



Diversity Delivers

Consultation
on the
proposed strategy
for
enhancing equal opportunities
in
Scotland's
ministerial public appointments process

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www.publicappointments.org

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Foreword to the Consultation Document

I am delighted to publish my proposed equal opportunities strategy.

I am extremely enthusiastic about the opportunities this strategy presents to attract and appoint a wide range of talented individuals to the boards of Scotland's public bodies. This year, 2007, is the European Year of Equal Opportunities for All, an initiative aimed at raising awareness of the benefits of a just, cohesive society where equality of opportunity is a given. It's fitting, therefore, that the proposed strategy is launched for formal consultation this year.

I have been encouraged by the interest and enthusiasm shown by the wide range of people who contributed to the development of this proposed strategy through questionnaires, focus groups and interview. I'm grateful to the many people who played an active part in its production, in particular the three members of the Strategy Steering Group, Nicola Munro, Dr Wai-yin Hatton and Professor James Barbour OBE.¹

There is a real appetite for enhancing the number and diversity of people who apply for roles on the boards of our public bodies. I'm impressed by the number of people who, during research, made clear their willingness to contribute to public life in Scotland - within our population we have the qualities and the commitment necessary to make a huge contribution. I hope that the same willingness will now be directed to responding to this consultation.

Public bodies are required to deliver ministerial policy and services to meet the needs of an increasingly diverse population - effective governance at board level ensures that this happens. The link between effective service delivery and effective board appointment must not be overlooked.

From delivering front-line health services to regulating and protecting our environment; from deciding on prisoners' parole to providing

¹ Nicola Munro was Head of the Scottish Government's Development Department and Diversity Champion for the Scottish Executive until retiring in May 2007; Dr Wai-yin Hatton is a non-executive board member of sportscotland; Professor James Barbour OBE is Chief Executive of NHS Lothian and Chief Executive for Diversity in Leadership for NHS Scotland.

expert advice on building standards; from promoting tourism to funding and developing the arts, public bodies have a significant impact on our lives. The range and activities of our public bodies are under review. There is no doubt, however, that those bodies that remain will continue to rely on effective board members and that Scotland will continue to rely on the public appointments process to identify them.

The focus of this proposed strategy is Scotland's public appointments process and how it may be developed to attract a wider and more diverse range of people. This is the starting point. Progress reviews, further research and future action will be necessary as the appointments process evolves.

The purpose of this consultation is to encourage a wide range of individuals and organisations to contribute to the first equal opportunities strategy for the public appointments process in Scotland. The document is set out in a number of sections. The early sections explain why Scotland needs a strategy to enhance equality in our public appointments process. It moves on to outline the challenges we've faced to date, the many ways in which these can be overcome and what we can look forward to as a result. The final section explains what I need from those of you who wish to contribute to the creation of the final strategy and offers ways for you to make your contribution.

I recognise the wider benefit of the recommendations contained in this proposed strategy in enhancing opportunities for civic participation in Scotland. Thus, I present it to you for formal consultation in the belief that the recommendations will extend opportunities for public service to everyone in our society who is motivated to become involved.



Karen Carlton
Commissioner for Public Appointments in Scotland
November 2007

Executive Summary

Section One | Introduction to the Ministerial Public Appointments Process

Appointments to the boards of many public bodies in Scotland are made by the Scottish Ministers through an appointments process regulated by the Commissioner for Public Appointments in Scotland. The process is managed and implemented by the Scottish Government. A selection panel, comprising a representative of the Commissioner, a representative of the Scottish Government and a representative of the public body, makes recommendations to the Minister about which candidates most closely match the requirements of the post.

The services delivered by these public bodies affect our quality of life and their effectiveness is directly linked to the effectiveness of their boards. Thus the public appointments process must provide the Scottish Ministers with candidates who can provide excellent leadership and direction for our public bodies - candidates who can demonstrate an understanding of the diverse needs of the people in Scotland who receive and deliver public services.

Section Two | Introduction to the Strategy

Currently, the make-up of the boards of our public bodies does not reflect the make-up of the population. Appointment figures show that women and disabled people are under-represented and boards have limited diversity in terms of age and ethnicity. The pool of applicants for these posts tells a similar tale.

This strategy is designed to enhance the public appointments process by offering equality of opportunity through valuing individuals and nurturing their development. The strategy addresses the challenges within the appointments process itself and the barriers that prevent people from applying. It looks at those challenges faced by what are traditionally under-represented groups and also considers diversity in its broadest sense. The opportunities to appoint the best people are greatly increased when every potential applicant is attracted and encouraged to apply and when their differences are valued. Without this, board members will continue to be drawn from a pool that is narrow in terms of diversity and decreasing in number.

Section Three | Does Diversity Deliver?

Research has shown that diversity can bring improved board performance and ensure that boards remain in touch with the needs of their service users. In addition, an equal opportunities strategy for public appointments will have rewards that reach far beyond the public appointments process – it offers a route map for the development of Scotland’s governance talent, wherever that talent may best be deployed.

Section Four | The Challenges

There are a number of current challenges:

- The vast majority of people are not aware of public bodies, their work and the role of their boards, so it is not surprising that few apply for positions on these boards.
- Those people who do apply do so despite the limited appeal of publicity and do not reflect the diversity of our population.
- Few people know about the open application process and the role of the Commissioner and there is low public confidence in the fairness of the process.
- Research results suggest that the process is not always given an appropriately high priority.
- Current low levels of visible diversity amongst chairs and board members make it difficult to attract a diverse pool of applicants.
- Applicants express concern about the handling of diversity by selection panels and administrators and about the value placed on diversity in the boardroom.
- The time-consuming and lengthy application process is a concern amongst potential applicants.
- The appointments process focuses on experience in a similar role and there are no obvious routes to develop future board members.
- Under-represented groups may have lower confidence in their own abilities and be unlikely to apply unless they are over-qualified for the role.
- The time commitment required to be effective as a board member is a concern amongst potential applicants.

Section Five | Recommendations - The Vision and How to Achieve It

The Vision

Our vision for Scotland's public appointments process is three-fold

Awareness and Attraction

A pool of applicants as diverse as the people of Scotland, aware of and attracted by the work of our public bodies and the opportunities to serve on their boards.

Confidence and Capacity

An appointments process that inspires confidence, increases capacity and embraces diversity, from the application process to the boardroom.

Education and Experience

A programme of support for our future leaders, developing and providing opportunities for all to achieve their full potential and for Scotland to draw upon its brightest talent.

How to Achieve the Vision

This consultation document contains a number of recommendations to overcome the challenges in ways that are both practical and cost effective and that will achieve our vision for Scotland's public appointments process. For each of the three areas highlighted above we set a number of objectives supported by a series of recommended actions. To provide a flavour of what the strategy contains we summarise these below:

Awareness and Attraction

Objectives

- Increase awareness amongst the general public of the role and value of public bodies.
- Increase awareness amongst the general public of the role of board members and the wide range of people we need to serve on the boards of public bodies.
- Attract interest, create enthusiasm and encourage action by the widest appropriate pool of potential applicants.

Recommended actions

- Develop and deliver an on-going communication campaign to promote
 - the role of public bodies
 - the role of board members
 - the wide range of people needed by boards
 - the opportunities to serve on them
 - the benefits of serving on a board.
- Build an accessible hub website, supported by personal contact, to inform everyone interested in public appointments and provide signposts to appropriate sources of further information and support.
- Enhance the content of publicity material for public appointments and monitor the impact of publicity strategies on the number and diversity of applicants.

Confidence and Capacity

Objectives

- Ensure that the public appointments process is encouraging, accessible and easy to navigate.
- Ensure that the process is equipped to support greater numbers and a wider range of suitable applicants for each post.
- Ensure that the people administering the process are equipped to do so effectively and efficiently.

Recommended actions

- Establish a centre of expertise whose members will advise on and administer the public appointments process for the Scottish Government.
- Provide appointment-focused diversity training for all parties involved in the selection process and support for chairs to maximise the benefits of a diverse board.
- Revise the Code of Practice² to reflect the actions included in and resulting from the equal opportunities strategy.
- Increase awareness of Scotland's open and fair public appointments process.

² The Code of Practice for Ministerial Appointments to Public Bodies in Scotland ('the Code') is available at www.publicappointments.org/publications or by contacting OCPAS

Education and Experience

Objectives

- Provide relevant, effective and easily accessed development opportunities for the next generation of board members.
- Create a pool of potential board members with the necessary expertise and experience, whose members reflect the diversity of the people of Scotland.

Recommended actions

- Provide an awareness-raising education programme for members of the public detailing the work of non-executive members of public bodies.
- Attach a specific public appointments development and shadowing programme to current management development schemes running in the public, private and voluntary sectors.
- Co-ordinate the many existing opportunities for developing leadership potential in Scotland and signpost people towards these opportunities from the central public appointments hub website.

We recommend that the officials of the Scottish Government who administer the public appointments process work with the Commissioner to take the strategy forward, under the guidance of an implementation group.

Section Six | Delivering Diversity

The public appointments process is based on merit. Whilst we can recommend changes to the process to remove any barriers to success and actions to support people before they apply, we do not believe we should recommend percentage increases for certain groups of board members – their appointment will be based on their individual ability.

Instead, we have suggested aspirational targets against which to measure progress. These relate to increases in:

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

Section Seven | Consultation

The final section lists the key questions to be considered during consultation and provides a number of methods for providing your response.

Section One | Introduction to the Ministerial Public Appointments Process

This section outlines the respective roles of the Commissioner, the Scottish Government and public bodies within the public appointments process. It looks at the role of the boards of public bodies and what the appointments process must therefore deliver.

The Commissioner's role

- 1.1 In 1995, against a backdrop of high-profile allegations of unethical behaviour in public life, there was considerable concern about the way appointments were made to the boards of Non-Departmental Public Bodies (NDPBs).³ Recognising this concern, the UK Committee on Standards in Public Life recommended that the office of Commissioner for Public Appointments should be created to provide external, independent scrutiny of the appointment process.⁴
- 1.2 After devolution, an Act⁵ of the Scottish Parliament established a separate office of Commissioner for Public Appointments in Scotland. Karen Carlton was the first person appointed to the post by the Scottish Parliament in June 2004.
- 1.3 The Commissioner's role is to ensure that appointments by the Scottish Ministers to the boards of regulated NDPBs⁶ are made fairly and openly and are based on the merit of the candidates. These public bodies range from high-profile executive bodies such as NHS 24 and VisitScotland to smaller advisory bodies such as the Historic Environment Advisory Council for Scotland. A very broad range of organisations of varying size and responsibilities falls under the title 'NDPB'. Not all of these bodies

³ Scotland's NDPBs play a role in the government of Scotland, but are not part of the Government itself. They are legally separate from and operate independently of Ministers, but Ministers are ultimately accountable for their actions. These bodies are sometimes still referred to as 'quangos', an abbreviation of their previous name, 'quasi-autonomous non-governmental organisations'.

