



Commissioner for Public Appointments

**Annual Report
2019-2020**

Commissioner's Foreword	6
The role of the Commissioner.....	13
OCPA financial information.....	13
Compliance	21
Thematic reviews	25
Investigations.....	26
Considerations of exemptions to the code.....	27
Complaints	36
Breaches.....	37
Diversity in public appointments	39
Priorities for 2020-2021	62
Regulated bodies	64
Significant Appointments.....	70
Management Information	73

Summary of 2019/20

914 new
appointments

↓ from 972 in 2018/19

651
reappointments

↓ from 872 in 2018/19



51.4% of new appointments and
reappointments made to women

(compared with 44.9% in 2018/19 and 47.7% in 2017/18)



5.8% of new appointments made
to people with a disability

(Compared to 6% in 2018/19)



14% of new appointments were made
to people from an ethnic minority
background

(compared to 13% in 2018/19)



34.9% of appointees and
reappointees were from
London and the South East



48.4% of new member appointments
made to people aged 54 and under
(compared with 44% in 2018/19)



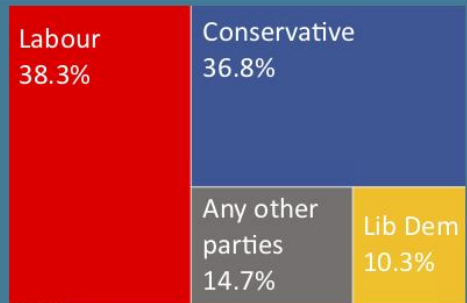
72.3% of new appointees did not hold another appointment

(compared with 73% in 2018/19)

5.7% of appointments and reappointments made to people declaring significant political activity
(compared with 8.6% in 2018/19)



Declared party affiliation of appointees and reappointees



44 appointments made without competition

(compared with 41 in 2018/19)



On average, the Commissioner responded within

1.6 working days.

19 compliance visits completed



20 Significant Competitions with Senior Independent Panel Members



4 complaints considered

1 complaint upheld

13 breaches of the Code identified



Commissioner's Foreword

This is my fifth, and final, annual report as Commissioner for Public Appointments since my term ends in April 2021. The 2019-20 reporting year epitomises both the frustrations of my tenure and the many positive features. The balance is still clearly favourable with the vast majority of appointments to public bodies in England and Wales being made without controversy. One of my strongest impressions is of the wide range of high quality people ready to serve on the boards of public bodies which play such a big role in society and the economy. There has also been progress on the Government's policy to increase diversity, insufficient and patchy though it has been in some areas. As discussed later, OCPA's audit and compliance visits around departments, which started in autumn 2018, have identified improvements in procedure and practice. Yet less has been achieved than I originally hoped and there have recently been some worrying developments.



Over the reporting year, we had two Prime Ministers, four Cabinet Office ministers responsible for public appointments in six months (and a fifth since April), a general election and the start of a pandemic. Since I took up my current post in April 2016, there have been three Prime Ministers, to date seven ministers responsible for appointments, as well as one national referendum and two general elections. This has been very disruptive not only with the suspension of most appointments activity for long periods during the referendum and the election campaigns but also since it takes time for new ministers, in the Cabinet Office as well as elsewhere in Whitehall, to familiarise themselves with their new briefs. So while, fortunately, there has, in general, been continuity of policy, there has been delay and a loss of momentum on taking forward desirable initiatives on, for example, diversity and mentoring potential board members which I discuss later.

The political turbulence has also aggravated the longstanding problem of many appointment competitions taking too long, often well over the Governance Code 'aspiration' of three months from the closing date for submission of applications to announcement. This was the subject of my thematic review published in July 2019. The delays have been exacerbated by the 2019 general election and the Covid-19 pandemic which started making an impact shortly before the end of the reporting year. The initial response of many, though not all, departments was, understandably, to suspend some competitions, and then consulting my office about extending incumbents in post. There were several exceptions where departments continued with virtual, remote interviews which proved both acceptable to participants and successful. I encouraged Permanent Secretaries to adopt and develop these initiatives and by June competitions had generally resumed on this basis. But the process can be longer and it is probably unrealistic to expect an early improvement in the length of competitions. Nonetheless, long delays are unfair to candidates, discourage people from applying again, while creating problems for many of the public bodies involved.

Principles of Public Appointments

The system of public appointments is often misunderstood. As the original Nolan (Committee on Standards in Public Life) report in 1995 pointed out, responsibility for appointments to the boards of public bodies lies with ministers, but the choice should be governed by ‘the overriding principle of appointment on merit’. What this means is that ministers have a say throughout, but the selection of candidates judged to be appointable should be made by an Advisory Assessment Panel (‘panel’) on the basis of fair and open competition so that everyone who applies or is interviewed is treated equally. The emphasis on merit is meant to act as a check on a simple patronage system, at the same time as giving ministers the final choice from candidates judged appointable to the role by the panel. Political activity is not a bar to appointment, so charges of politicisation when a former minister or MP is appointed are not justified provided that political activity is declared, the candidate has been judged appointable and all candidates have been assessed in the same way. In practice, ministers understandably prefer working with people with whom they are comfortable and share their policy outlook. That has been true of all past governments as well as the present one. Historically, fewer than 10 per cent of appointees in any one year have declared significant political activity.

There is nothing wrong with the governing party encouraging sympathisers and supporters to apply for public appointments - provided this does not undermine the integrity of the appointments system and the key principle of fair and open competition. However, briefing the media before a competition is even launched that someone is a favoured candidate for a post - or has been effectively lined-up - is damaging, not only by appearing to pre-judge the outcome of an open competition but also by discouraging other strong and credible candidates from applying.

When the new Governance Code was introduced in January 2017 - HM Government’s Code, not my Code - worries were expressed by Sir David Normington, my predecessor, and by the Public Administration and Constitutional Affairs Committee of the Commons that appointment by merit through open competition was threatened. As I have previously argued, these fears were not generally borne out during the first three years of the new Code, thanks to the sensible attitude of ministers and departments. As yet, under the new Code, no minister has appointed a person who was found unappointable by a panel despite a provision allowing this. I am also reassured that ministers’ decisions to extend those in post – of which I am notified – or appoint people without holding a competition – which I must be consulted on – have been reasonable and proportionate to the needs of the body.

