

Committee on Equality of Opportunity EOC 08-02(p4)

Date: 12 December 2002
Time: 9.00am
Venue: Committee Rooms 3 and 4
Title: Public Appointments and Welsh Speakers

PUBLIC APPOINTMENTS AND WELSH SPEAKERS

This paper forms part of the Welsh Language Board's presentation to the National Assembly for Wales' Equality of Opportunity Committee on 12 December 2002.

Purpose of the paper

1. The purpose of the paper is to respond to the Equality of Opportunity Committee's request for advice regarding how to try and ensure that Welsh speakers are appropriately represented on boards and governing bodies in general, and health sector bodies in particular.

Context

2. In its meeting on 6 March 2002, under Item 2, the Committee discussed matters arising from the "Welsh Language Review" – a review that is now completed. One of the Committee's points was:

"In order to provide effective public services, the boards of Assembly Sponsored Public Bodies (ASPBs) should be representative of the communities that they served. Welsh language speakers should therefore be represented on boards and public appointments procedures should take account of this. The Chair requested a note on the number of ASPB board members who could speak Welsh expressed in terms of the region that the APC served."

3. In the same meeting, under Item 3, the Committee discussed the Code of Practice for Public Appointments, pointing out the need to ensure that the processes for appointing and training assessors, as well as the actual Code, reflected the Assembly's equality principles.

4. In addition, under Item 4, the Committee discussed the Diversity Action Plan, a scheme to encourage more diversity in background and experience among public appointees. Reference was made to the important contribution of the Assembly's "Outreach" work in encouraging applicants from all sectors of the community. The Diversity Action Plan had regard to the advice given by Dame Rennie Fritchie, the Commissioner for Public Appointments. The Committee decided to rename the action plan as

"Mainstreaming Equality in Public Appointments".

The Board's advice

5. In the Board's view, the best way of realising the Committee's wish to see Welsh speakers being appropriately represented in public appointments, is to mainstream the linguistic dimension to equality explicitly in the Code of Practice for Public Appointments, the Action Plan for Mainstreaming Equality in Public Appointments, and in all the steps and procedures which are related to these initiatives. This would be consistent with the Assembly's responsibility under Section 120 of the Government of Wales Act to secure that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people.

6. This would also be consistent with the Welsh Language Scheme for the Welsh Assembly Government, which states [Part B, section 3.7]:

"The Welsh Assembly Government has adopted a Code of Practice on Public Appointments in Wales, in accordance with the principles and guidance issued by the Commissioner for Public Appointments. All public appointments are governed by the overriding principle of selection based on merit.

An ability to speak Welsh will be a consideration in making individual appointments to some organisations – e.g. to the Welsh Language Board and the National Library of Wales. More commonly, the requirement for organisations to provide a service through the medium of Welsh will mean that having an ability to speak Welsh within the Board might be appropriately included within the skill need of the team.

The need for representation of Welsh speakers, as indeed the need for representation of all areas of the community served by a particular body, will also be taken into consideration. Very often more candidates meet the selection criteria than there are posts available. This gives appointment panels the opportunity to make recommendations to Ministers on balancing Boards. Issues to be considered in this context will include gender, ethnicity, geographical spread and linguistic profile.

Current procedures allow for the above, but we will draw up guidelines which will provide a vehicle for objective consideration of these matters.

7. In order to implement these objectives effectively, and to ensure that the message is clear both within and outside the Assembly, we also recommend that the following additional steps should be undertaken:

(i) adopting the linguistic dimension formally in the Assembly's agenda for promoting equality under Section 120 Government of Wales Act;

(ii) adopting as standard practice that 'language' is to be listed and discussed with race, gender, disability, age and other equality dimensions in papers, guidance and in training programmes;

(iii) establishing a procedure whereby the ‘skills and qualities profile’ which is prepared to guide appointments to individual public bodies, includes the linguistic profile which the assessors are looking for;

(iv) as part of the arrangements for monitoring equality in public appointments, keeping a record of the linguistic profile of applicants, and those appointed, in order to enable the Assembly to maintain an overview, in accordance with its responsibilities under Section 120 Government of Wales Act ;

(v) drawing attention in the appointment letters of chairpersons and assessors, to their responsibility to respect and promote equality, including linguistic equality, when making appointments to the body concerned.

8. Securing an appropriate linguistic balance on Boards, of course, will not in itself ensure the Welsh language service provided by that body is satisfactory. [The converse is just as true.] It may, however, contribute to a better understanding of the needs of Welsh speaking communities and individuals, and ensure that the body concerned has a person or persons on its Board able to communicate directly with the Welsh speaking public.

Health bodies

9. The Board’s attention was drawn specifically to the low number of Welsh speakers on the Boards of some health bodies. The Board shares the Committee’s concerns, especially when our monitoring work shows that these bodies are not taking their responsibilities to provide a service in Welsh seriously enough. The Health Minister, Jane Hutt, is aware of our concerns, and is taking specific steps to try and improve the situation.

10. As far as public appointments in the health sector are concerned, our advice is that the Minister should follow the steps set out in 7(iii) above [preparing a skills and qualities profile] when reappointing to the boards of health bodies, thus aiming for a better linguistic balance.

11. We are not, however, of the opinion that a quota basis should be adopted in the health sector, nor in any other sector. We share the Assembly’s view that the answer lies in taking real and specific steps to try and reach and encourage good bilingual applicants. In the health sector, a specific drive may be needed to attract Welsh speakers with the right skills to apply.

12. It would be helpful to see the guidelines referred to in section 3.7 of the Assembly Government’s Welsh Language Scheme before they are issued.

13. We hope this paper is of assistance to the Committee, and of course we would be prepared to discuss our advice further with the Committee and officials.

4 December 2002

Welsh Language Board