⁴ Standards in public life: First Report of the Committee on Standards in Public Life, Chairman: Lord Nolan, May 1995

⁵ Public Appointments and Public Bodies etc. (Scotland) Act 2003

⁶ An up-to-date list of regulated public bodies can be found on the OCPAS website (www.publicappointments.org) or by contacting OCPAS

are regulated by the Commissioner; her authority is restricted to those NDPBs that the Scottish Ministers choose to designate as regulated bodies.

- 1.4 The Commissioner also has specific duties to prepare and publish an equal opportunities strategy and to prepare and implement a Code of Practice⁷ for public appointments. Adherence to the Code is monitored by one of a team of OCPAS⁸ Assessors, who represent the Commissioner during every appointment round.
- 1.5 Although public awareness of the role of the Commissioner is limited, public opinion is overwhelmingly in favour of the public appointments process being independently regulated.⁹

The Scottish Government's role in the appointments process

- 1.6 The Scottish Government manages and administers every appointment round for the public bodies regulated by the Commissioner. While the Code stipulates what the Scottish Government must do to ensure a fair and open appointment process, it is for the Scottish Government to decide how this will be achieved at a practical level.
- 1.7 For example, while the Code requires each post to be publicised in a proportionate manner, it is the Scottish Government that decides what form the publicity or advertising will take and where it will appear and it is the Scottish Government that designs and drafts the publicity materials. Similarly, while the Code requires the person specification to include the skills, knowledge and personal qualities needed for a role, it is the Scottish Government that decides which skills, knowledge and personal qualities are relevant for a given post. At the interview stage, the Code requires certain steps to be observed, to ensure that candidates are treated fairly and equally and to provide a transparent record of the decisions made about candidates. It is the Scottish

⁷ The Code of Practice for Ministerial Appointments to Public Bodies in Scotland ('the Code') is available at www.publicappointments.org/publications or by contacting OCPAS

⁸ OCPAS is the acronym for the Office of the Commissioner for Public Appointments in Scotland

⁹ See Annex E, Stage 3 Research, as listed in Appendix One. In a poll of 1,046 adults in Scotland in August 2007, 30% knew that the process is regulated and 81% thought that the process should be regulated

Government that decides how, when and where the interview will be conducted and it is a Scottish Government official who chairs the selection panel.

The public body's role in the appointments process

- 1.8 Appointments to the board of a public body are not made by the body itself, but by the Minister who has responsibility for it – hence it is the ministerial appointments process. The public body is, of course, involved in the appointments process. The Code requires the chair of the body to be consulted about a number of key issues at the start of an appointment round, including what the board requires, what the role involves and how the post should be publicised. A representative of the public body, usually the chair, sits on the selection panel, along with a senior Scottish Government official and an OCPAS Assessor.

How are appointments made?

- 1.9 Collectively, the selection panel shortlists the applications, interviews shortlisted candidates and makes recommendations to the Minister about which candidates most closely meet the requirements of the post. The decision about which candidate(s) to appoint then rests with the Minister.
- 1.10 A more detailed summary of the public appointments process can be found in the supplementary documents produced for this strategy, as listed in Appendix One.

What do the boards of public bodies do?

- 1.11 The role of the board is to provide effective leadership, direction, support and guidance to the organisation and to ensure that the policy objectives of the Minister (and the Scottish Government) are implemented.¹⁰ The board takes collective responsibility for promoting the success of the public body by directing and supervising the body's affairs. It sets the body's strategic aims, ensures that the necessary financial and human resources are in place for the body to meet its objectives and reviews the performance of the body's

¹⁰ Source: On Board: A Guide for Board Members of Public Bodies in Scotland, Scottish Executive, 2006

management. The board establishes and upholds the body's values and standards and ensures that its obligations to its stakeholders, including the public, are met.

- 1.12 In essence, the boards of public bodies are responsible for delivering public value. They do this by ensuring that the operation of the body is fair, open and accountable and that the services provided by it are efficient, effective and relevant. The people of Scotland are the customers of a public body's service, whether or not the body's function is directly linked to the public. All public bodies are accountable to Ministers and Ministers are ultimately accountable to the population of Scotland. Even an advisory body that provides advice solely to the Scottish Government does so, in effect, as a service to the public.

What must the appointments process deliver?

- 1.13 The process must produce a choice of quality candidates for appointment to non-executive positions on the boards of public bodies regulated by the Commissioner. For a public body to be effective it must be headed and steered by an effective board. For the board to be its most effective it must comprise the most effective combination of people for the tasks in hand. The appointments process must therefore deliver the broadest possible pool of applicants from which Ministers can appoint the strongest non-executive chairs and members. This means drawing on all the talent Scotland has to offer.
- 1.14 Board members must be equipped with the skills, knowledge and experience to recognise and respond to all the material factors relating to the board's work. This means that collectively the board must be well-informed about not only the field in which it operates, but the end-users of its service and their needs. Board members must be diverse enough to appreciate the full spectrum of the population in Scotland and chairs must be capable of managing that diversity of talent.
- 1.15 Diversity can however, bring challenges. Research suggests that diversity can lead to lower cohesion, less trust and higher turnover within groups unless members are encouraged and trained to develop trust in one another and to work together.¹¹

¹¹ See The Tyson Report on the Recruitment and Development of Non-Executive Directors, Professor Laura D'Andrea Tyson 2003

Diverse boards must therefore have leaders who are committed to, and capable of, counteracting such tendencies.

- 1.16 Thus the public appointments process must deliver not only diverse board members, but board chairs who are able to manage this diversity to reap its undoubted benefits, while maintaining trust and cohesion. Not only must this difficult task be recognised in the process of recruiting and inducting new chairs, but their on-going performance in this area must be monitored and evaluated.

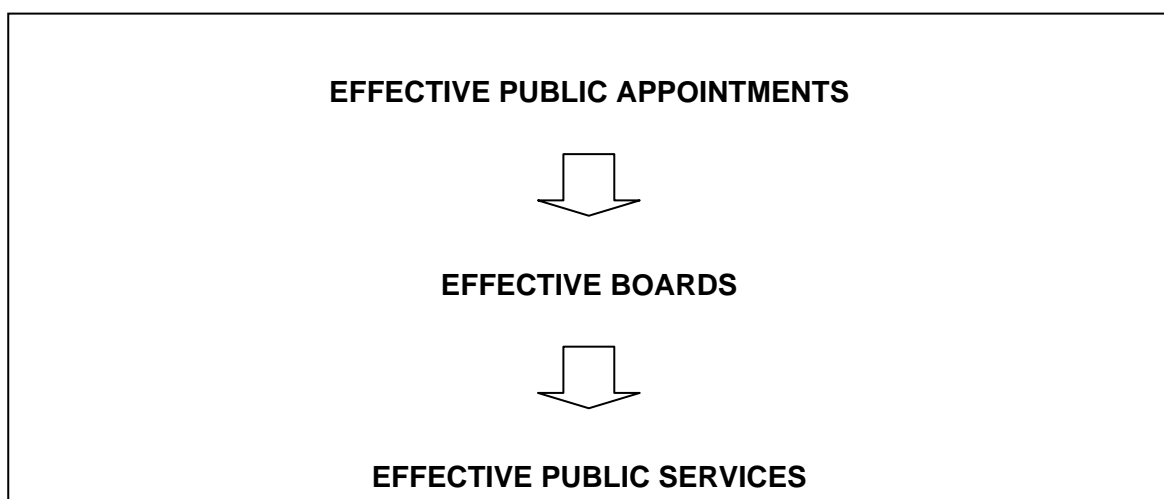
‘The chair is pivotal in creating the conditions for overall board and individual non-executive director effectiveness.’

Higgs Report¹²

- 1.17 In summary:

The effectiveness of the public services delivered by a public body is directly linked to the effectiveness of the board and its individual members. The effectiveness of the board is directly linked to the effectiveness of the appointments process.

- 1.18 **Therefore, the effectiveness of our public services is directly affected by the effectiveness of our public appointments process.**



¹² Higgs, Derek 2003 The Review of the Role and Effectiveness of Non-Executive Directors

Section Two | Introduction to the Strategy

This section explains why an equal opportunities strategy is being prepared and why now, and examines the current context into which the strategy fits.

What are equality and diversity?

- 2.1 The way we view equality is changing. A focus on preventing and penalising unlawful behaviour has made way for the broader and more positive vision of achieving equal outcomes, where a fair and equal society provides for everyone to fulfil their potential.¹³ Creating equality is not about treating every person the same, nor just about removing unlawful discrimination, but is about valuing individuality and nurturing its development.
- 2.2 Throughout the strategy we have often referred to valuing and achieving 'diversity' rather than 'equal opportunities' because the two go hand-in-hand; if people's differences are not accepted and valued, there can be no equality. Also, an 'equal opportunities' approach often implies a focus on policies and procedures driven by the need to keep within the law, whereas a 'diversity' approach focuses on the sound reasons for having those policies. The strategy has, of course, been prepared with the purpose of meeting all legal equal opportunities obligations, but has used the law as a framework, not as a boundary.

Why an equal opportunities strategy?

- 2.3 This is a strategy produced under the terms of the Public Appointments and Public Bodies etc. (Scotland) Act 2003.¹⁴ The Act requires the Commissioner to prepare a strategy that ensures that appointments are made in a manner that encourages equal opportunities and in particular ensures that the legal requirements relating to equal opportunities (as

¹³ See Fairness and Freedom: The Final Report of the Equalities Review, February 2007 by the Equalities Review

¹⁴ Public Appointments and Public Bodies etc. (Scotland) Act 2003 section 2(10)

described in the Scotland Act 1998) are observed.¹⁵ The Act also gives the Commissioner the discretion to set targets as part of the strategy. In addition, the Commissioner also has an overarching statutory duty to exercise all her functions with a view to ensuring that 'all categories of person are afforded an opportunity to be considered for appointment'.¹⁶

- 2.4 Equality of opportunity within the appointments process itself is already enshrined as one of the overarching principles of the Code. As yet, however, there is no mechanism for tackling the broader challenges - for example, the lack of awareness of appointment opportunities. Hence, while this strategy clearly sets out to enhance equality of opportunity within the appointments process, it also focuses on the barriers that might prevent people from applying at all.
- 2.5 All public authorities (including the Scottish Government, the Commissioner and the public bodies she regulates) are required by law not only to eliminate discrimination but also to actively promote gender, race and disability equality. Many of them must publish equality schemes setting out exactly how they will achieve this. Rather than imposing additional requirements, this strategy makes practical recommendations that will assist public bodies to meet their existing duties by promoting equality at board level.