New Concerns

In the last few months, after the end of 2019-20 and so not reflected in the data, I have heard worrying reports of a growing tendency not to reappoint chairs and members (even when there is support to do so), the rejection of candidates judged appointable by properly established interview panels without any explanation, and attempts to increase the number of political allies serving on such panels. These are at present anecdotal but are sufficiently significant to justify being mentioned since they raise questions about the observation of the spirit of the Governance Code and the balance between fair and open competition, and ministerial involvement and decision making. Reappointment is discretionary and should not be seen as automatic, but a mixture of reappointments (solely for a

second term, not for ever) and new appointments are desirable to achieve both continuity and new blood. Moreover, while there is no automatic presumption of reappointment, the process needs to be transparent and full explained, with decisions not to reappoint based on a performance appraisal, finding a balance of skills, experience and diversity. In addition, the apparently authoritative briefings to the media event before a competition has begun that certain people are favoured - or have been lined up - for a post risk discouraging potentially strong candidates from applying. This undermines the whole basis of a fair and open competition. I have been struck by disillusion amongst the chairs of public bodies and frustration at the way decisions are being made. In practice this has meant boards are left with vacancies for long periods, or extensions have to be made to ensure that they are quorate. It also breeds distrust in the system, when we are keen to encourage people from all walks of life to apply.

Moreover, since the end of the reporting year I have twice had to remind departments that they should not appoint peers taking a party whip as Senior Independent Panel Members, which would be a clear breach of the Government's Governance Code. At present, these are isolated incidents but, if they persist, would represent a threat to the current balance.

Due Diligence

These tensions are epitomised by the question of due diligence, an essential part of the assessment process to identify whether candidates have conflicts of interest - either in their financial and other activities or in what they have said. This is a legitimate process so that ministers can reach an informed judgement between appointable candidates. I highlighted some of the challenges created by the proliferation of social media in my report in early 2018 on appointments to the board of the Office for Students. I acknowledge that since my intervention, departmental processes have improved. I have reiterated my views in subsequent decision notices about complaints made to my office. There are two key principles. First, candidates should be asked at interview about any potential problems or allegations based on their interests or comments. It is crucial as a matter of natural justice that any concerns should be raised with candidates, even if these come to light after interviews and before decisions are taken by ministers. Officials chairing an interview panel should be responsible for ensuring that any later due diligence questions are put to candidates. Second, any due diligence should be relevant and proportionate. Potential appointees should not be ruled out on the basis of comments made, say, as students, or that are irrelevant to the public body involved. The basis for due diligence must remain the Principles of Public Life. While ministers are understandably wary of appointing people who will then attack the government on social media - and those holding public appointments should exercise restraint - it is equally wrong to seek ideological conformity. The whole point of having arms-length public bodies is that they are at one remove from central government and its board members are meant to exercise independent judgement. Ministers rightly want greater diversity of thought and backgrounds in appointees, but that also means appointing people with a differing standpoint.

Audit and Compliance

These concerns need to be put in the context of a system which generally works fairly and smoothly. This has been underlined by the most important administrative innovation of my time as

Commissioner - the development of OCPA's process of audit and compliance visits. This is discussed more fully in the body of the report. It has had the crucial advantage of changing the relationship with departments from the crude rag-rating identification of breaches of the Code to a more cooperative one of working collaboratively to improve appointments processes. This has been recognised in the positive response from Permanent Secretaries to the reports on their departments' performance and to a constructive and informative session just before the March 2020 lockdown with appointments officials from across Whitehall and Welsh Government to discuss their experiences and innovations.

These compliance visits have highlighted variations in working practices both between departments and, also crucially, from year-to-year between visits. There are common difficulties caused by the rate of change of ministers during 2019-20 which delayed decisions on appointments. In still too many cases, there is evidence of lack of sufficient succession planning so competitions are held too late and requests have to be made for extensions of incumbents. The performance of departments also depends heavily on the existence of an experienced central appointments unit which can ensure familiarity with both the workings of the Code and with successful working practices. Such units have generally handled the impact of the Covid-19 pandemic well and have innovated in virtual/remote interviews. I have appreciated the contacts from departments to my office in discussing any appointment issues early on to sort out problems and the sharing of the good practice that many have developed – led by well-resourced central teams – to support others.

Diversity initiatives

Such continuity and central capability in departments are also essential to a successful broadening of the range of people applying for public appointments and being appointed. This has been a frustrating part of my time as Commissioner not because of differences over aims and strategy - since there is general agreement on goals - but because the rate of change of ministers has undermined a clear lead and sense of momentum. The Cabinet Office has a sensible Diversity Action Plan (DAP) - with clear policies to reach out to currently under-represented groups, to simplify application and interview procedures and to mentor and support potential appointees and new Board members. But a strong ministerial lead is crucial as was shown in the 2010-15 period when the Cabinet Office under the leadership of Lord Maude drove a substantial and sustained rise in the number of women appointed. And while some departments have actively pursued initiatives to broaden the range of candidates applying, and to support potential, and new, board members, progress has been uneven. That has been one of the main disappointments of my time as Commissioner and is a clear priority for my successor. The Welsh Government Diversity and Inclusion Strategy is less than a year old and I hope that the clear goals and sense of direction which I witnessed at its launch will be continued.

In Whitehall, the Government is committed to reviewing the DAP as part of its levelling-up approach with particular attention to regional diversity and diversity of thought. The pattern of appointments throughout the UK is less London and south-eastern centred than is often thought. Excluding appointments by the Welsh Government, 65 per cent of appointments and reappointments in 2019-20 went to people who lived in the rest of England (the Scottish, Northern Ireland and Welsh governments account for the vast majority of public appointments in their nations). Much of this is because of the more even spread of NHS and Justice appointments across the country. However, some regions, notably the north-east, are significantly under-represented. Moreover, more than three-fifths

of new appointed chairs of public bodies still live in London and south-eastern England. So more needs to be done to achieve greater regional diversity of the membership of national bodies. The use of online remote meetings during the Covid-19 pandemic could help to increase the geographical diversity of boards since people would no longer have to travel long distances, mostly to London, to attend. This could be particularly helpful for people with disabilities. As I noted above, diversity of thought is a welcome aim if it means seeking people with a wider, and different, range of life experiences and views than at present. I have considerable sympathy for countering an overly metropolitan viewpoint, though independence of thought is crucial rather than a new uniformity. It would also be desirable to have a wider social range of appointees. In broadening the goals of diversity, it will be important to have clear-cut and widely accepted metrics so everyone can see what progress is being made. I note that my counterparts in Scotland are moving to examining diversity indicators such as household income and education levels.

Diversity of appointees and reappointees

The diversity data later in this report have some very positive features - notably on the number of women and ethnic minorities appointed. But it is important to add a caveat. The number of appointments, and particularly of reappointments, has fallen compared with previous years. This can be attributed in part to the political upheavals and uncertainty in the second half of 2019 and early 2020 with a change of Prime Minister, a general election and a series of ministerial reshuffles - which combined to delay appointments. It is at present unclear whether the fall in reappointments reflects the change in the approach of ministers noted above.

