



Women's Centres Regional Partnership (WCRP)

Response to the

Draft Code of Practice (CoP) for Ministerial Public Appointments in Northern Ireland

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Introduction

The Women's Centres Regional Partnership (WCRP) is a partnership of four lead regional women's organisations linking with fourteen frontline women's organisations across Northern Ireland providing support and services to disadvantaged areas.

The four key lead partners of the WCRP are the Women's Resource and Development Agency (WRDA), Women's Support Network (WSN), Northern Ireland Rural Women's Network (NIRWN) and The Women's Centre, Derry. The fourteen Women's Centres are spread across Northern Ireland with seven from the Greater Belfast and Lisburn area, four in the North West and three in Dungannon, Magherafelt and Craigavon. Together the WCRP seeks to develop and strengthen a regional infrastructure which will support community based women's organisations across Northern Ireland.

We welcome the opportunity to respond to Draft Code of Practice (CoP) for Ministerial Public Appointments in Northern Ireland. We congratulate the Commissioner for consulting on the draft Code of Practice, even though there is no statutory stipulation to do so. We believe this sets a good practice example to other bodies, that fall outside of the remit to consult, and is commended.

WCRP's over-riding objective to responding to the consultation is to have a public appointments process that is fair, open and democratic; one which actively encourages participation from groups which are currently under-represented; women, people with disabilities, ethnic minorities, younger people and other under-represented groups. We believe that the role and remit of the Code of Practice should embrace these fundamental principles.

We feel that the draft does not sufficiently address the importance of equality and diversity. Women currently hold 32% of public appointments in Northern Ireland¹. This is a gross under-representation considering they make up half the population. This figure has remained stagnant. In fact there has been a decrease in the number of women that hold Chairperson status on public appointments, with a decrease from 26% in March 2007 to 22% in March 2008.² WCRP believes this decrease does little to encourage public confidence in public bodies.

In the Office of Public Appointments for Northern Ireland (OCPA NI) 13th Annual Report, one of the key commitments is the need ***'for diversity to be rigorously addressed in the new Code'***³. WCRP believes that it is crucial for public bodies to be reflective of the make-up of society. We are aware that the OCPA NI undertook and published a report on Diversity in Public Appointments in 2005. The recommendations from the report, and reference to the report should be included in the CoP⁴. We recognise the CoP is not an instruction manual and is a 'high level' document. However we advocate the need to draw and highlight that equality and diversity are core principles and should be an inherent part of the appointments process.

A report published in 2005, by The Commissioner for Public Appointments outlined that in reference to Northern Ireland:

¹OFMDFM, Public Appointments Annual Report 2007-2008
http://www.ofmdfmi.gov.uk/annual_report_volume_1_composite.pdf

² OFMDFM, Public Appointments Annual Report 2007-2008
http://www.ofmdfmi.gov.uk/annual_report_volume_1_composite.pdf

³ Commissioner for Public Appointments Northern Ireland 13th Annual Report
http://www.ocpani.gov.uk/13th_ocpani_ar.pdf

⁴ Report of the Short term working group on diversity in Public Appointments, OCPANI, 2005

'The overriding principle remained that selection must be based on merit, through the well informed choice of individuals who, through their abilities, experience and qualities, match the needs of the body in question. The NI Commissioner's Code additionally required Departments to ensure their processes for making appointments also comply with the statutory duty under section 75 of the Northern Ireland 1998 Act, to have due regard to the need to promote equality of opportunity. Since July 2001, this has been further supported by the Public Appointments Best Practice Guide developed by the Central Appointments Unit in the Office of the First Minister and Deputy First Minister⁵.

There is no specific reference to Section 75 in the new draft CoP. The only mention of equality is outlined in the Nolan Principles (page 7). The CoP does not draw attention to the Best Practice Guide either. We are disappointed that the CoP does not take the opportunity to stress the need for appropriate gender representation in its CoP.

In conjunction with the need to amend the CoP to provide a clearer message on the importance of equality and diversity, we would strongly advocate the OCPA NI develop a Diversity/Equality Strategy, in line with Scottish Model⁶, to ensure that firmer action is taken by government departments to actively encourage under-represented groups of society.

Any Diversity/Equality Strategy drawn up should include positive action and the adoption of the principles of proportionality and fair representation. In terms of gender, we believe that women and men should be equally represented on public

⁵ The Commissioner for Public Appointments (2005)
<http://www.parliament.uk/commons/lib/research/briefings/snpc-03368.pdf>

⁶ Diversity Delivers (2007)
<http://www.publicappointments.org/consultations/documents/DiversityDeliversCosultationNov2007FINALWordWeb.doc>

bodies. In addition we believe that certain public bodies should have reserved seats for ethnic minorities, people with disabilities, and LGBT people, to ensure that their views are heard.

Specific comments

OCPA NI Assessors

The Commissioner for Public Appointments should be made solely responsible for appointing and supporting all independent assessors; this should include remuneration. This is essential to ensure that the assessors are truly independent and entirely separate from the appointing department with no vested interest in the outcomes.

Merit Principle

We would advocate that all public appointments should be governed by the overriding principle of appointment on merit. In conjunction with this principle we would advocate the need to include positive action measures, to address the under-representation of women and other Section 75 groups.

Selection Panel

We would advocate that any selection panel has an appropriate gender representation. We would also welcome a commitment to Section 75 training for selection panels, as well as the other training outlined on page 14.

Publicity

WCRP support the publicity around advertising being made available in accessible formats. However we would urge that publicity actively targets hard to reach groups. Therefore we would recommend that the CoP advocates that proactive steps are taken to target specific groups. OCPA NI Working Group

Diversity report highlights the barriers and recommendations to attract a more diverse range of applicants; this should be referenced in the CoP.

Information packs

WCRP would advocate that a text phone number is included as a means of contact also.

Informing applicants

We would welcome a timeframe by which applicants will be notified in terms of the outcome of their application.

Performance Appraisal

We seek clarification on the type of performance appraisal that will be carried out? Will it be consistent across all public appointments? How often will they be carried out?

Statutory nominations

We recognise that given that 35% of all appointments are held by members who have been nominated by a body with a statutory right to do so. This limits the scope in terms of attracting a diverse group. Given that approximately 10% are held by local Councillors, the likelihood of the position being male is highly probable. WCRP would advocate that the Commissioner highlights the adverse impacts of this statutory process, especially in light of the opportunities presented under the Review of Public Administration (RPA).

In the interim we feel that such positions should be subject to the merit principle, and that equal opportunities should be an inherent part of the appointment process of nominated positions.

Conclusion

Overall, WCRP welcomes this consultation document as a positive step towards achieving a more open, transparent and accountable system, with the appropriate checks and balances. However as highlighted throughout our response, we are gravely concerned with the lack of reference to equality and diversity, and seek that the CoP is amended to reflect accordingly.