Why now?

- 2.6 Statistics indicate that board demographics do not reflect the current population in Scotland. Fifty-two per cent of the population is female, but women account for only 35% of board members and 17% of chairs on our public bodies.¹⁷
- 2.7 The 2001 Census showed a (non-white) minority ethnic population in Scotland of 2%, but in some areas the figure was closer to 10%, rising to 40% in one locality in Glasgow.¹⁸ The

¹⁵ Section L2 (equal opportunities) of Part II of Schedule 5 to the Scotland Act 1998

¹⁶ Public Appointments and Public Bodies etc. (Scotland) Act 2003, section 2(9)(b)

¹⁷ Scottish Government figures at 1 November 2007

¹⁸ Source: Commission for Racial Equality in Scotland

next generation of the Scottish workforce is likely to be more diverse than the present: 60% of minority ethnic people are under 30 years of age, compared with just 30% of the white population.¹⁹ This clearly will have an impact on the diversity of the working-age population over the coming years. The current figure for minority ethnic board members and chairs is just 2.2%.

- 2.8 The latest estimates suggest that 20% of the population in Scotland has a disability or long-term illness and that the figure is likely to rise in the future.²⁰ Yet only 2.5% of chairs and members of public bodies have a declared disability.
- 2.9 The pool of applicants fares little better as a reflection of our population. Thirty per cent of applicants are female, 7% declare a disability and 2% are black or minority ethnic (BME).²¹ Forty per cent of all applicants are drawn from the 51-60 age group, which accounts for only 16% of the adult population.
- 2.10 Whilst these figures focus on the traditional categories of under-represented groups, this strategy is concerned with diversity in its broadest sense. People's background, education, location, upbringing and other life experience are all non-visible factors that contribute to our diversity.
- 2.11 If public appointees continue to be drawn from the usual quarters the pool will become increasingly small and ever less reflective of the population. Conversely, if appointment opportunities are made accessible to all, we can be confident that our boards will have the very best talent that Scotland has to offer.
- 2.12 All bodies will benefit from having the strongest pool of talent from which to draw. If we create opportunities to develop people's skills and increase their awareness of the contribution they could make, this will be of benefit to all bodies, however

¹⁹ Ethnic Minorities and the Labour Market, Scottish Executive, 2004

²⁰ Source: Disability in Scotland 2005-2020 A State of the Nation Report, Disability Rights Commission

²¹ This figure does not include applicants who described their ethnicity in their own words as we are unable to determine from the Scottish Government's statistics whether these descriptions fell within the BME category

small and however specialised. Furthermore, public bodies are subject to general legal duties to promote gender, disability and race equality, as well as wider equalities obligations not to discriminate on various grounds. Even advisory bodies, therefore, have sound reasons for embracing this strategy.

The current context

2.13 There is no lack of enthusiasm for community involvement as a whole. When the Scottish Government surveyed attitudes to civic participation almost half the adults questioned had already been involved in some community activity or participation in the previous year.²² In 2005, more than 1.5 million adults in Scotland took part in formal volunteering of some kind, with strong participation across all age groups and an equal representation of men and women.²³

2.14 In contrast, the numbers applying for public appointments are low²⁴ and women and younger people are less well represented. The general public in Scotland knows little about the public appointments process.²⁵ Research findings suggest that a combination of low awareness, limited appeal and limited time availability contribute to the low number of applicants.

²² Public Attitudes to Participation, Office of Chief Researcher Research Findings No.16/2005

²³ Annual Digest of Statistics on Volunteering in Scotland 2006, Volunteer Development Scotland

²⁴ Between April 2006 and March 2007, 1,326 applications were received for regulated public appointments. As one person may submit more than one application, and Scottish Government statistics do not currently identify where an individual has applied for more than one post, it is not possible to assess accurately how many individuals applied over the year.

²⁵ See Annex E, Stage 3 Research, as listed in Appendix One - ICM Research omnibus poll commissioned by OCPAS August 2007

Section Three | Does Diversity Deliver?

This section examines the benefits that diversity can bring - both for the public appointments process and for the wider benefit of Scotland.

- 3.1 Where diversity is a key driver in an appointments process, all applicants can be confident that they are welcome and valued, Ministers can be confident that the process will provide them with the best possible range of candidates from which to appoint and public bodies will benefit from a broad range of perspectives and experience on their boards. A board drawn from varied backgrounds and with a wide spectrum of knowledge and experience will be well placed to appreciate the evolving needs of the population it serves. A diverse board will in turn attract diverse applicants.
- 3.2 Diversity delivers. A 2004 study of 353 Fortune 500 companies across 11 industry sectors showed that companies with the highest representation of women on their top management teams experienced better financial performance than companies with the lowest women's representation.²⁶ Similarly, research by the Cranfield School of Management has shown a strong relationship between gender diversity at board level and both better market capitalisation and better financial performance.²⁷
- 3.3 In 2003 the independent Higgs Review²⁸, commissioned by the UK Government, reported on the role and effectiveness of non-executive board members in UK listed companies, with a view to improving corporate governance across the private sector. Much of the report is equally relevant to the public sector. Amongst its findings was that board performance can be improved if greater diversity is achieved among board members.

²⁶ Source: The Bottom Line: Connecting Corporate Performance and Gender Diversity, Catalyst (sponsored by BMO Financial Group)

²⁷ Source: Brighter Boards for a Brighter Future, Women and Equality Unit

²⁸ Higgs, Derek 2003 The Review of the Role and Effectiveness of Non-Executive Directors

- 3.4 A further UK Government study followed²⁹ to explore this finding in more depth. Tyson's findings were unequivocal. Academic research confirmed that groups that are more diverse in their skills and knowledge have the potential to consider a greater range of perspectives and to generate more high-quality solutions to problems than less diverse groups.³⁰ In another study, diversity among group members, coupled with the strong debate it often brings, was found to be a predictor of success among top management groups.³¹
- 3.5 The academic literature identified two distinct advantages to diversity. First, groups make better decisions if the information available to the group is more diverse, provided the group understands who knows what and takes advantage of this knowledge. In other words, the broader the spectrum of skills, knowledge and perspectives among the board, the better the decisions it will make, as long as each member is allowed to contribute in their own field of expertise and not required to go beyond their knowledge.
- 3.6 The second advantage is that 'diverse teams can reach out more effectively to a broader set of constituencies to help them avert problems or solve them when they arise'.³²

'The most fundamental business rationale for a company's commitment to greater diversity in the boardroom, like its commitment to diversity at all levels, is a simple and compelling one – the desire to find and employ the best talent.'

Professor Laura Tyson
Dean of London Business School

²⁹ See The Tyson Report on the Recruitment and Development of Non-Executive Directors, Professor Laura D'Andrea Tyson 2003

³⁰ Millikens and Martins, 'Searching for Common Threads: Understanding the Multiple Effects of Diversity in Organisational Groups', 1996

³¹ Eisenhardt, Kahwajy and Bourgeois, 'Conflict and Strategic Choice: How Top Management Teams Disagree', 1997

³² See The Tyson Report on the Recruitment and Development of Non-Executive Directors, Professor Laura D'Andrea Tyson 2003

The wider benefits

- 3.7 An equal opportunities strategy for public appointments will have rewards that reach far beyond the public appointments process. In researching this report it became clear that building a strong framework for developing potential appointees not only was one of the keys to greater diversity, but could be used for the wider public benefit. This proposed strategy offers a route map for the development of Scotland's governance talent, wherever that talent may best be deployed.
- 3.8 We recognise that current reviews may result in a reduction in the number of public appointments in Scotland. However, while the number of appointment opportunities may reduce, the need to increase applicant diversity for those posts will not. We also recognise that recent economic developments mean that Scottish Government funding for new initiatives may be more restricted than was hoped. With this in mind, we have endeavoured to produce a strategy that is both cost effective and has far reaching benefits across the public sector and beyond.
- 3.9 When implemented, the strategy will enable people to explore and develop their governance skills, ultimately to create the next generation of public appointees, but equally to produce the next generation of councillors, charity trustees, school governors, community leaders and company directors and the lifeblood of committees and boards of every kind throughout Scotland.

Section Four | The Challenges

This section summarises the current challenges to achieving diversity that exist within the public appointments system. The recommendations for addressing these challenges are contained in Section Five.

Background

- 4.1 This is not the first work on diversity in public appointments. There have been many comprehensive studies into equality and diversity in public appointments and many recommendations made. To date there is little evidence of effective outcomes resulting from that research.³³ Difficulties persist; the principal concerns are summarised here.
- 4.2 Throughout this section, where no comment is made about the effect of the challenges on different demographic groups (for example, the particular effect on disabled people or different ethnic or religious groups) it is because no significant observations were made, or because it was not possible to draw reliable conclusions from the data available.
- 4.3 Research participants included people involved at every stage of the public appointments process – applicants, both successful and unsuccessful, administrators, selection panel members and Scottish Ministers,³⁴ plus members of the public who have had no involvement in the process. The quotes that appear in this section are theirs. This is what the research told us.

³³ An overview of recent studies in this area can be found in the supplementary documents produced for this strategy listed in Appendix One

³⁴ The research conducted with Scottish Ministers took place during the term of the previous Scottish Government, prior to May 2007

The Challenges

4.4 Low numbers are attracted to apply

- The vast majority of people in Scotland have never put themselves forward to be considered for a public appointment. From a sample of 1046 adults, only 7% had ever applied.³⁵
- In the last three years,³⁶ one in three appointment rounds generated fewer than 12 applications.

4.5 Low awareness of public bodies, their work and the role of their boards

- When given a list of various organisations, only 4%³⁷ of people correctly identified which of them were NDPBs.
- Anecdotal evidence³⁸ suggests that many people do not know how the work of public bodies impacts on their lives, or what the role of a board member entails.

4.6 Information and advertisements have limited appeal

- Fewer than 4% of applicants said that the style of the advert had attracted them to apply.³⁹
- Some applicants find the size of the application pack daunting and the language and content off-putting.
- Advertisements are presented in the house style of the Scottish Government with no personalisation to reflect the individuality of the public bodies themselves. The Chartered Institute of Personnel and Development's 2007 guide to recruitment marketing highlights the importance of a strong employer brand in attracting staff and our research indicates the same would apply to attracting potential board members.