Nonetheless, it is unquestionably a welcome, and overdue, achievement that, for the first time, women accounted for more than half of new appointments in 2019-20 at nearly 54 per cent, and, with reappointments, over half the total, at 51.4 per cent. This is a much better record than in all other sectors of British society, including business, charities and other parts of government. It reflects not only longer-term social changes in the position of women but also specific government initiatives since 2010 and the work of departments. What is striking is that women do relatively better at each stage of the appointments process, from application through short-listing, interview and then appointment. The number of women appointed as chairs has risen to about a third of the total, but much more needs to be done.

There is very encouraging news that the appointment of those from ethnic minority backgrounds, has risen to 15.3 per cent (with reappointments), above the UK Government's ambition of 14 per cent, compared with 8 per cent or less just a few years ago. However, the number of chairs from ethnic minority backgrounds remains very low. There are also positives on the age profile of all appointees which is slowly shifting down the scale with approaching a half of new appointments going to those aged under 55. The main, worrying, negative is the continuing low level of appointments and reappointments to those declaring disabilities, at 6.6 per cent in total, which is stuck in the range of recent years. That underlines the need to reinforce and press ahead with the commitments the Government made in its Diversity Action Plan, which were underpinned by the recommendations of the review conducted by Lord Holmes of Richmond two years ago. I have met some outstanding people holding public appointments from under-represented groups and their stories have featured on my website. With support and commitment from government their number can increase. I am hopeful that a start is at least being made on a mentoring scheme to develop the skills of potential

Board members. I am an enthusiastic supporter of what the voluntary Boardroom Apprentice initiative has already achieved in Northern Ireland in developing year-long shadowing schemes which has already led to a number of successful appointments to public bodies. There are some, too few, similar bottom-up initiatives in England and NHS Improvement (NHSI) has sought to develop new board members from ethnic minorities as well as future chairs. There is overwhelming evidence that more diverse boards - reflecting all the many differences in British society - are not only more in tune with the public whom they serve but are also more effective.

Office of the Commissioner for Public Appointments

One of the rewarding aspects of my time as Commissioner has been working with ministers and civil servants in the Cabinet Office and throughout Whitehall on a harmonious and constructive basis. I have also had contacts with my Scottish and Northern Ireland opposite numbers, who have different remits and roles - and from whom I have learnt much, notably on their efforts to increase diversity. We have held annual tripartite meetings each spring and one casualty of the Covid-19 pandemic was the meeting planned for Belfast in April. The OCPA team is responsible for regulating appointments made by the Welsh Government and early in 2020 I visited Cardiff twice - the first time to discuss the public appointments outlook with Mark Drakeford and Jane Hutt, the First Minister and Deputy Minister and Chief Whip, and then to speak at the launch of the Welsh Government's Diversity and Inclusion Strategy. I have also valued my appearance before the Public Administration and Constitutional Affairs Committee under Sir Bernard Jenkin and William Wragg, and the Committee on Standards in Public Life.

It has been a particular pleasure to work alongside an outstanding group of officials based in the office of the Civil Service Commission. I have valued the wise and light touch advice of Peter Lawrence, its chief executive, and I have been very fortunate to have worked with talented and committed Principal Policy Advisers - Jennifer Smith for the first half of the 2019-20 reporting year and then, since September 2019, Gabrielle Bourke, who has successfully and imperturbably handled the many challenges posed by the Covid-19 pandemic and remote working. Phil Hodges was the other member of the team until late 2019 when he moved to another role in the civil service, and his role was taken by Yehoshua Hinton-Lewis who joined shortly before lockdown and quickly became involved with handling casework and data. Maggie O'Boyle provided her usual well-judged and invaluable media and communications advice to OCPA as she has done throughout my period as Commissioner.

As I approach the final five months of my time as Commissioner, I remain convinced that the post-Nolan structure of public appointments remains correct- a balance of ministerial decision making and appointment on merit by open and fair competition. The key word is balance. It is not just the letter of the Governance Code but also its spirit which needs protecting and nurturing. I am pleased that a wider range of candidates is now being appointed to public bodies but this is as much unfinished business as when I started in April 2016.



Peter Riddell, Commissioner for Public Appointments, November 2020

2019/20 in OCPA

2019

April

OCPA holds a disability confident session with the DWP



May

The Commissioner attends PCF event on Trust and Leadership with the Rt Hon Oliver Dowden



June

Commissioner meets with young people from Georgia and Ukraine from the John Smith Memorial Trust - a development programme for young leaders from countries of the former Soviet Union



July



Thematic review into three month aspiration is published

August

OCPA team visit departments to meet with new staff



September

First compliance visit of the 19-20 round



October



Commissioner speaks at Westminster Forum conference in London and OCPA visits the EHRC Disability Committee

November

New video to demystify the public appointments system with Delroy Beverly, board member of the British Library and Ofqual, and the government responds to the thematic review



December



Nearing the end of the compliance visits.

85 competitions examined so far

2020

January



Commissioner meets with Welsh First Minister.

The Commissioner speaks at a DfT event

February

Commissioner attends the launch of Welsh Government Diversity Strategy



March

Commissioner gives evidence to the Public Administration and Constitutional Affairs Select Committee



The role of the Commissioner

The Commissioner (the Rt Hon Peter Riddell CBE) has a number of functions set out in the Public Appointments Order in Council (the most recent being November 2019), which include ensuring that ministerial appointments are made in accordance with the Government's Governance Code ('the Code') and its principles of public appointments. His remit also covers those appointments made by ministers in Whitehall and also those of the Welsh Government. This report will use the word 'department' to include Welsh Government.

The Public Appointments Order in Council (OIC) requires the Commissioner to undertake audits of public appointments procedures, hold investigations and consider complaints where necessary. The latest edition of the OIC was published in November 2019 and made one small change to clarify the scope of the Commissioner's remit in relation to public appointees also considered 'employees' in a number of Department for Business, Energy and Industrial Strategy (BEIS) public bodies.

The Code, which came into force in 2017 expands on this to include the duties of the Commissioner to compile an annual report with diversity statistics, be an advocate for diversity, and also be notified or consulted on certain stages of the appointments process.

The Commissioner oversees the appointments made to over 300 public bodies by ministers in Whitehall and another 56 by the Welsh Government. The Office of the Commissioner for Public Appointments (OCPA) has three members of staff - including the part-time Commissioner - based within the Civil Service Commission Secretariat.

OCPA financial information

OCPA is one of three independent bodies served by the Civil Service Commission Secretariat, headed by Civil Service Commission Chief Executive, Peter Lawrence OBE. OCPA's expenditure figures are published in the Civil Service Commission's audited Accounts; OCPA information is reproduced below for ease of reference.

