of the evidence and identify key issues • able to express his thinking in clearly written reasons • able to make decisions within the required timeframe
Integrity and impartiality	<ul style="list-style-type: none"> • able to act with integrity and discretion • sensitive to issues of equality and diversity when examining the evidence • adopt an objective approach avoiding bias or prejudice • able to recognise a conflict of interest and to raise it where applicable