³⁵ See Annex E, Stage 3 Research, as listed in Appendix One - ICM Research omnibus poll commissioned by OCPAS August 2007

³⁶ Scottish Government statistics for the period April 2004 – March 2007

³⁷ See footnote 35

³⁸ Gathered at events attended by the Commissioner and her team

³⁹ See Annex D, Stage 2 Research, as listed in Appendix One, survey of applicants' experience

‘Adverts for positions should use a number of formats designed to catch the ‘eye’ of different groups. For example, young people might not even bother to look at the standard format.’

- The principal method of advertising posts has been through the recruitment pages of the Scottish broadsheets,⁴⁰ clearly favouring the higher social classes, which make up the majority of their readership.
- Methods of advertising that are not utilised at present would be likely to reach a wide audience. Popular options include adverts in local free papers (likely to reach 63% of people), local radio adverts (63%) and posters in doctors’/dentists’ surgeries (56%). The clear favourite is a slot after the television news (78%).⁴¹

4.7 Low diversity amongst applicants⁴²

- Seventy per cent of applicants are male, compared with 48% of the population.
- The most common age range for an applicant is 51-60, with this group accounting for nearly 40% of all applications from only 16% of the adult population.
- Fewer than 7% of recent applicants declared a disability, compared with an estimated 20% of the adult population.⁴³
- The percentage of applicants from black or minority ethnic backgrounds is broadly representative of the population at the last Census in 2001. However, the ethnic minority population is expected to have risen considerably since 2001, a rise that has not been reflected in the applicant pool.

⁴⁰ The Scotsman, The Herald, Scotland on Sunday, Sunday Herald

⁴¹ See Annex E, Stage 3 Research, as listed in Appendix One - ICM Research omnibus poll commissioned by OCPAS August 2007

⁴² Data is taken from Scottish Government figures for the year April 2006 – March 2007. No information is currently collected by the Scottish Government about applicants’ religion/belief, or sexual orientation.

⁴³ Disability in Scotland 2005-2020 A State of the Nation report, Disability Rights Commission

- More than 80 groups from minority communities are informed of every appointment vacancy, but there is no evidence that this produces any applications.

4.8 Low awareness of the open application process and the role of the Commissioner

- An ICM telephone poll⁴⁴ identified that 32% of people think that board members are invited to join the board; a further 21% think they are given their board positions as a reward for other work they have done.
- Seventy per cent of people in Scotland are not aware that the public appointments process must follow the Commissioner's Code of Practice to ensure a fair selection process.⁴⁵
- Awareness is lowest among younger people and those outside the highest social groups.⁴⁶
- Awareness varies considerably between regions, with awareness in the Lothian and Borders area nearly twice as high as in the Highlands and Islands.⁴⁷

4.9 Low public confidence in the fairness of the process

'I would apply if I had confidence in the selection procedure.'

- A separate survey found that 70% of people in Scotland believe that people in public office commonly get their jobs through someone they know, instead of through the appropriate procedures.⁴⁸
- Research suggests that one in three applicants who are interviewed do not think the interview allows them to

⁴⁴ See Annex E, Stage 3 Research, as listed in Appendix One - ICM Research omnibus poll commissioned by OCPAS August 2007

⁴⁵ See footnote 44

⁴⁶ See footnote 44

⁴⁷ 43% in Lothian and Borders compared with 23% in Highlands and Islands (OCPAS ICM Poll, August 2007)

⁴⁸ Survey of public attitudes towards conduct in public life 2006, Committee on Standards in Public Life, Chairman: Sir Alistair Graham

describe fully their skills and knowledge appropriate to the role.⁴⁹

‘A non-white, relatively young woman may have a different style to a white, middle-aged man and interview panels need to accept that there are different types of ‘gravitas’.’

4.10 Concern about diversity in the boardroom

- Qualitative research suggests that people from under-represented groups perceive the culture on boards to be staid and traditional.⁵⁰
- There is a perception that public appointments are for ‘the great and the good’.

‘I felt certain that I would be unlikely to be successful or even seriously considered as I am not connected to the type of people who usually serve as trustees.’

- There is concern amongst potential applicants that even if more diverse board members were to be appointed by Ministers, they may not be welcomed or valued by the board itself, or may be treated simply as a token gesture towards diversity.
- While there is still little visible diversity on boards, and while boards do not promote their non-visible diversity, it is difficult to attract a varied pool of applicants.

4.11 Handling of diversity by selection panels and administrators

- Many people involved in the process are genuinely unaware that their actions may discriminate against certain groups or individuals, for example, when drafting person specifications.

⁴⁹ See Annex D, Stage 2 Research, as listed in Appendix One, survey of applicants’ experience

⁵⁰ See Annex E, Stage 3 Research, as listed in Appendix One, consultation group

'I felt it was too tightly defined, seeking only those applicants with specific and lengthy experience. I was expecting a broader spectrum of applicants to be sought.'

- Officials responsible for drawing up person specifications - the key document that drives the appointment process - can have limited knowledge of the role of a non-executive board member, or the core attributes⁵¹ needed to be effective in this role. Person specifications can be generic, or contain restrictive criteria or criteria that are not clearly defined, making application and assessment difficult and restricting the diversity of applicants. Some person specifications include a large number of desirable criteria, which may discourage some people from applying.

'The content was so daunting that it looked as though the body concerned was looking for people from big business and those from working-class backgrounds would not be considered suitable.'

- Sixty-three per cent of applicants were not asked if they needed any reasonable adjustments for the interview with respect to any disability they may have. Where reasonable adjustments were made, opinion was divided about whether candidates' needs were professionally and effectively met. The approach to disability appears to be reactive.

4.12 Low priority given to the public appointments process

- Scottish Government officials have not been provided with recent training on public appointments, on how to comply with the Code or on how to build diversity considerations into each stage of an appointment.
- Key decisions in the process can be made by inexperienced, relatively junior officials with little knowledge of diversity issues or board-level recruitment.

⁵¹ As identified, for example, by the Higgs Report or in the Scottish Government's guidance for board members - 'On Board'

'I didn't have any experience of recruitment prior to being placed with the sponsor team ... but I am responsible for putting together role specifications and person specifications and doing the initial sift.'

- On occasion, insufficient time is given to the appointments process, resulting in, for example, inadequate preparation for compiling a competent shortlist or too little time being allocated to allow for comprehensive interviews. Sometimes attempts are made to rearrange shortlisting meetings or interviews - after the dates have been published to applicants - because other engagements are given priority.

4.13 Some under-represented groups may have lower confidence in their own abilities and/or are unlikely to apply unless they are over-qualified for the role

- Qualitative research indicates that confidence may be a barrier for some potential applicants, regardless of ability. For example, research has shown that women will only apply if they have at least eight out of 10 of the criteria asked for, whereas men will apply if they have six.⁵²
- Among successful appointees - who had clearly demonstrated all the required skills and knowledge - men were three times more likely than women to 'strongly agree' that they had the required skills.⁵³ This echoes other research findings that women are less confident about putting themselves forward than their male counterparts, regardless of actual ability.

4.14 The application process can be time consuming and the time required to be effective as a board member is a concern

- Appointment rounds can take up to nine months to be completed; the length of the process is a common cause for complaint among applicants.

⁵² See Women and Equality Unit report, Brighter Boards for a Brighter Future, 2003

⁵³ See Annex D, Stage 2 Research, as listed in Appendix One, survey of applicants' experience

- Time commitment and the working patterns of boards (which usually meet during the day) are more likely to be barriers for people in full-time jobs with fixed hours of work. This may affect younger people (who are less likely to be self-employed, retired or work part time), people in lower-income brackets who cannot afford to take unpaid time off and people with caring responsibilities, who are often women. Women who have not applied for a public appointment cite the time commitment required as a key factor in their decision not to do so.⁵⁴

4.15 Lower success rate of private sector and voluntary sector applicants in the appointments process⁵⁵

- A significant proportion of applicants come from a public sector background. Research suggests that the process may be easier for them to navigate and that the application form is more easily completed by people with a public sector background.
- People with a voluntary sector background are successful at getting to interview on the strength of their written applications, but have difficulty progressing past the interview stage. This is of particular concern as our research found the highest minority ethnic representation in the voluntary sector group.
- Applicants from the private sector appear to be less successful at completing a written application that enables them to be shortlisted for interview, but when they are interviewed they do well.

4.16 The appointments process focuses on experience in a similar role

- Publicity for appointments tends to encourage people who have already demonstrated the required skills and knowledge in a similar environment. There is little encouragement for people who have not been in a similar environment to see their skills as transferable.

⁵⁴ See Annex E, Stage 3 Research, as listed in Appendix One, consultation group

⁵⁵ See Annex D, Stage 2 Research, as listed in Appendix One, survey of applicants' experience

‘Common sense and experience of life was not being considered, i.e. the experience of a professional, parent and ordinary citizen was not in the frame. I therefore felt the Executive was not genuine in looking for fresh and sensible members who might be able to contribute on both a practical and pragmatic basis.’

- People who have demonstrated the skills and knowledge required for a public appointment tend to be those already in senior positions in organisations. Thus, inequalities that may exist in reaching a senior role are transferred across to the public appointments process.

‘The criteria for appointment seem to be weighted in favour of those who are either ‘high heidyins’ in the world of work or have had a lot of involvement in the particular subject. Has thought been given to whether these are really the sole valid criteria for appointment?’

4.17 There are no obvious routes to develop future board members or chairs

- Constructive feedback helps applicants to identify areas where they would benefit from further development and is likely to encourage people to apply again. However, most applicants are not aware that feedback is available and fewer still request it or receive it. Where feedback is given, opinions are mixed about whether it is constructive or helpful.

‘I did not receive any feedback despite requesting it, so I do not know why my application was unsuccessful. I would not be keen to experience this frustration again, and I would not be quick to apply for any other positions.’

- No support or training and development opportunities are available to identify new talent or develop the public appointees of the future.

'I feel that there is too much weight placed upon actual experience of operating at board level. I felt that my skills were relevant to the role and was disappointed to find the same familiar names appointed to the board at the end of the process.'

- The process does not actively encourage or support current board members to apply for chair positions.

4.18 Low diversity of board chairs

- Only 17% of chairs are women and the percentage of female chairs being appointed has fallen from 30% in 2004/2005 to just 8% in 2006/2007.
- In the last three years⁵⁶ only one ethnic minority chair was appointed and only one chair with a declared disability.

Meeting the challenges

4.19 Not everyone in Scotland will be suited to running a public body. Not everyone will want to. But everyone should be aware of the opportunities available and be offered the chance to develop their potential to the full. The current appointments process is open, accountable and well intentioned, but it needs to evolve. In seeking to identify the 'best' candidates it often inadvertently excludes candidates who have not demonstrated the required skills and knowledge in a similar environment. Considerable benefits could be gained from doing more to harness transferable skills and knowledge and develop them.