OCPA's share of the Civil Service Commission's total expenditure has remained relatively static at 14 percent (11 percent in 18-19); and total expenditure was £312,000 (compared to £233,000 in 18-19). Staff costs remain the largest element of the OCPA's expenditure at £161K (18-19: £120K); this includes Chief Executive time. Second to that are OCPA's proportion of the costs of accommodation, utilities and IT costs that are recharged to the Civil Service Commission by the Cabinet Office.¹ This year's increase in total expenditure is due to temporary increased staffing costs, as there was an overlap between the outgoing and incoming Principal Policy Advisors in 2019. Other costs include legal advice and press officer costs. The Commissioner's fees include employer national insurance, which increased this year. The salary he received has remained unchanged at £56,000 a year since he was appointed.

¹ Civil Service Commission Annual Report 2019-20. Accessed 23 November 2020.
<https://civilservicecommission.independent.gov.uk/wp-content/uploads/2020/07/CSC-ARA-Repo-2019-20.pdf>

OCAPA expenditure 2019-20 and 2018-19

OCAPA expenditure (£000)	2019-20	2018-19
Commissioner or Committee Member Fees	63	61
Other Gross Expenditure	249	172
Income	(0)	(0)
Net Expenditure	312	233
Of which accruals total	4	2

Disability Confident event

In April, OCAPA hosted Amanda Wadsworth MBE from the Department for Work and Pension (DWP) and public appointments practitioners from across departments to learn more about the DWP's Disability Confident Scheme and how it can be implemented for public appointments. With Disability Confident replacing the previous Two Ticks scheme, practitioners learned more about how to make practical changes to public appointments processes, removing the barriers disabled people face and ensuring everyone with relevant skills is able to demonstrate their potential. In particular, participants discussed offering interviews to disabled people and using a Guaranteed Interview Scheme fairly and consistently, which was highlighted by the Lord Holmes Review in 2018 as being an area for improvement.

New Diversity Monitoring Form

Following from the Lord Holmes Review, the Cabinet Office Public Appointments Policy Team (PAPT) and OCAPA launched a new accessible diversity monitoring form. The Review recommended keeping the self-identification style question, but updating it with a definition to make it clearer for applicants as to what is being asked. UK Government picked up this recommendation in its DAP and in partnership with OCAPA, developed a new question (based on Office for National Statistics' best practice) and three versions of the form which work with screen readers, with help from the Thomas Pocklington Trust, and a working group across government and the third sector. The form's opening text has been changed to give applicants more detail about why diversity information matters and how their information will be used and protected, and guidance was produced by OCAPA and the PAPT to guide departments in their use of the forms for new campaigns from January 2020 onwards. OCAPA's reporting on the number of candidates and appointees declaring a disability will reflect the two definitions used during the 2019-20 year.

Advocate for Diversity

The Commissioner was grateful to both Delroy Beverley and Cindy Butts, both experienced public appointees, who agreed to be interviewed and filmed for OCAPA to talk about the rewarding work of public appointees, how boards can foster diversity and inclusion and top tips for candidates to want to put themselves forward. Cindy Butts' experience as a Senior Independent Panel Member (SIPM) was also invaluable for OCAPA to demystify the process of making senior appointments and what SIPMs bring to the process. The Commissioner would like to thank the Cabinet Office communications team for their support in producing the videos. The Commissioner would also like to thank the Department for Transport (DFT), the Westminster Forum, and the Welsh Government for bringing diversity in

public appointments into the spotlight in respective events that the Commissioner took part in in 2019-20.



All about Senior Independent Panel Members: An interview with Cindy Butts, available on the OCPA website and on YouTube

Further government initiatives

The Cabinet Office public appointments policy team (PAPT) continues to offer training to new public appointments officials and sponsor teams across Whitehall departments, and OCPA welcomes the opportunity to attend, meet the new staff and explain the role of the Commissioner. The Commissioner understands PAPT is working on guidance for prospective applicants, and PAPT also produced new guidance for departments on extensions and reappointments, to which there had been some confusion over the definition of each. The Commissioner welcomes this confirmation of best practice into policy and encourages the PAPT to continue to support departments with practical policy guidance.

Mentoring pilot

Sadly, another project planned in partnership with the Public Chairs Forum (PCF) and the Cabinet Office PAPT was postponed due to the Covid-19 pandemic. At the start of the 19-20 year, PCF, OCPA and the PAPT began planning a pilot mentoring programme, with the PCF membership as a pool of mentors, to work with near-miss candidates from recent public appointments competitions from three departments as mentees. Reflecting on the success of other schemes such as Boardroom Apprentice in Northern Ireland and NHS's NExT Director Programme, the scheme was included in the UK Government's DAP and in the Commissioner's Annual Report last year. Scheduled to launch in June 2020, the Covid-19 pandemic put planning on hold. The Commissioner, PCF and the PAPT remain committed to the pilot and aim to run the program online.

Government response to thematic review into three month aspiration

In November 2019 the UK Government responded to the Commissioner's thematic review into the three -month aspiration of the Code, published in July. The timeliness of competitions has continued to be an issue for competitions since the Code's inception and the review sought to understand why delays occur so frequently. The Government recognised that delays potentially risk putting off or losing good candidates, and pledged to produce a good practice guide for departments to incorporate the Commissioner's recommendation on planning, panel engagement, and due diligence. The Government agreed with the Commissioner that the three-month aspiration remain as an aim and not a hard requirement, noting the need for flexibility. However, the Government rejected the Commissioner's recommendation to change the end point of the aspiration to the decision date, rather than the current announcement date. The Commissioner's argument was that this moment is more reflective of the end of the process from the candidates' point of view, than the announcement date which on many occasions can be delayed for other reasons, for example wider media scheduling within departments. The Government thought this may signal a loosening of the ambition allowing competitions to run even longer. As such, the three-month aspiration remains in place as is, and from the compliance visits of 2019-20 (see below) the Commissioner continues to press departments on this vital aspect of candidate care.

Welsh Government initiatives

The Commissioner travelled to Cardiff in January 2020 to meet First Minister Mark Drakeford MS, Deputy Minister and Chief Whip Jane Hutt MS and Permanent Secretary Shan Morgan. They discussed the diversity ambitions of the Welsh Government, the successes and challenges facing the newly centralized Welsh public appointments teams, especially on NHS appointments. The following month, the Welsh Government launched its ambitious 'Diversity and Inclusion Strategy for Public



The launch of the Diversity and Inclusion Strategy for Public Appointments in Wales, Cardiff, February 2020

Appointments'; the Commissioner spoke at the launch in Cathays Park welcoming the ambitions of the Strategy, its commitment to data and mentoring/buddying. Like in Whitehall, the Strategy includes investigation of impact, if any, of financial support for appointees on the diversity of the field. The Commissioner hopes his thematic review can help both governments shed some light on this crucial issue.

