

COMMITTEE ON EQUALITY OF OPPORTUNITY

Date: 17 January 2001

Time: 9.30am

Location: Committee Room 3, National Assembly Building

Title: PUBLIC APPOINTMENTS: INDEPENDENT ASSESSORS

Purpose

1. To consider the future arrangements for Independent Assessors.

Recommendations

2. The Committee has asked for detailed proposals to be prepared on the process of replacing the existing body of Independent Assessors with a revised list of individuals selected and maintained independently of the Assembly.

3. The following course of action is proposed:

- If a separate Commissioner for Wales is established – to hand over the day-to-day management of the Independent Assessor register to the Welsh Commissioner's Office once that person is appointed.
- Meanwhile, Public Appointments Unit to set up the following arrangements:
- seek applicants (on the basis of a set job specification and person specification in accordance with general guidance being prepared by the Office of the Commissioner for Public Appointments - OCPA) from as diverse a base as possible, by:
 - seeking to reach candidates in innovative ways as suggested in Wendy Morgan's recent report on Public Appointments; advertising in national and regional media;
 - other use of media (eg. news stories);
 - inviting a wide range of representative and professional bodies to put forward nominations;
 - trawling the Assembly's public appointments database.
- write to current Independent Assessors to inform them that new arrangements are to be put in

place .Current Independent Assessors will be asked to continue giving their services until the new appointments are made, but will be invited to re-apply (with selection on the same basis as for new applicants) and undertake induction training alongside new assessors.

- administer the ‘appointments exercise’ in accordance with the Office of the Commissioner for Public Appointment’s (OCPA) guidelines (currently under revision).
- The question of remuneration for Independent Assessors should be considered separately and before the posts are advertised.
- It is recommended that a total of 50 Independent Assessors be appointed, at least 20% of whom should be Welsh speaking. This is less than the current total number of Independent Assessors (70), but we would propose to use the Assessors more frequently (rather than limit them to 3 appointment exercises) since they would be more clearly independent of the Assembly.
- We propose that half the Independent Assessors be appointed for 2 years and half for 4 years in the first instance (to allow phased re-appointments).
- We propose that the selection process involve representatives of the statutory equality organisations, OCPA and the Assembly. Assessors would be appointed once they have successfully completed the selection process and not be asked to serve until they had completed the induction training.
- As well as the mandatory induction training, the new list of Independent Assessors to be invited to participate in training on recruitment and Equal Opportunities issues. An ongoing training programme will be established in liaison with OCPA.
- The new central list for Wales, for this interim period, or if a separate Welsh Commissioner is not appointed, would be maintained and run by the OCPA, funded by the Assembly.
- The new list might operate on a rotational basis - with an Assessor being selected to serve on a particular exercise when they are the next Assessor on the list who has not recently participated in an exercise. (If a Welsh speaking Assessor is requested, the next Welsh speaking Assessor on the list will be selected). Their name would then go to the bottom of the list and they will not be called upon until their turn comes around again. Assessors will be given a timetable and an indication of time commitment required at the beginning of each new exercise.

Timing

4. It is proposed to advertise/ invite nominations in March 2001 and make the appointments in Summer 2001.

Background

5. The Assembly’s Public Appointments Unit, in liaison with NHS Public Appointments Unit, currently holds a list of 70 individuals who act as Independent Assessors for all exercises. These individuals are appointed to ensure that all exercises are properly conducted, and ensure that the seven principles of the Commissioner’s Code of Practice are adhered to.

6. The Committee has expressed concern about the selection of Independent Assessors, and whether those Assessors appointed by the Assembly can be considered to be truly independent. It was also considered that the current list is not representative of the diversity of the population of Wales.

7. The Committee expressed a preference for ensuring the independence of their independent assessors by their being appointed by OCPA. When approached on this basis OCPA explained that, as currently being planned, the small central list they intend to establish would not be able to handle the whole of the appointments programme for Wales. Moreover, they took the view that while the question of a separate Commissioner for Wales is being addressed it seems sensible to leave the structures and mechanisms within the Welsh Assembly intact. On the basis of these considerations OCPA suggested, and expressed their willingness in principle to establish, a separate OCPA central list for Wales. This could best be operated from Wales and would allow a seamless transfer in the event that a separate Welsh Commissioner was appointed in the future.

Position in England, Northern Ireland and Scotland

8. OCPA are currently undertaking a review of the role of Independent Assessors in England, which is due to be completed in April 2001. In England individual departments currently hold lists of Independent Assessors. OCPA have agreed that lists in England will remain with individual departments, subject to a range of quality assurance measures laid down by OCPA. However, a central list will also be established and run by OCPA, on which smaller Whitehall departments might draw. All Independent Assessors will be trained by OCPA, and will continue to report to the Commissioner.

9. In Northern Ireland where individual departments also hold lists of independent assessors, a working group, consisting of OCPA representatives and assessors has been set up to review the role of these assessors. A number of proposals are being examined and recommendations will shortly be put to departments for consideration.

10. In Scotland, the term of appointment of many Independent Assessors came to an end in June. While the question of a separate Commissioner for Scotland is being addressed, the Scottish Executive have taken the interim action of asking all political parties to nominate candidates from under-represented groups (i.e. women, ethnic minorities, and people with disabilities) for appointment as interim assessors for a period of one year. These Assessors will be appointed by the Minister responsible for Public Appointments in Scotland. If a separate Commissioner for Scotland has been appointed a full appointments exercise to appoint new Independent Assessors will be undertaken. Assessors will be directly responsible to the Scottish Commissioner for Public Appointments, and the list of Assessors will be run by the Scottish Commissioner's Office.

Action for the Committee

11. The Committee is asked to consider the proposals in paragraph 3.