4.20 Increasing awareness and developing potential are only part of the challenge. If implementing the recommendations in this strategy encourages more people to apply, but the appointments process does not support and value them, these new applicants will make little progress and may not apply again. Equally, if the process evolves but the culture in the boardroom does not keep pace, the diversity of appointees will not last.

⁵⁶ During the period June 2004 – March 2007

- 4.21 If this strategy is to bring sustainable change we must work to achieve a culture, in both process and boardroom, that embraces diversity and individuality and within which everyone can flourish. We must also ensure that the appointments process is dynamic – anticipating, recognising and reacting to change.
- 4.22 Scotland’s public appointments process is underpinned by a comprehensive administrative system that ensures accountability, but as yet it is less comfortable with innovation and often rewards uniformity. It is hoped that, through this strategy, we can build on our solid foundation and take the process to a new level, where it can become part of the toolkit for achieving a bright future for Scotland.
- 4.23 Increasing diversity is a long-term project. There will be ‘quick wins’ but there are no ‘quick fixes’. The Scottish Ministers have made a commitment to developing a smarter Scotland through the development of people and their potential. We believe that this strategy can contribute to achieving that goal.

Section Five | Recommendations – The Vision and How to Achieve It

Having outlined the current challenges for increasing diversity in public appointments, this section sets out our vision and looks at how we might achieve it.

We offer a number of recommendations to bring about meaningful change. Rather than imposing additional obligations on the Scottish Government and public bodies, the recommended actions are phrased in practical terms to help all parties to meet many of their existing legal duties in the field of equality.

The Vision

5.1 Our vision for the public appointments process is three-fold:

Awareness and Attraction

A pool of applicants as diverse as the people of Scotland, aware of and attracted by the work of our public bodies and the opportunities to serve on their boards.

Confidence and Capacity

An appointments process that inspires confidence, increases capacity and embraces diversity, from the application process to the boardroom.

Education and Experience

A programme of support for our future leaders, developing and providing opportunities for all to achieve their full potential and for Scotland to draw upon its brightest talent.

Who are the recommendations for?

- 5.2 The Public Appointments and Public Bodies etc. (Scotland) Act 2003 does not specify who has responsibility for implementing the equal opportunities strategy, although it does state the Commissioner's duty to ensure that 'so far as reasonably practicable, all categories of person are afforded an opportunity to be considered for appointment'. Thus it may be implied that the Commissioner will have some role in, or scrutiny of, the strategy's implementation. Indeed, it would seem appropriate that the detailed knowledge of the proposed strategy, and its background, developed by the Commissioner and her team be employed in implementation. In addition, the Commissioner recognises that her Code must be reviewed following this consultation, to take account of the responses received and to enable and assist the recommendations to be taken forward.
- 5.3 We recommend, therefore, that the Scottish Government and the Commissioner work in partnership to move the strategy forward under the guidance of an implementation group.
- 5.4 The implementation group will agree responsibility for each of the recommendations and will be responsible for ensuring that the objectives of the strategy are achieved. The group will ensure that the public is kept informed about progress, through the Commissioner's Annual Report and reports to the Scottish Parliament Equal Opportunities Committee. We recommend that the following people are invited to form the implementation group:
- The Commissioner
 - The Scottish Government's Diversity Champion
 - The Convener or a member of the Scottish Parliament Equal Opportunities Committee
 - The Scotland Commissioner of the Equality and Human Rights Commission
 - The head of the new centre of expertise for public appointments
 - A chair of a public body

- 5.5 In preparing this strategy we have identified the vision for the public appointments process and recommended a set of clear objectives. We have analysed and evaluated information about the current operation and outcome of the process. We have recommended actions and suggested measures to gauge their effectiveness and have worked with a wide range of people and organisations to refine these recommendations. We have identified a number of opportunities to enhance the public appointments process by benefiting from existing programmes, thus facilitating change as efficiently as possible.
- 5.6 What we are not in a position to do is produce detailed, costed action plans to support the recommendations offered in this consultation document. When the definitive equal opportunities strategy is published the parties that are given responsibility for its implementation will produce such action plans.

Awareness and Attraction

The Vision

A pool of applicants as diverse as the people of Scotland, aware of and attracted by the work of our public bodies and the opportunities to serve on their boards.

The Objectives

- Increase awareness amongst the general public of the role and value of public bodies.
- Increase awareness amongst the general public of the role of board members and the wide range of people we need to serve on the boards of public bodies.
- Attract interest, create enthusiasm and encourage action by the widest appropriate pool of potential applicants.

The Context

- Seventy per cent of people in Scotland have little knowledge of our public bodies, their boards and how to serve on them.
- Therefore, most people do not have the opportunity to apply or to be selected for appointment.
- To achieve equality of opportunity and avoid discrimination, we must ensure that many more people are aware of the opportunities available and we must address the widespread lack of engagement with public appointments.

Awareness and Attraction

Recommended Actions – In summary

A1. Develop and deliver an on-going communication campaign to promote

- the role of public bodies
- the role of board members
- the wide range of people needed by boards
- the opportunities to serve on them
- the benefits of serving on a board.

A2. Build an accessible hub website, supported by personal contact, to inform everyone interested in public appointments and provide signposts to appropriate sources of further information and support.

A3. Enhance the content of publicity material for public appointments and monitor the impact of publicity strategies on the number and diversity of applicants.

Awareness and Attraction

Recommended Actions – In detail

Short Term (0-2 years)

A1S. Communication campaign

Mount a campaign that informs members of the public about the work of public bodies and their boards, that sells the personal benefits to be gained from board membership and that inspires people to apply.

Include in this campaign:

Role models

- Recruit a number of board role models, drawn from a wide variety of backgrounds, levels and types of education, ages and locations. Enlist their support in the activities outlined below to reinforce consistent, positive and encouraging messages about their work as board members.

Promotional materials

- Produce a short guide to the work of public bodies and the role and contribution of board members. Supply it to centres where people visit and/or wait, such as doctors' and dentists' surgeries and local council offices, and community outlets such as libraries and local authority buildings used for adult education classes. Include contact details for further information and use the guide to promote the supporting DVD (see below).
- Produce a DVD featuring board role models focusing on their work, what they bring to the board they sit on and what they gain from their work on the board. Distribute it along with the written guide. Use the DVD at all relevant events, such as appointment fairs, seminars and workshops.

Awareness and Attraction

Recommended Actions – In detail

Short Term (0-2 years) contd.

Board member profiles

- Arrange a series of features about, or interviews with, board role models in local press and in magazines associated with the work of the board on which they sit.
- Arrange a series of features about or interviews with board role models on national, local and community radio stations.
- Involve board role models in a promotional campaign after the television news to promote the value of their role and the opportunities to serve on the boards of our public bodies.
- Publish profiles of the board members on each public body's website, focusing on their diversity. If a board is not visibly diverse, highlight the differences that cannot be seen, for example in board members' background, education and experience.

Open seminars

- Deliver a programme of open seminars across Scotland describing the work of public bodies and their boards. Advertise these, for example, in the promotional guide, on the hub website and in local newspapers. Enlist the help of board role models in informing and inspiring people who attend about the opportunities on our public boards.

'Meet the Board' month

- Designate a month each year when all board meetings are open to members of the public and promote the 'Meet the Board' campaign in the promotional guide and in local newspapers. Extend meeting times to enable non-executive board members to meet members of the public to discuss with them their role and what attracted them to apply.

Awareness and Attraction

Recommended Actions – In detail

Short Term (0-2 years) contd.

A2S. Hub website

Develop a fully accessible ‘hub’ website for public appointments that is designed and written to engage with a diverse audience, with particular attention given to targeting and attracting groups currently under-represented on the boards of our public bodies including women, people from a minority ethnic background and disabled people. Ensure that the hub website is an exemplar of best practice in terms of disability accessibility.⁵⁷

To ensure equality of access, also provide a non-web based source of information such as a telephone contact and make printed materials available.

Position the hub website at the centre of the public appointments process, providing, for example:

- information on appointment opportunities
- online guides to the work of public bodies, the role of a board member and the application process
- an online application facility
- signposts to education and development programmes
- online development activities (for example, a modular education programme for potential board members)
- reciprocal links to other sources of support and guidance (for example: OCPAS, equalities and governance bodies)

⁵⁷ See Appendix Two for a fuller discussion of accessibility issues and internet use

Awareness and Attraction

Recommended Actions – In detail

Short Term (0-2 years) contd.

- a forum for applicants and potential applicants to exchange views and share experience
- details of relevant events – open board meetings of public bodies, open seminars and workshops and appointment fairs
- downloadable podcasts of relevant meetings and events
- the facility to register as part of a talent bank of potential applicants with confidential details of skills, knowledge and areas of interest

Approach professional bodies that already have talent banks and investigate whether members of these talent banks could be encouraged to register on the public appointments hub website.

Ensure that all the above information is also accessible to non-internet users and that alternative formats are readily available on request.

Awareness and Attraction

Recommended Actions – In detail

Short Term (0-2 years) contd.

A3S. Publicity material and monitoring

Targeted publicity

- Compile an information bank containing all the potential methods for publicising appointment opportunities and a record of how effective each one has been in attracting applicants.
- Use this information bank for every appointment round to ensure targeted publicity, appropriate to the nature of the appointment, the public body and the diversity of potential applicants.

Encouraging applicants

- Produce all publicity and application documents in a more encouraging, less formal style.
- Include in application packs a welcome letter from the chair of the body or the Minister, thanking people for their interest, plus a named contact who can help potential applicants with any queries and provide encouragement and advice.
- Encourage individuality in advertisements to reflect the unique character of the role or the public body in question.

Monitoring

- Analyse for each appointment round by means of a monitoring form:
 - the profile of applicants by the following characteristics
 - age
 - disability
 - ethnicity
 - gender

Awareness and Attraction

Recommended Actions – In detail

Short Term (0-2 years) contd.

- religion or belief
 - sexual orientation
 - employment status and sector (public, private, voluntary, self-employed, retired, academic)
 - income band
- where the applicants in each of the above categories heard of the appointment vacancy
 - how far the applicants in each of the above categories progressed in the round.
- Ensure the monitoring form is carefully and sensitively worded, to inform applicants about how their information will be used and assure them it will be held securely and treated confidentially. Offer applicants the chance to indicate whether they prefer not to answer a particular question.
 - Ensure that the form reflects current good practice in monitoring demographic information and enables all relevant comparisons to be made with statistics for the general population of Scotland. In particular, ensure that the analysis of applicants' ethnicity is detailed enough to allow comparisons with the growing population of white ethnic minorities in Scotland, as well as non-white minority groups.
 - Collate the information to provide an annual picture of the source of different categories of applicants and their progress. Use the findings:
 - to inform the impact assessments required to meet the public sector duties to promote equality,⁵⁸ and
 - to update the information bank recommended above under 'Targeted publicity'.