2019 election

The run up to the General Election in late 2019 was handled sensibly by departments, with the Commissioner seeing no evidence of a rush in process before purdah commenced. There were a number of appointments that were extended or made without competition during this time which were considered by the Commissioner in the usual way (see below). The Commissioner was assured by departments that candidates who had their applications stuck in competitions necessarily paused were contacted and thanked for their patience. Similar messages have been needed for candidates at the start of the Covid-19 pandemic, which has similarly caused competitions to pause.

Evidence to Public Administration and Constitutional Affairs Select Committee

Shortly after the formation of the House of Commons' Public Administration and Constitutional Affairs Select Committee (PACAC) for the new 2019 Parliament, the Commissioner became its first witness, giving evidence on his role and the performance of departments in adherence to the Code. The Commissioner's last appearance before the Committee was in Spring 2018 for its inquiry on the pre-appointments hearing process. He was grateful to give the Committee an opportunity to hear first-hand the operation of the Code in more detail, which at the time of his own pre-appointment hearing in 2016, was not yet in force.

The Commissioner stressed the role ministers have in the appointments system, and delays can often occur which can damage the impression given to candidates. He reiterated his findings from the thematic review into the three-month aspiration, which found common delays in decision making after the panel has provided advice to ministers. The turbulent political landscape of 2019 made things more difficult for departments, but the Commissioner reflected on his four-year tenure of multiple changes of ministers, elections, referendums; political instability has been the norm and this has a knock-on effect on public appointments where ministerial attention is critical for the system to function.

On appointments without competition, the Commissioner reassured the members on the prudent use of this provision by ministers, and the practical day-to-day considerations that departments and ministers must make to keep public bodies quorate and well-functioning. He also noted that ministers have never appointed someone found not appointable by a panel to date, as Section 3.2 of the Code allows. While media comment often focusses on the political background of new appointees, this is not borne out by the evidence which consistently shows that fewer than 10 per cent of appointees declare significant political activity. No appointee having gone through a competition regulated by the Code, is in a role today having not been found appointable by an Advisory Assessment panel for that role. The Commissioner also explained the purpose of OCPA's compliance visits and how this allows him to provide robust assurance across the system. These have uncovered few breaches, and shown that departments are developing more coherent and sensible policies and practices as they run competitions and advise ministers.

On both Welsh and Westminster diversity ambitions, he noted the progress made in the representation of women over the last few years, but there is still a notable gap in women in chair roles, and, as identified by Lord Holmes, still a long way to go on appointees with disabilities. The proportion of Black, Asian and other minority ethnic background appointees has been growing, and the Commissioner highlighted the importance of initiatives, driven by the centre, to find and foster talent and create inclusive spaces for all at the top tables. The Commissioner also highlighted OCPA's



The Commissioner gives evidence before PACAC, 4 March 2020

efforts to explain the public appointments system with videos, and the other successful mentoring schemes across the UK which OCPA hoped to emulate in partnership with the Cabinet Office PAPT and the Public Chair's Forum (see above).

MPs on the Committee were interested in the role due diligence plays in appointments. The Commissioner reiterated his view that it is critical for upholding the Nolan Principles, and that diversity of thought, much like diversity of background and experience, is important to well-functioning public bodies. Issues of the day change rapidly, so using views on them as a litmus test comes with a risk that qualified and suitable people are not appointed. He urged ministers to be bold with the Code's direction to focus on diversity in all its forms. He shared his view on the inherent bias in the system towards appointees in their later years, with a steady source of outside income, which is another way diversity ambitions can be stifled. He detailed his office's plans to look at remuneration of appointees, and any impact the current pay system - where many appointments pay little or nothing at all - might be having on the diversity of the applicant field.

Lastly, the Commissioner reflected on his tenure that will end in April 2021, and his desire to see the developing good practice of departments safeguarded. Committee members were familiar with the concerns around the Code when it was introduced, but the Commissioner shared his view that many

of those fears had not come to pass, thanks to the work of departments and ministers in upholding the spirit of the Code.

The Commissioner also submitted written evidence which gave more detail on OPCAs structure and details of the day-to-day case work that forms a critical part of the Commissioner's oversight of the process. This evidence is available on Parliament's website. At the time of writing this report, the Commissioner has just appeared before the Committee again, the details of which will be reported on in next year's report.

The impact of the Covid-19 pandemic at the end of the 2019-20 year

With the lockdown announced in England on 23 March, OCPA was encouraged by the many examples of departments using video conferencing technology to continue to interview candidates and make appointments. For some public appointment roles, a competition - virtual or otherwise - was not feasible, and the Commissioner helped facilitate the necessary extensions of tenure of appointments without competition to allow public bodies to continue to function at the best capacity with the confidence of their respective sectors. In late May the Commissioner wrote to all Permanent Secretaries to share the best practice from departments on how to make virtual appointments work. The Commissioner was gratified to receive many positive responses from Permanent Secretaries to his letter, showing how Whitehall was able to adapt to challenging circumstances. In particular, virtual interviews can be particularly helpful for those with disabilities.



The Commissioner's webinar with Elise Perraud from NedonBoard 23 March 2020

The Welsh Government decided in March to suspend all their campaigns in line with the lockdown announced in Wales. In consultation with the Commissioner, OCPA published a joint agreement to the Welsh Government's approach on 19 March. In June, the Welsh Government began to use video conferencing software to restart suspended campaigns. OCPA provided advice to the Welsh Government using the best practice shared by Whitehall departments and their Permanent

Secretaries as above, and from the Civil Service Commission, facing similar challenges for government recruitment.

While some planned events for OCPA were cancelled, others organised online enabled the Commissioner to reach stakeholders even during lockdown. The Commissioner was interviewed by Elise Perraud, COO of NedonBoard in March, and this footage was then used by Dr Yvonne Thompson, a business leader, in her outreach webinar, joined by public appointments staff in the Department for BEIS and the Cabinet Office PAPT in April. The Commissioner also took part in a webinar hosted by the PCF in June, taking questions and comments on how remote working can help boost diversity and inclusion, the role of due diligence and how it can be streamlined, and how chairs themselves can reach out to diverse communities as leaders.

Compliance

The OIC states that the Commissioner has the authority to ‘Carry out an audit of the procedures and practices followed by appointing authorities in making public appointments.’

‘Over the last 18 months we have fundamentally changed the arrangements within Welsh Government for supporting and delivering ministerial public appointment campaigns... I am pleased and reassured that your report is not only supportive of the approach, but has identified an overall improvement in the governance and delivery of our ministerial public appointments from the previous year.’

Dame Shan Morgan, Permanent Secretary, Welsh Government

‘The compliance report that you provided was helpful and informative. I can reassure you that action is being taken to address the areas for improvement that you identify in your report and to update you on other work that the DCMS public appointments team have done, as well as our plans going forward.’

