

MEMO+ is an occasional series of briefing papers on topics of interest to minority ethnic communities in Scotland. MEMO+ is produced by the Scottish Council of Jewish Communities in partnership with BEMIS and is supported by the Scottish Executive.

Having Your Say: “Diversity Delivers”

Consultation on enhancing equal opportunities in Scotland’s ministerial public appointments process

What is the Office of the Commissioner for Public Appointments?

The Office of the Commissioner for Public Appointments in Scotland (OCPAS) is a relatively new organisation, created in 2004 to monitor and regulate the process of appointing people to the boards of Non-Departmental Public Bodies (NDPBs) in Scotland.

What are NDPBs?

NDPBs are organisations that carry out work on behalf of government departments, but, although Ministers are ultimately responsible for their work, they are independent of the government, and are therefore able to focus entirely on their own objectives, and to make unbiased recommendations and decisions. NDPBs cover a wide range of activities, and in Scotland include NHS Boards, the Scottish Ambulance Service, Scottish Water, and the Scottish Arts Council.

Who can be a member of an NDPB?

Vacancies on the boards of NDPBs are publicly advertised, and anyone can apply. Appointments are made on merit, according to the skills, knowledge and personal qualities required by the relevant NDPB. Applications are all handled the same way, and all personal information, including name, age, gender and address is kept separate from the part of the application form which is seen by the selection panel, to prevent anyone on the selection panel from being able, even unconsciously, to judge applications on anything but their own merit.

However, currently, NDPB boards do not fully reflect the diversity of the population in Scotland. For example:

- 52% of the population is female, but only 35% of board members and 17% of chairs are women.
- Latest estimates suggest that 20% of the population in Scotland has a disability or long-term illness, but only 2.5% of chairs and members of public bodies have a declared disability.
- 2.2% of board members and chairs are from minority ethnic communities. This is broadly similar to the findings of the 2001 Census, but lower than the estimated minority ethnic population in Scotland today.

This imbalance is not because interviewers are biased – they are only able to choose from among people who apply for posts, and only

- 30% of applicants to NDPBs are female
- 7% declare a disability
- 2% come from minority ethnic communities.

In addition

- 40% of applicants are in the 51-60 age group, although this group accounts for only 16% of the adult population.

Furthermore, during the past three years the average number of applicants for each NDPB post has fallen by 30%. If this continues, the people appointed to serve on NDPBs will become increasingly less representative of the population as a whole. OCPAS is proposing a major overhaul of the public appointments system, as outlined in its proposed equal opportunities strategy, “Diversity Delivers”.

“Diversity Delivers” consultation

All public authorities are required by law, not only to eliminate discrimination, but also actively to promote equality. “Diversity Delivers” will not impose any additional requirements on them, but, is intended to address the barriers that currently prevent people from applying for public appointments, as well as barriers within the public appointments system itself. It will also consider diversity in its broadest sense, and engage with the challenges faced by traditionally under-represented groups.

Proposed Targets

Since the public appointments process is based on individual merit OCPAS has not recommended percentage increases for NDPB membership by different groups, but has instead suggested a series of aspirational targets, relating to increases in:

- public awareness of the appointments process
- public confidence in the appointments process
- the number and diversity of applicants
- appreciation of diversity throughout the process
- awareness of, and access to, development opportunities.

The Strategy is divided into three main areas, “Awareness and Attraction”, “Confidence and Capacity”, and “Education and Experience”. The recommendations in each section are briefly summarised below, and you can read a longer summary by clicking [here](#).

Awareness and Attraction

Short term recommendations (first 2 years):

- Develop a communication campaign that will include the use of existing Board members and others as role models,
- Develop an accessible and attractive website
- Monitor applications for diversity to provide an indication of progress

Medium term recommendations (3-5 years):

- Review and expand the communication campaign
- Develop interactive features of the website, whilst continuing to provide non web-based information for those without internet access
- Continue to monitor diversity, and investigate findings

Long term recommendations (5+ years)

- Further expand the communication campaign, especially targeting young people
- Promote board membership using the citizenship curriculum in schools

Confidence and Capacity

Short term recommendations (first 2 years):

- Create a central team in the Scottish Government with expertise in diversity, and in recruitment at senior level
- Provide diversity training for members of selection panels
- Support the Chairs of boards in managing diversity
- Revise the Code of Practice for Ministerial Appointments
- Promote Scotland’s open and fair public appointments process

Medium term recommendations (3-5 years):

- Pilot different routes of applying for public appointments
- Introduce a Public Appointments Hallmark
- Pilot the use of different interviewing techniques that could enable candidates to demonstrate their abilities more effectively.