⁵⁸ See Annex G, Legal Duties, as listed in Appendix One

Awareness and Attraction

Recommended Actions – In detail

Medium Term (3-5 years)

A1M. Communication campaign

Review the impact of and refocus the communication campaign. Add the following:

Appointment fairs

- Develop and run annual public appointment fairs that promote civic participation. Base on the model used by recruitment fairs – stands, presentations, workshops and one-to-one advice sessions. Share participation and cost with other public and voluntary sector bodies that aim to attract people from a cross-section of Scottish society.

Promotional literature

- Produce promotional leaflets and posters to raise awareness of the hub website, supply them to community outlets such as libraries and local authority buildings used for adult education classes and display them on public transport.

Television

- Review the impact of television programmes about the work of public bodies in other parts of the UK. Assess the value of using such programmes to promote board membership in Scotland.

Awareness and Attraction

Recommended Actions – In detail

Medium Term (3-5 years) contd.

A2M. Hub website

Enhance the online application facility to enable:

- optional automatic completion of core sections of the application form for applicants who apply for more than one post
- personal email alerts to be sent to registered users about vacancies that match their interests and/or skills
- statistical analysis of information from monitoring forms to identify applicant trends.

Provide a self-help tool on the hub website where, by answering a series of questions about their skills and interests, the user receives their 'route map' to becoming a board member, which signposts them to appropriate development and appointment opportunities (for example, the development opportunities highlighted in the Education and Experience section of these recommendations).

Continue to provide non web-based information and enable non web-based applications, including providing alternative formats on request, to ensure equality of access for those who do not use a computer or have access to the internet.

Awareness and Attraction

Recommended Actions – In detail

Medium Term (3-5 years) contd.

A3M. Publicity material and monitoring

Continue to conduct the monitoring outlined for years 0-2. If there are sections of the population where application numbers and progress through the system are not improving, investigate and consider positive action.

Repeat the survey of applicants' experiences throughout the process (see Annex C⁵⁹), to measure the impact of changes to the process. Use the results to inform future strategies for improvement.

Repeat the ICM telephone poll (see Annex D⁶⁰), to measure any changes in awareness of public bodies, public appointments and the open nature of the appointments process across different demographic groups.

Longer Term (5 years +)

A1L. Communication campaign

Extend the communication campaign to younger people, who may not yet be in a position to hold a public appointment, but whose knowledge and interest could be encouraged from a young age.

- Arrange features on youth-led radio stations in Scotland
- Promote public bodies and public appointments at graduate recruitment fairs.
- Promote board membership as an opportunity for civic participation as part of the citizenship curriculum in schools.

⁵⁹ See Annex C, Stage 1 Research, as listed in Appendix One

⁶⁰ See Annex D, Stage 2 Research, as listed in Appendix One

Awareness and Attraction

Some examples:

Examples of similar websites

- **Jobs Go Public**

- A website is already being used by over 500 public sector and voluntary sector employers, including 60% of local authorities in England, for their staff recruitment. Jobs Go Public (JGP) operates a network of websites attracting over 600,000 users a month, 170,000 of whom are part of a talent pool of registered users.
- As well as the main website, the company creates 'JGP Powered' microsites or areas on employers' own websites that 'plug-in' to the JGP network. This allows job information to be downloaded, and online applications to be made, from the organisation's own website as well as the main JGP website. We suggest that this model could be replicated to create a public appointments hub website for the Scottish Government and a microsite on the website of each public body.
- On this system, applicants can search for roles that match their key skills and experience, download application forms and information about the roles, view video information, apply online or apply by completing downloaded forms. The JGP website also includes areas dedicated to attracting people with specific skills from outside the public sector and to targeting key minority groups, both areas of concern for the public appointments process. The website is fully accessible⁶¹ and clients testify to it attracting significantly more candidates than print advertising, at a fraction of the cost, and a more diverse pool of applicants.

⁶¹ It complies with AA (or priority 2) standards as determined by the W3C's Web Accessibility Initiative

Awareness and Attraction

Some examples:

Examples of similar websites contd.

- **The Governance Hub**
 - The Governance Hub is a collaborative body that provides support for good governance in the voluntary and community sector in England.
 - It operates a website (www.governancehub.org.uk) that provides information about board members' roles and responsibilities, details of governance-related workshops and other events, case studies of good governance practice and guidance on how to become a trustee or board member.

Internet recruitment sites in Scotland

- The success of websites such as ScotCareers.co.uk and s1jobs.com is evidence that a similar operation to JGP would be well received in Scotland. For example, 97% of the users of s1jobs.com are based in Scotland; it has a database of more than 63,000 registered to its 'talent pool' and attracts 371,400 users each month.⁶² Its research suggests that more than two-thirds of Scottish adults use the internet when looking for a job. This success could be translated to the field of public appointments.

Television programmes about public bodies

- A Northern Ireland programme, 'Life Matters', is currently in production about the Belfast Trust and includes coverage of public appointments to the trust
- BBC2 screened a documentary series about the work of the Parole Board in England and Wales in November 2006.

⁶² National Online Recruitment Audience Survey 2007

Confidence and Capacity

The Vision

An appointments process that inspires confidence, increases applications and embraces diversity, from the application process to the boardroom.

The Objectives

- Ensure that the public appointments process is encouraging, accessible and easy to navigate.
- Ensure that the process is equipped to support greater numbers and a wider range of suitable applicants for each post.
- Ensure that the people administering the process are equipped to do so effectively and efficiently.

The Context

- If the process provides a poor applicant experience, or cannot support the diversity we are trying to attract, any new interest will quickly be lost.
- Therefore, in tandem with raising awareness, we need to address the challenges within the process and increase the public's confidence in it.
- To ensure that equality extends beyond awareness and into application and appointment, the process and the people involved need to welcome and value new and diverse talent, from the application process right through to the boardroom.

Confidence and Capacity

Recommended Actions – In summary

- C1. Establish a centre of expertise whose members will advise on and administer the public appointments process for the Scottish Government.
- C2. Provide appointment-focused diversity training for all parties involved in the selection process.
- C3. Provide support for chairs to maximise the benefits of a diverse board.
- C4. Revise the Code of Practice to reflect the actions included in and resulting from the equal opportunities strategy.
- C5. Increase awareness of Scotland's open and fair public appointments process.

Confidence and Capacity

Recommended Actions – In detail

Short Term (0-2 years)

C1S. Centre of expertise

Create a central team within the Scottish Government with proven expertise in diversity and in recruitment or appointment at a senior level, whose members have knowledge of the role of the non-executive director and the work of boards, to advise on and administer the appointments process.

It is recommended that the work of the central team includes:

- capturing the requirements of each board role through discussions with the relevant Scottish Government directorate and the public body concerned, then producing key documents for the appointment round which reflect these discussions
- ensuring appropriate publicity in each round to reach a diverse audience and providing information to applicants that is encouraging and appeals to a wide range of people
- providing expert management of every appointment round and of the content and promotion of the hub website
- providing named individuals to be contacted for informal discussions about a post, help with queries about the application process or alternative application formats and other reasonable adjustments for people's disabilities or needs
- providing informed constructive feedback to applicants
- producing an online guide to completing the application form, to be included on the hub website

Confidence and Capacity

Recommended Actions – In detail

Short Term (0-2 years) contd.

- conducting assessments of the impact on race, disability, gender, religion/belief, age and sexual orientation equality of the practices used at each stage of the process and using this information to inform future policies and changes to the process.

The recommendation for a central team is **not** designed to remove from directorates the responsibility for and commitment to appointing board members for the bodies they sponsor. It is designed to support directorates by providing a resource-effective central source of professional advice and guidance.

In addition to the suggestions above, the Scottish Government is encouraged to consider the following as part of the team's role:

- conducting the initial sift of applications when the number of applications requires this
- compiling a shortlist of people for interview
- carrying out first interviews and recommending those people who best match the requirements of the post to the selection panel for final interview

working in conjunction with an OCPAS Assessor (and with a representative of the public body where appropriate).

Consider partnering each central team member with a member of the Commissioner's team to further strengthen the centre of expertise, by combining the central team's knowledge and experience of diversity, recruitment or appointment and the work of boards with the Commissioner's expertise in public appointments, the appointments process, the Code of Practice and this equal opportunities strategy.

Confidence and Capacity

Recommended Actions – In detail

Short Term (0-2 years) contd.

C2S. Appointment-focused diversity training

Provide training for all members of selection panels on how to recognise and manage diversity issues that arise during appointment and provide refresher training every three years.

Provide regular updates on new developments in equality and diversity for members of selection panels.

As part of the induction process, provide information for every board member on enhancing board effectiveness through benefiting from the diversity on their board.

Measure board members' awareness of and approach to diversity as part of the performance assessment which forms the basis of any re-appointment decision.

C3S. Support for chairs

Provide additional support and development for chairs of public bodies on how to manage diversity on their board in order to reap the maximum reward that it can offer.

Ensure that the knowledge, skills and qualities required to chair a diverse board are reflected in the person specification for every chair appointment or re-appointment.

Confidence and Capacity

Recommended Actions – In detail

Short Term (0-2 years) contd.

C4S. Revised Code of Practice for Ministerial Appointments

Revise the contents of the Code of Practice to ensure the actions resulting from the agreed equal opportunities strategy are built into the regulation of the public appointments process.

C5S. Promotion of Scotland's open and fair public appointments process

Expand the Commissioner's current communication activity to raise awareness of public appointments and of the role her office plays in ensuring a fair process that is open to all, in order to raise public confidence in the system.

Confidence and Capacity

Recommended Actions – In detail

Medium Term (3-5 years)

C1M. Centre of expertise

Pilot different application methods.⁶³

Introduce a Public Appointments Hallmark.⁶⁴

Consider the introduction of performance or competency-based interviewing to enhance the rigour of the appointment process. This is a technique which probes candidates' experience for evidence of past performance and indicators of success in a future role.

⁶³ Qualitative research, drawn from feedback from applicants, OCPAS Assessors and other selection panel members, indicates that the current form of application does not appeal to, or suit, all potential applicants and that selection panels can have difficulty identifying relevant evidence on completed forms. Alternative methods may include a revised application form or the use of curriculum vitae in a recommended format. Once the new central team is operating there will be a level of expertise at the shortlisting stage, which will allow a more flexible approach to application.