Sarah Healey, Permanent Secretary, DCMS

2019-20 compliance visits

In August 2019 OCPA began the second round of visits, building on the success of compliance visits looking at competitions completed in the 2018-19 year. As with the previous year, OCPA officials selected a sample of campaigns run within a given period, with the aim to consider a range of appointments, from specialist to generalist, regional to London based, and both chair and non-executive positions. On average, the sample is a third of all the completed campaigns for the period, but for departments making three or fewer appointments a year, OCPA looks at them all.

In advance of OCPA’s visits, departments were asked to complete a self-assessment form, detailing their own perceptions of their progress since last year and the challenges they face. These assessments allowed OCPA to better understand the context in which public appointments teams were operating, and gave an insight into the various initiatives and common challenges that departments face. The visits have also helped to forge good working relationships with officials working on public appointments. OCPA is appreciative of all those departmental officials who continue to work with us in a constructive and open way.

Visiting departments’ public appointments teams in person where possible, OCPA examined 130 competitions (appointments and reappointments) across 18 UK Government departments and the Welsh Government, wrapping up in February 2020. OCPA officials produced a report for each department following the respective visits, outlining the findings from looking at the sample of

campaigns, and the appointment teams’ own self-assessments. These were shared with those teams to check for factual errors prior to being sent to the Permanent Secretary and the Cabinet Office PAPT. After the first round of visits in 2018-19, the Commissioner was pleased by a number of positive responses from Permanent Secretaries, promising to focus on the areas that had been identified as requiring change. In the most recent visits, OCPA has found that departments have made changes in response to their last compliance visit, and that performance generally in following the Code has improved.

‘I note that the audit identified a number of areas of best practice and some areas for improvement. These will help us sustain and develop a culture of continuous improvement in the delivery of public appointments, and I welcome your insights.’

Sir Richard Heaton, Permanent Secretary, MOJ

‘On the areas you have highlighted for improvement, I assure you that FCO officials take the OCPA’s advice seriously and will follow it to the best of their ability.’

Sir Simon McDonald, Permanent Secretary, FCO

‘I am pleased that DFID’s introduction of a central HR team to support public appointments has improved our processes and practices.’

Matthew Rycroft, Permanent Secretary, DfID

Developing a learning culture

The purpose of the compliance visits is not to find fault, though OCPA uncovered several breaches of the Code. Instead, the emphasis is on identifying where good practice is happening and where further improvements can be made. To this end, OCPA hosted a wash-up session with departments in March 2020 to share learning, best practice and feedback on the Commissioner’s overall findings. The Ministry of Defence (MOD), Department of Health and Social Care (DHSC) and Department for Environment, Food and Rural Affairs (Defra) presented case studies on their recent initiatives - sponsor team guidance, reasonable adjustments and social media respectively - which generated a lively discussion on practical steps departments can take. The Commissioner appreciates the candour of public appointments teams and their cooperation with OCPA as it undertakes compliance visits and their willingness to contribute to a learning culture. Responses from Permanent Secretaries to their department’s reports show the value in the visits, where OCPA’s insights have prompted specific improvements to processes. In the days following the wash up event, OCPA was pleased to be able to help departments to contact each other to learn more about how to implement initiatives within their own departments.

Findings

This year, OCPA has found planning for recruitment campaigns has improved, though meeting the three- month aspiration remains a challenge. As found in the thematic review, most delays occur at the final stage of ministers’ decision on who to appoint, with consultation with stakeholders, such as devolved administrations or Number 10, further adding delays. Due diligence considerations can also contribute. The General Election and the subsequent reshuffle caused further disruption this year, because of ministers’ decision-making at the heart of the appointments process at each stage. It is clear that in order to meet the three-month aspiration, all actors within the process - public appointments teams, sponsor teams, panels, special advisors, ministers - have to give appointments the attention candidates deserve and that the Code prescribes. OCPA has seen departments step up this year to play their part, others must now too. There is still room for improvement in the record keeping of decisions made by ministers at each stage as campaigns move forward.

Advertising and the application process has improved, with many departments developing their own networks, newsletters, events, application software and training to improve their systems. More departments, and the Cabinet Office PAPT, are using social media to reach a new audience, and bringing the stories of existing appointees to the fore to show how rewarding a public appointment

The Cabinet Office ALB Sponsorship Network meets bi-monthly and gives Cabinet Office sponsor teams the opportunity to discuss any public appointment issues they may face, share best practice and build their network of contacts. Guest speakers from relevant stakeholders are also invited to talk about their work.

can be. The Commissioner applauds these efforts to open up appointments to a wider range of people; efforts which should increase as both the UK and Welsh Governments continue the implementation of their respective diversity action plans/strategies. The Commissioner believes some departments' restrictions on advertising public appointments on social media is only holding progress back and needs to be addressed urgently.

Processes have been standardised, with public appointments teams working hard to improve practices of sponsor teams with templates and guides

to follow, with specific guidance and training created for panel chairs. This has particularly improved the performance of those departments who do not run many competitions, or where competitions are decentralised to sponsor teams, by preventing the common problem of losing corporate knowledge when staff move on. Some departments have created networks for sponsor teams to learn from each other, building on the success of the public appointments practitioners' network hosted by the DWP (an internal forum for public appointments teams). Clearer processes have resulted in improved candidate packs, with information to demystify the process and warm welcoming messages to encourage applications. Further, some departments are using language-analysis software and easy-read approaches to writing candidate packs. Whilst the Code does not specify the diversity of panels, good practice in recruitment into the civil service has rightly been adopted by public appointments teams.

Department-by-department analysis of the diversity of appointments shows that progress is on the whole, slow but steady. Departments have recognised, in their self-assessments, their need to increase outreach, but the very real challenges of recruiting in sectors which have their own diversity challenges, or to very specialist roles, remain difficult to overcome. Talent development and mentoring schemes, such as in BEIS and NHSI, and talent pools such as within Ministry of Justice (MOJ), Home Office, DFT and Department for Education (DFE) are crucial to help build a pipeline of capable leaders from all parts of the UK. Ultimately, the choice is up to ministers, and both the UK and Welsh Governments have made firm commitments

[@dfecareers](#) was set up in October 2019 as a platform to promote public appointments and related content. The use of social media has enabled roles to be promoted (for free) more widely and in a more targeted manner. In December 2019 we contacted all of our appointees to ask who would be willing to record a short video aimed primarily at encouraging those from underrepresented groups to apply. We have posted content relating to diversity and content to promote specific opportunities and when other departments post vacancies we retweet them; this extends our profile and increases the number of followers whilst also raising awareness of the appointment. By tagging other accounts such as BAME into Leadership, Women in Tech and many more, we have been able to reach individuals who do not usually view vacancies on the Cabinet Office website. We hope the increased exposure will generate applications from a wider pool of people and lead to improved diversity rates amongst applicants.

which the Commissioner wants to see realised. It is disappointing to have found that this year, some departments have made little gains in the diversity of their new appointees or even gone backwards in recent years.

