**Appendix 14: Adjudicator Governance Framework**

1. **Purpose of this framework**
   1. Adjudicators are legally qualified persons, employed by the Gambling Commission (the Commission) to sit as members of Regulatory Panels. The delegated powers of Regulatory Panels are outlined in Appendix 6 of the Corporate Governance Framework, *Delegation of licensing and regulatory decisions in respect of gambling*.
   2. In recognition that Adjudicators are involved at the highest level of decision making within the Commission, the Commission has committed to defining and publishing the framework in which Adjudicators will operate.
2. **Status of this framework**
   1. This framework is part of the Commission’s Corporate Governance Framework. As such it will be reviewed in full at least every three years to ensure it remains fit for purpose. Any amendments to the framework must be approved by the Board of the Commission.
3. **The role of the Adjudicator**
   1. Adjudicators will be employees of the Gambling Commission.
   2. Adjudicators will be legal qualified persons, with appropriate experience to undertake their role.
   3. It is a term of each Adjudicator’s contract of employment that they are required to determine any matter before them in a Regulatory Panel meeting on the basis of the law and the evidence alone, in accordance with the procedures published by the Commission.
4. **Conflicts of interest**
   1. Adjudicators are required to complete a declaration of their outside interests in accordance with the Conflict of Interest policy. Their declarations will be refreshed at least annually or when a new interest arises or an existing interest is removed. Their interests will be published in outline on the Commission website.
   2. Decision makers may have a conflict of interest in a matter if it affects them, their friends, relative or people with whom they have a business relationship. If an Adjudicator has a personal and potentially prejudicial interest in a matter then they:
      1. must not sit as a member of the relevant Regulatory Panel, or otherwise take part in the decision making process; or
      2. must not access any of the case materials; or
      3. must not seek to lobby those who will be sitting as a member of the Regulatory Panel in question.
   3. If there is any doubt about whether there might be a possible conflict of interest then the Chair of the Commission will decide.
   4. Adjudicators are also bound by the Commission’s policy on the acceptance of gifts and hospitality.
5. **Adjudicator training plans**
   1. It is important that Adjudicators receive the necessary training to undertake their role. Adjudicators will receive the following training as a minimum:

5.1.1 Corporate induction (on joining the Commission)

5.1.2 Overview of the gambling environment (on joining the Commission)

5.1.3 Applicable law (on joining the Commission)

5.1.4 Regulatory Panel procedure (on joining the Commission)

5.1.5 Case law updates (every six months for the duration of their employment by the Commission)

1. **Management and performance appraisal of Adjudicators**
   1. As members of Commission staff, Adjudicators will receive annual performance appraisals in the Commission’s performance cycle.
   2. In order to protect Adjudicators from any perception that their annual performance rating is linked to partiality towards the Commission:
      1. Adjudicator’s annual performance appraisals will be undertaken by the Chair of the Commission or the Senior Independent Director, not a member of Commission staff; and
      2. Adjudicator’s annual objectives will be linked to the independence and quality of their performance, and will not be linked to the extent to which they have found in favour of the Commission.
   3. The Commission’s Governance Team will manage all routine contact with Adjudicators in order to minimise their contact with other teams within the Commission.

**7. Operating framework**

* 1. Adjudicators will be selected for Regulatory Panels based on their availability, subject to any conflict of interest.
  2. Adjudicators will act as the Chair of any Regulatory Panel on which they sit.
  3. The Adjudicator acts as the legal adviser to any Regulatory Panel on which they sit. To ensure fairness, in every matter before a Regulatory Panel, an explanation of what the Adjudicator understands the law to be and on which the Panel intends to rely will be set out in a manner which enables the parties to challenge it and make submissions on it if they wish to do so.