⁶⁴ This is an externally accredited standard for Scottish Government directorates to achieve, which focuses on the strategic importance of public appointments, the promotion of equality of opportunity and the efficiency and effectiveness of appointment processes. Achievement of the required standard in these areas – assessed by OCPAS Assessors – will have the additional benefit of reducing external audit of the public appointments process, currently carried out annually. Details of the framework for the Public Appointments Hallmark can be found in the supplementary material to this strategy, as listed in Appendix One

Confidence and Capacity

An example:

Centralised expertise

- Experience from UK Government departments has shown that issues of serious non-compliance with a code of practice for public appointments are much less likely to arise in departments where appointment rounds are administered and managed by a central team. When audited, serious issues were found in 7 out of every 10 appointment rounds (or re-appointments) where no central team existed, compared with just 2 out of 10 in departments with centralised teams.
- UK Government departments with central appointment teams include the Department for Culture, Media and Sport and the Department of Health. Each of these sponsors more than 60 public bodies - similar to the number of public bodies included in the regulated public appointments system in Scotland.

Education and Experience

The Vision

A programme of support for our future leaders, developing and providing opportunities for all to achieve their full potential and for Scotland to draw upon its brightest talent.

The Objectives

- Provide relevant, effective and easily accessed development opportunities for the next generation of board members.
- Provide a pool of potential board members with the necessary expertise and experience, whose members reflect the diversity of the people of Scotland.

The Context

- Casting a wider net to look for ready-made board members will certainly broaden the field, but it will not address the challenges that exist in reaching the point of readiness to serve on a public board.
- We must therefore develop people's governance skills from a much earlier stage, providing the bridge from having potential to realising it.
- In doing so, we will
 - provide a fresh source of volunteers for charity boards, school boards and more
 - create a governance and leadership skills base for the benefit of the private, voluntary and public sectors
 - foster a new generation of potential public appointees.

Education and Experience

Recommended Actions – In summary

- E1. Provide an awareness-raising education programme for members of the public detailing the work of non-executive members of public bodies.
- E2. Attach a specific public appointments development and shadowing programme to current management development schemes running in the public, private and voluntary sectors.
- E3. Co-ordinate the many existing opportunities for developing leadership potential in Scotland and signpost people towards these opportunities from the central public appointments hub website.

Education and Experience

Recommended Actions – In detail

Short Term (0-2 years)

E1S. Education programme

Develop and run an open programme on becoming a board member that provides an overview of a board member's role and responsibilities. Adapt the work already done in this area by Queen Margaret University's School of Business, Enterprise and Management for use as a freestanding short course, or for online study. Enable potential applicants to complete either the full education programme or individual elements to suit their needs.

Run regular workshops across Scotland for anyone interested in a public appointment, to provide guidance on how to apply and how to prepare for interview. Advertise these workshops in, for example, the promotional guide, on the hub website and in local newspapers.

Education and Experience

Recommended Actions – In detail

Short Term (0-2 years) contd.

E2S. Development and shadowing programme

Attach a specific public appointments development and shadowing programme to existing private sector management development schemes. Provide supernumerary positions on the boards of selected public bodies that will enable active participation in board business for a 12-month period, but will not carry voting rights or amount to full membership. This will provide board experience for these companies' emerging leaders, who may have most of the knowledge and many of the skills necessary but have not had the opportunity to develop or demonstrate them in a board environment, and will develop their understanding of how boards operate in the public sector.

Pilot the programme with companies that indicated their interest in participating during research.⁶⁵ Encourage participants in the scheme to apply for a public appointment that fits their skills, knowledge and interests and provide them with guidance on the application process.

It should be noted, however, that this scheme alone is unlikely to make significant inroads to increased diversity. It will broaden the pool of applicants, but at least initially will be drawing from fairly senior ranks in organisations, where people have the necessary skills to benefit from this scheme, but where diversity is still quite limited. It will provide one of the 'quick wins' by broadening the applicant pool in a short period of time, but must be complemented by other initiatives that will benefit a wider audience.

⁶⁵ Clydesdale Bank, Devro, Lloyds TSB, Scottish Life, Scottish Media Group, Scottish Power and Stagecoach

Education and Experience

Recommended Actions – In detail

Short Term (0-2 years) contd.

E3S. Opportunities for developing leadership potential

Identify existing opportunities for developing leadership and governance skills and provide details through the hub website (and the non-web based alternative) about how to get involved. Include reciprocal links between the hub website and relevant leadership websites. Help people to identify their pathway to public appointments by selecting the development activities that suit them. Relevant opportunities to be signposted from the hub website could include:

Charity and community boards

- Provide details of opportunities to gain board experience, for example, on charity boards, school boards, community councils and tenant committees for local housing organisations
- Provide links to online banks of current vacancies on these boards

Volunteer organisations

- Provide signposts to organisations that promote the benefits of volunteering on a board in the charity and public sectors and that match volunteers with suitable vacancies on, for example, school boards and charity boards.

Education and Experience

Recommended Actions – In detail

Short Term (0-2 years) contd.

Training and development programmes

- Signpost leadership development programmes
- Provide information about networks that encourage participation in public life
- Give details of bodies that provide support, development and networking for people in leadership roles
- Include details of board development programmes that encourage and train people to take up board positions

Mentoring schemes

- Provide information on schemes that match new or potential board members with an experienced member of the board who will challenge them and help them to develop their skills.

Medium Term (3-5 years)

E2M. Development and shadowing programme

Evaluate the pilot programme, revise as appropriate and establish as an annual programme extended to a wide variety of private, voluntary and public sector bodies. Encourage employers to use the scheme as a positive action measure - provide places on the programme for groups that are under-represented in public appointments and which may face barriers to reaching senior management roles in organisations.

Education and Experience

Recommended Actions – In detail

Medium Term (3-5 years) contd.

E3M. Opportunities for developing leadership potential

Continue to signpost existing opportunities for developing leadership potential and identify where new opportunities are needed. Support the providers of existing development activities to extend or tailor their schemes to provide these new activities.

Shadow boards

- Establish a shadow board development programme. Shadow boards meet in parallel to the full board, consider the same business and report their conclusions to the board they are shadowing for consideration and feedback.

Development for the chairs of the future

- Recent research⁶⁶ indicates that the time for an existing board member to become an effective chair is considerably less than for someone who has been recruited from outside. Thus we recommend development for current board members through shadowing or being mentored by an existing chair. Whilst development will be open to all interested board members the programme will offer an opportunity for positive action by encouraging board members who are female, BME or disabled - all of whom are under-represented in chair roles - to take part in these activities.

⁶⁶ Chair of the Board Research - A Survey of Scottish Public Service Organisations - Professor Andrew Kakabadse, Cranfield School of Management, May 2007

Education and Experience

Some examples:

Education programme

Get on Board

- 'Get on Board' is a short course designed for people interested in serving on the boards of public bodies in Northern Ireland, run through the Belfast Institute and accredited through the Northern Ireland Open College Network. It is run in both urban and rural areas.
- Course content includes the role and responsibilities of public bodies, the appointment process, how to run and manage effective board meetings, financial management responsibility and how to make decisions at board level.
- In the 18 months that the course has been running 79 people have completed the programme. A number have already been appointed to public boards and others are currently going through the appointment process.

Opportunities for developing leadership potential

Many organisations in Scotland are already providing programmes and services that could help the public appointees of the future to develop the skills and experience they will need. Some of the opportunities we have encountered during our work on the strategy are given below.

Please note that this is not an exhaustive list, nor does it imply the Commissioner's approval of, or preference for, any programme or body. Its purpose is to give a flavour of the type of development opportunities that could be signposted from a hub website.

Education and Experience

Some examples:

Shadow boards:

Welsh Assembly Government

- The Welsh Assembly Government runs a shadow board development programme.
- Experience there has demonstrated the power of shadow boards in increasing diversity, providing different perspectives to inform board thinking and developing the skills of future board members.

Charity boards:

Volunteer Development Scotland

- Volunteer Development Scotland operates an online vacancy bank, which lists current board opportunities in the voluntary sector.

Volunteer organisations:

Getting on Board

- A charity that encourages employers to support their staff in volunteering as charity trustees, school governors or board members of public bodies.

Training and development programmes/networks:

CEMVO Scotland

- The Council of Ethnic Minority Voluntary Sector Organisations (CEMVO) Scotland operates an Inclusive Democracy Programme, which provides training and information to encourage people from ethnic minorities to understand and participate in democratic processes.

Chartered Institute of Personnel and Development (CIPD)

- The CIPD provides an online non-executive directors' resource that includes information about the role of non-executives, a directory of senior managers who are looking for non-executive posts and links to sources of information about public appointments.

Education and Experience

Some examples:

Training and development programmes/networks contd:

Chartered Institute of Public Finance and Accountancy (CIPFA)

- CIPFA in Scotland provides training courses on areas of good governance, finance and leadership skills.

Common Purpose

- Common Purpose is a networking, development and training organisation that provides a range of programmes aimed at encouraging active participation in civic society and developing effective leadership skills. Diversity is a key theme in its programmes.

Ethnic Minority Civic Congress

- The Ethnic Minority Civic Congress (EMCC) recently founded by CEMVO Scotland brings together representatives from diverse communities, creating a platform for encouraging and facilitating civic participation from the ethnic minority population in Scotland.

Glasgow Council for the Voluntary Sector

- The Glasgow Council for the Voluntary Sector (GCVS) recently ran a programme to find and develop new board members for health-related voluntary organisations.

Institute of Directors (IoD)

- The IoD runs a range of courses, seminars, conferences and development programmes to provide directors with the skills they need to be effective in their roles and to prepare people for directorship.

National School of Government

- The National School of Government is the business school for government, which provides training, consultancy and development for the public sector. Workshops include leadership and governance skills.

Education and Experience

Some examples:

Training and development programmes/networks contd:

Scottish Leadership Foundation (SLF)

- The SLF is a publicly funded body that works with public and voluntary sector bodies to develop future leaders and support existing leaders.

Stonewall Scotland

- Stonewall's Leadership Programme provides support and development for lesbian, gay and bisexual future leaders.

Recommended Actions – In summary

Actions are spread across the short, medium and long term.

Awareness and Attraction

- A1. the communication campaign
- A2. the hub website
- A3. publicity material and monitoring

Confidence and Capacity

- C1. the centre of expertise
- C2. appointment-focused diversity training
- C3. support for chairs
- C4. the revised Code of Practice for Ministerial Appointments
- C5. promotion of Scotland's open and fair public appointments process

Education and Experience

- E1. the education programme
- E2. the development and shadowing programme
- E3. opportunities for developing leadership potential

Priority actions

For information, we believe the priority actions to be:

Awareness and Attraction

- the communication campaign (Recommendation A1S)
- the hub website (A2S)
- publicity material and monitoring (A3S)

Confidence and Capacity

- the centre of expertise (C1S)
- appointment-focused diversity training (C2S)

Education and Experience

- the education programme (E1S)

Section Six | Delivering Diversity

Having recommended actions to address the current challenges, this section looks at how to monitor the effectiveness of the actions and suggests some benchmarks against which to measure progress.