Sometimes, OCPA found the full diversity of the candidate field was not presented to ministers. This can be a reflection of the diversity challenges of each sector generally, with departments focusing on a characteristic while omitting others, despite government pledges across other characteristics. The Code is clear ministers should know the diversity of the body's current members, and there is a way to go in collecting accurate stock data from all current appointees. Efforts from the Cabinet Office

PAPT in this regard to assist departments will help here.

The Department for Transport's (DFT) annual Non-Executive Director (NED) engagement event is a unique opportunity for the department to thank the NEDs across the DFT family for all their hard work over the year, and to recognise their public bodies and agencies as key partners in helping the department to deliver the Government's objectives.

The January 2020 edition was hosted by DFT Permanent Secretary Bernadette Kelly and ministers, with attendees from across the whole of the DFT family. The first half of the event included a range of agenda items focusing on topics of interest tailored towards NEDs and shared departmental objectives. The Commissioner spoke alongside Keith Richards, Chair of the Disabled Persons Transport Advisory Committee on the importance of diversity on our Non-Executive Boards. Feedback from attendees was their message was a timely and key reminder that increasing the diversity of their Boards would benefit their organisation's culture and performance.

On occasion, the panel's assessment of ability has not been clearly recorded at sift or interview. Criteria has been poorly drafted on occasion, straying into job description. This is a common result when criteria is drafted to include viewpoints from multiple stakeholders, resulting in confusing or unwieldy long lists of essential and desirable criteria. This makes the panel's assessment of ability - and candidates' understanding of what is being assessed - more difficult than it needs to be. On occasion criteria have also been unevenly applied to all candidates.

Due diligence also needs to be improved. OCPA saw instances of it being conducted at the wrong time, on the wrong candidates, or it not being explained to candidates how the information would be used in the decision by ministers. The Commissioner's view on the necessity and proportionality for due diligence, and the role of departments, panels and ministers in conducting it, is covered more fully elsewhere in this report (pages 8, 18 and 36). The Commissioner hopes his public comments on this issue will help to drive performance.

Recruitment agencies are used sparingly and their use is subject to oversight from the Cabinet Office PAPT. However, value for money is not always clear. On occasion, recruitment agencies have applied criteria differently in a pre-sift, than panels have in the sift, or have been uncooperative in collecting and presenting the diversity of the fields they have been able to attract. On the other hand, OCPA has seen examples of where recruitment agencies have been able to attract exceptional talent for the highest profile roles, and to undertake sensible preliminary checks on candidates to streamline the process. OCPA is conscious of departments' efforts to be more rigorous in their demands from recruitment agencies, and hopes to see that the leverage departments have in these contracts is flexed

to ensure the best results for taxpayers. Departments should not be engaging recruitment agencies who are not cognisant of the requirements of Code.

On reappointments, most departments have robust processes in place here. Occasionally, standards slip, and the Commissioner has reminded departments that the Code prohibits reappointments being seen as a *fait accompli* and so officials must present a range of options, including the diversity implications of a reappointment, or going out to competition.

Para 7.7 of the Code allows for appointable candidates from a competition to be put forward to the minister for appointment to a different vacancy, provided the role specification is the same and no more than 12 months have elapsed since the competition. Few departments use this provision. In its next compliance round, OCPA will query departments on why this is: are departments filling roles successfully (so no need to recruit again up to 12 months later), or are reserve lists not kept, or are candidates not interested in future roles?

Para 3.1 of the Code allows for ministers to put forward names to the panel for assessment. This does not happen very often, and panels are sensibly assessing these candidates fairly against others. The Code also allows ministers to choose to meet candidates, which does not occur very often.

Overall performance

After this third round of compliance visits, the Commissioner notes that, overall, departments and the Welsh Government are improving, but not each department is improving at the same rate. There is a risk that some departments, particularly those who do not undertake many appointments, or where central teams do not have sufficient oversight of sponsor teams, are left behind, as those who have been given capacity to do the best practice described above stride ahead. The Commissioner has been clear with Permanent Secretaries that as the Code enters its fourth year, poor practice is less acceptable. Consequently, the argument for well-resourced central teams, with experienced staff (and similarly, a well-resourced Cabinet Office PAPT to provide oversight), is a persuasive one.

Thematic reviews

Financial support for appointees

The latest thematic review from the Commissioner concerns the financial support for appointees. Discussions with appointees, departments and diversity advocates raised the question of whether the rate of remuneration for public appointees stymies diversity ambitions. The Commissioner began gathering data on public appointments advertised this year, showing for the first time the extent of the variability in pay rates across UK and Welsh Government roles, and linking to the diversity of applicants and appointees. The Commissioner hopes to raise awareness of the challenges low or no pay presents to attracting talent from all walks of life to crucial public service roles, and broaden taxpayers' understandable concerns with 'high pay' into a wider understanding of the consequences of low pay too. The report resulting from this research will be published in 2020-21.

Investigations

OCPA did not undertake any investigations this year. The Commissioner takes an active view on competitions as they progress and are announced, and appreciates the contact with departments to keep him informed as issues arise, especially as competitions attract public interest. This detailed and active contact has allowed the Commissioner to assure himself of adherence to the Code without the need for formal investigation. Further, the Commissioner's regular contact with departments, decision notices on various complaints, and the thematic review, allowed for him to consider, and make known, views on due diligence and remuneration - both themes that were highlighted in last year's report.

Considerations of exemptions to the code

The Commissioner has maintained that ministers must be allowed to make pragmatic decisions to keep boards functioning and maintain their important role on behalf of the public. At the same time, efforts must be made to open up appointments to fresh talent, and so reappointments, extensions of tenure or appointments without competition should not be used simply to maintain the status quo without good reason. New guidance from the Cabinet Office PAPT has reiterated the Code's provisions on extensions and reappointments and the onus on ministers to have good reason for not taking an opportunity to refresh skills and diversity of public body boards. The guidance also helpfully clarified some practical issues, such as defining an extension versus a reappointment, which supports the Commissioner's view in his role as a regulator.

The most common reasons behind appointments without competition and extensions of tenure are:

- To allow time for a competition, for example, extending tenure to cover the time when a replacement is being recruited at short notice.
- To provide stability and experience to the board, for example, during a period of significant change to its powers or strategic direction, to support other new leaders (such as a new Chief Executive) or when it is subject to an independent review
- Following a resignation from the board, or when a member/chair is suddenly taken ill, or when a competition for a new member/chair has failed, to keep the board quorate or for it to maintain representation ('must have a Welsh member')
- To allow for boards to be merged, established, or closed down where a fresh competition would be redundant.
- To standardise term lengths or stagger appointment start dates to make recruitment more practical

The Code specifies that only exceptional circumstances warrant an appointee's tenure to be extended beyond two terms or ten years. The Commissioner must be notified in these cases. There were 23 of these kinds of cases in 2017-18 and this increased to 102 in 2018-19. Despite the 2019 election period and the subsequent ministerial reshuffle, there were only 108 of these cases in 2019-20. The Commissioners' view is that departments have become more settled in these kinds of routine practices, and better succession planning has kept notifications of this kind under control. There are, however, always day-to-day realities of keeping a board functioning as members come and go through no one's fault; the Commissioner welcomes pragmatic and open discussion with departments on such needs.