Education and Experience

Short term recommendations (first 2 years):

- Develop and run a programme for potential applicants to provide an overview of a board member’s role
- Develop a shadowing programme to provide board experience for potential applicants
- Identify and promote existing opportunities for developing leadership and governance skills

Medium term recommendations (3-5 years):

- Evaluate and revise the shadowing programme
- Continue to signpost existing opportunities for developing leadership potential, and identify where new opportunities need to be created
- Establish a shadow board development programme
- Develop training and mentoring programmes for existing board members interested in becoming chairs of boards

Consultation Questions

Note that you do not have to answer every question in the consultation paper; if there are particular issues that you would like to comment on then you can choose to respond only to the questions that relate to those.

General

1. Do you agree that the proposed strategy should be taken forward by the Scottish Government working in partnership with the Commissioner? (paragraphs 5.2 and 5.3)
2. Are there any other individuals, groups or organisations who could be involved in implementing the strategy?
3. Do you agree with the proposals for an implementation group? (paragraph 5.4)
4. Would you like to see responsibility for each of the agreed actions allocated in the final strategy document? (paragraph 5.4)

Awareness and Attraction

5. In the Awareness and Attraction section:
 - are there any recommendations that are inappropriate?
 - do any of the recommendations need to be refined?
 - are there any other recommendations that should be included here?
6. In particular, do you have any comments to make on the recommended monitoring form? Which groups do you think should fall within the category of ethnic minority, for the purposes of monitoring applicants and appointees?

Confidence and Capacity

7. In the Confidence and Capacity section:
 - are there any recommendations that are inappropriate?
 - do any of the recommendations need to be refined?
 - are there any other recommendations that should be included here?

Education and Experience

8. In the Education and Experience section:
 - are there any recommendations that are inappropriate?
 - do any of the recommendations need to be refined?
 - are there any other recommendations that should be included here?

General

9. Do you think the timeframes recommended for the actions are appropriate?
10. Do you believe we have identified the correct priority actions? Are there any additional or alternative priority actions you would recommend?
11. Do you think the targets set out in Section Six are appropriate, realistic and comprehensive? If not, what would you add or change?
12. Do you have comments about any other aspect of the proposed strategy?

Send your views to OCPAS by 7 March 2008:

by e-mail to: info@publicappointments.org

by post to: The Commissioner for Public Appointments in Scotland
MWB Business Exchange
9-10 St Andrew Square
Edinburgh
EH2 2AF

*We would be interested in hearing your views too
please send us a copy of your response to MEMO@bemis.org.uk*

You can also have your say by attending one of OCPAS's consultation events

These run from 10.30 – 3.00, and will take place in

Edinburgh 7 February, 2008

Glasgow 12 February, 2008

Inverness 22 February, 2008

For more details, and to book a place, contact
Corryne MacLean 0131 718 6309 / info@publicappointments.org

Documents and Websites

- **Office of the Commissioner for Public Appointments in Scotland (OCPAS)**
www.publicappointments.org
 - **List of Non-Departmental Public Bodies (NDPBs) regulated by OCPAS**
http://www.publicappointments.org/our_role/WhoDoWeRegulate.htm
- **Diversity Delivers: Consultation on the proposed strategy for enhancing equal opportunities in Scotland's ministerial public appointments process**
<http://www.publicappointments.org/consultations/documents/DiversityDeliversConsultationNov2007FINALPDF.pdf>
 - **Summary of the consultation**
www.j-scot.org.uk/MEMO+/2008/08i_OCPAS_downloads/Summary.doc

***BEMIS** is the umbrella body for ethnic minority organisations in Scotland. It aims to strengthen the capacity of the ethnic minority voluntary sector; raise the profile and coordinate the voice of this sector; and take a lead on policy issues to ensure that issues of concern are raised with government and other relevant bodies.
<http://www.bemis.org.uk/index.html>*

*The **Scottish Council of Jewish Communities** is the representative body of all the Jewish communities in Scotland. It advances public understanding about the Jewish religion, culture and community, and also works in partnership with other organisations to promote good relations and understanding among community groups and to promote equality. <http://www.j-scot.org.uk/>*

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