How will we know if we are making progress?

- 6.1 We have concerns about setting targets to increase the percentages of people serving on boards from currently under-represented groups. Whilst this **may** increase the numbers, it **could** shift the focus from achieving excellence through diversity to simply achieving the targets through tokenism.
- 6.2 The public appointments process is based on merit. The merit of each application is assessed against the published criteria for the post. Thus, the ability of applicants to progress to appointment is dependent on how well they perform during the appointment process. Whilst we can recommend changes to the process to remove any barriers to success, and can recommend actions to support people before they apply, we do not believe we should recommend percentage increases for certain groups of board members – their appointment will be based on their individual ability.
- 6.3 Yet we cannot provide a strategy that has taken time and resources to develop, and to which many people have contributed so enthusiastically, without providing some aspirational benchmarks against which to measure progress. We believe that the appropriate objectives relate to increases in:
 - public awareness of the appointments process
 - public confidence in the appointments process
 - the number and diversity of applicants
 - the appreciation of diversity throughout the process
 - awareness of, and access to, development opportunities.

The targets have been expressed in percentage terms where appropriate, but the figures are not carved in stone; rather they are offered as suggestions to stimulate debate during the consultation. Where increases are recommended we intend the resultant increase in applicants to be drawn from across the diversity of the population. Other targets are more general statements of activity.

As we review progress each year, targets will be refined and augmented as appropriate.

6.4 Public awareness of the appointments process

Current position:

- Thirty per cent of adults in Scotland have some awareness of the appointments process.

Aspirational target:

- Double the level of awareness over the next three years, so that 60% of adults have some awareness of the process.

Method of measurement:

- Repeat of the telephone poll of 1,000 adults conducted in producing this strategy.

6.5 Public confidence in the appointments process

Current position:

- Thirty-two per cent of people think that board members are invited to join the board; a further 21% think they are given their board positions as a reward for other work they have done.

Aspirational target:

- Reduce each of these figures to 10% over the next three years.

Method of measurement:

- Repeat of the telephone poll of 1,000 adults conducted in producing this strategy.

6.6 Number and diversity of applicants

Current position:

- In the year between April 2006 and March 2007, 1,326 applications were received.
- Thirty per cent of applicants were female.
- Seven per cent of applicants were disabled.
- Two per cent of applicants were black or minority ethnic (BME).⁶⁷
- Forty-one per cent of applicants were aged 50 and under; 59% were aged 51 and over.
- No information is collected about applicants' religion/belief, sexual orientation, employment status/sector or income level.

Aspirational targets: Over the next three years:

- increase in the number of applications by 25% year on year
- increase percentage of female applicants to 40%
- increase percentage of disabled applicants to 10%
- increase percentage of BME applicants to 8% overall⁶⁸
- for regional bodies, ensure that the applicant pool reflects the ethnicity of the regional population⁶⁹
- maintain a similar balance between applicants aged over and under 50

⁶⁷ This figure does not include applicants who described their ethnicity in their own words as we are unable to determine whether these descriptions fell within the BME category

⁶⁸ To reflect the recommended changes in the way monitoring is conducted, this target includes white (non-British) ethnic minorities that have not been included in the BME category previously

⁶⁹ For example, the applicant pool for NHS Greater Glasgow and Clyde should broadly reflect the ethnicity of the people served by that health board as ethnic diversity varies considerably between some regions

- carry out effective monitoring of applicants' religion/belief, sexual orientation, employment status and sector and income band⁷⁰ to provide baseline statistics against which to set aspirational targets.

Methods of measurement:

- Monitoring of Scottish Government applicant statistics.

6.7 Appreciation of diversity throughout the process

Current position:

- Despite positive intent, awareness and understanding of diversity and inclusion are generally low; there is no effective strategy to attract and harness diversity of talent.

Aspirational targets: over the next three years:

- Diversity and inclusion are integral to every stage in every appointment round.
- The key aspects of every appointment round are conducted or closely managed by senior staff with expertise in equality and diversity and in good recruitment or appointment practice.
- Every selection panel member, board chair and new board member has had recent training on how to manage equality issues and benefit from diversity.
- The awareness of and approach to diversity are assessed in the annual performance appraisal of every board member and chair.

Methods of measurement:

- Repeat of the survey of applicants' experiences of the process conducted in producing this strategy.
- On-going assessment by OCPAS Assessors in each appointment round.

⁷⁰ The option not to answer any or all monitoring questions would, of course, remain available to applicants

- Audit by the Commissioner of a sample of appointment and re-appointment processes.
- Monitoring of how far different groups of applicants are progressing through the appointments process.

6.8 Awareness of and access to development opportunities

Current position:

- No support or training and development opportunities are either provided or promoted to identify new talent or develop the public appointees of the future.

Aspirational targets: Over the next three years:

- thirty-five per cent of adults in Scotland have heard of the public appointments hub website
- a range of relevant, effective and easily accessed development opportunities is signposted from the hub website
- three thousand members have registered on the hub website's talent bank, to be kept informed of appointment and development opportunities⁷¹
- three hundred people have embarked on development activities⁷² as a result of the public appointments communication campaign or hub website.⁷³

Methods of measurement:

- Repeat of the telephone poll of 1,000 adults conducted in producing this strategy.
- Monitoring of the content on the hub website.
- Monitoring of the talent bank database.
- Monitoring by providers of development activities of the number of participants referred to them through the hub website.

⁷¹ We intend these people to be drawn from across the diversity of the population.

⁷² These activities are outlined in the Education and Experience section of the recommendations, in Section Five of this document

⁷³ We intend these people to be drawn from across the diversity of the population.

Section Seven | Consultation

This section provides detailed information about the consultation on this proposed strategy, including some suggested questions to consider and details of how and when to respond.

- 7.1 The Public Appointments and Public Bodies etc. (Scotland) Act 2003 requires the equal opportunities strategy to be prepared in consultation with the Scottish Parliament and the Scottish Ministers.⁷⁴ In addition, we believe it important to consult community and equalities organisations and members of the public on the proposed strategy.
- 7.2 Key questions for consideration are set out below and are also contained in a separate consultation response form, which can be obtained from our office or downloaded from www.publicappointments.org/consultations and either emailed or posted to our office – our contact details are on the form and on the back cover of this consultation document.
- 7.3 Anyone who wishes to contribute in person is invited to one of the open consultation sessions, which will run across Scotland. Dates, times, locations and how to book will be posted on our website – www.publicappointments.org – from 17 December or will be available from the office by post or telephone.
- 7.4 Anyone who would prefer to provide their comments by telephone is asked to call 0131 718 6309 during office hours.
- 7.5 **The final date for responses is Friday 7 March 2008.**

⁷⁴ Public Appointments and Public Bodies etc. (Scotland) Act 2003, section 2(10)

What do we need to know?

Please consider the following key questions:

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?

Appendix One | Supplementary material

In preparing this strategy we have gathered evidence from stakeholders and previous studies, consulted experts in the equality field and commissioned independent research. Details of our research and other supplementary documents are available as Annexes to download from our website:

www.publicappointments.org/consultations.

Documents can be downloaded in either PDF or Word formats. Alternative formats are available on request by telephoning OCPAS on 0131 718 6268 or by sending an email request to info@publicappointments.org

Annexes available		
Title	Description	Annex
The Ministerial Public Appointments Process in Scotland	Brief summary of the principal stages involved in an appointment round regulated by the Commissioner	A
Summary of research conducted	Overview of research conducted in producing this strategy - Stages 1,2 and 3	B
Stage 1 Research	Report of the investigation into appointment practice under the interim Code of Practice and the new Code of Practice (November 2005-January 2007); analysis of applicant and appointee data; comparison of Senior Civil Service recruitment process and the public appointments process.	C
Stage 2 Research	Survey results of the experiences of people who applied for, or expressed interest in, a public appointment opportunity in the first year under the new Code of Practice (April 2006 – March 2007)	D

Title	Description	Annex
Stage 3 Research	Summary of qualitative research conducted including consultation group work, survey of Scottish Women's Convention members and interviews with equality experts. Summary results of telephone poll of 1,046 adults on their awareness of the public appointments process and their views of methods of publicising appointments (August 2007).	E
Summary of Previous Research on Diversity in Public Appointments	Short summary of the main points to emerge from previous studies into equality and diversity in the public appointments process in Scotland and across the UK.	F
Legal Duties	Brief summary of the principal legal duties in the area of equal opportunities that are relevant to, and reflected in, this strategy.	G
The Public Appointments Hallmark	Overview of the key indicators that must be demonstrated in order to be awarded the Public Appointments Hallmark. The Hallmark has been developed by the Commissioner to facilitate a move towards shared responsibility for regulation of the appointment process between her office and the Scottish Government. It has not yet been introduced.	H
Rapid Impact Assessment for the Proposed Strategy	Short assessment of the impact the proposed strategy will have in relation to each equality strand.	I

Appendix Two | Internet use in Scotland

The Scottish Household Survey has shown a steady increase in personal internet use by adults in Scotland over the last six years, rising from 29% in 2001 to 57% in 2006.⁷⁵ With the increase in broadband availability throughout Scotland, this figure is likely to rise still further. We recognise, however, that there is both an age divide and a social divide in computer ownership and internet usage. Seventy-eight per cent of 16-24 year olds have access to the internet, compared with only 28% of 60-74 year olds.⁷⁶

Our recommendations about the use of IT relate only to the application process, where access to the internet would be required for a relatively short period, to register as a potential applicant and fill in an application form (much of which would need to be completed only once for multiple applications). Therefore, applicants with no access to the internet at home might wish to use internet cafes or libraries (where free internet access is provided) in order to complete their application online.

We also recognise that even accessible websites and forms may be unsuitable for people with certain disabilities, and that disabled people are statistically much less likely to have access to the internet than others.⁷⁷ For all the above reasons, we have recommended that a telephone contact remains available to provide information verbally, in print or in alternative formats on request, and that applications may still be made by hard copy or in an alternative format.

⁷⁵ Source: Scottish Household Survey Data Trends, available at <http://www.scotland.gov.uk/Topics/Statistics/16002/11658>

⁷⁶ Source: Headline Results from the 2006 Scottish Household Survey

⁷⁷ Disabled people and people with long term illness are approximately half as likely to have internet access than non-disabled people, Scottish Household Survey

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