The Covid-19 pandemic has caused disruption to all aspects of daily life and public appointments are no exception. The Welsh Government took the decision on 23 March 2020 to suspend its public appointments competitions till September 2020, in consultation with the Commissioner, and a set of principles was agreed between the Commissioner and the Permanent Secretary of the Welsh

Government. As such, the Commissioner received several notifications/consultations from Welsh ministers in the last week of the year and into early 2020-21, to enable boards to continue to function without new members. Whitehall took a slightly different approach, with departments deciding on a case by case basis which competitions were able to proceed, and others to suspend. An unfortunate consequence of the latter measures is that the timeline for completing competitions - set at three months in the Code, and which many departments already struggle to meet - will most likely be exceeded for even more competitions in the 2020-21 year. The Commissioner has been heartened by discussions with departments that candidate care has been considered during the decision to delay, and that candidates are kept informed, as much as possible, as to when competitions can proceed.

Departments' confidence and capability to use technology to put candidates and panel members together will allow some competitions to conclude successfully, whereas for some public bodies dealing directly with the response to the virus, ministers decided it was more prudent to extend appointees' terms to provide stability to particular sectors in distress. During this time, the Commissioner was satisfied that good communication between himself, the Welsh Government and Whitehall enabled the Code's provisions on tenure extension to remain in place, keeping a sense of proportionality during the crisis. As 2020-21 progresses, the Commissioner will look carefully at how departments get back to normal.

Appointments without competition

The Commissioner received 45 consultations to make an appointment without competition.



OCA's average response time to these requests was 1.6 working days.

The Code allows ministers to make appointments without holding a competition in exceptional cases, in consultation with the Commissioner. Paragraph 3.3 states:

"In exceptional cases, ministers may decide to appoint a candidate without a competition. They must make this decision public alongside their reasons for doing so. They must consult the Commissioner for Public Appointments in good time before the appointment is publicly announced."

In addition, paragraph 8.2 of the Code outlines how these appointments and their rationale must be made public. OCA's website publishes details about these exceptional appointments, once announced by ministers, on its website on a quarterly basis.

The Commissioner was consulted 45 times by ministers for these appointments (compared to 42 last year), 10 of these being a consultation on extensions of term of those interim appointees already in post. One of these appointments was not made after consultation with the Commissioner.

List of agreed and made appointments without competition in 2019-20

Department	Body	Number of appointees	Term length	Rationale
Welsh Government	Hywel Dda University Health Board	1	2 months	To allow for competition
Welsh Government	Hywel Dda University Health Board	2	2 months - extension	To allow for competition
Welsh Government	Swansea Bay Local University Health Board	1	6 months	Following failed competition, to allow for new competition
BEIS	Labour Market Enforcement Director	1	12 months	To prevent a vacancy
MOD	Nuclear Defence Safety Committee	1	12 months	To allow for security clearance
Welsh Government	Hywel Dda University Health Board	2	1 month	Stability, substantive chair unable to take up post immediately
DWP	The Pensions Ombudsman	1	12 months	To allow for recruitment to take place to newly formed Board
Welsh Government	Swansea Bay University Health Board	1	8 months	To allow for competition
Welsh Government	Cardiff and Vale University Health Board	1	12 months	To allow for competition
Welsh Government	Local Democracy and Boundary Commission for Wales	1	3 months	To allow for competition
DWP	Social Security Advisory Committee	1	12 months	To allow for competition
MHCLG	Regulator of Social Housing	1	12 months	Following failed competition
NHS Improvement	Epsom and St Helier University Hospitals NHS Trust	1	3 months	To provide stability
MOJ	Judicial Pension Board	1	2 years - extension	To allow competition for a specialist role
DH	NHS England	1	2 years	To ensure Board is quorate
Welsh Government	Cardiff and Vale University Health Board	1	10 months	To allow for competition and stability
Welsh Government	National Library Wales	1	3 months, and then a further 3 month extension	To provide stability during illness
MHCLG	Homes England	1	9 months	To allow for competition following resignation
DCMS	National Lottery Community Fund	1	12 months	To allow for competition following failed campaign
DCMS	National Lottery Heritage Fund	1	6 months	To allow for competition following resignation
WG	Swansea Bay University Health Board	1	1 month extension	To allow for competition

DCMS	S4C	1	6 months	To allow competition to conclude
Welsh Government	Local Democracy and Boundary Commission	1	2 years	Following failed competition
Defra	Covent Garden Market Authority	1	9 months	To allow for competition
DHSC	NICE	1	3 months	To allow for delayed competition due to purdah
BEIS	Small Business Commissioner	1	6 months	To allow for competition following resignation
DFE	Student Loans Company	1	12 months	To allow for competition
MOD	The South Eastern (SE) Veteran Advisory and Pensions Committee (VAPC)	1	6 months	To allow for competition following resignation
Home Office	College of Policing	1	6 months	To allow for competition following resignation
MOJ	Cafcass	1	6 months	To allow for competition following resignation
DCMS	National Lottery Community Fund	1	9 months	To allow for NI representation following resignation
DFT	East West Rail	1	6 months extension	To allow for competition delayed by election
Home Office	Migration Advisory Committee	1	6 months	To allow for competition to conclude, delayed by election
NHS Improvement	Pennine Acute Hospital Trust	1	12 months	Body is dissolving
DHSC	NICE	1	2 month, extension	To allow for pre-appointment scrutiny
MOD	SACMILL	1	2 years	To allow for competition
DFE	Child Safeguarding Practice Review Panel	1	9 months	To allow for competition following resignation
Welsh Government	National Library of Wales	1	12 months extension	Allowance for competition delayed by Covid-19 restrictions
DCMS	British Tourist Authority	1	3 months	To allow for competition
DCMS	Visit England Advisory Board	1	3 months	To allow for competition
DWP	Pensions Ombudsman	1	1 year extension	For stability

The Commissioner supported all of these appointments but expressed a disagreement over the length of the tenure proposed in one case; ministers made the appointment length without the Commissioner's support.

The Commissioner has noted six breaches of Section 3.3 this year, where departments have failed to consult properly. The Code is clear that the Commissioner must be consulted in good time before an appointment made without a competition is announced. There was one instance where the Welsh Government approached the Commissioner for his decision the day it was required for the Board's accounts to be signed off. This was most unsatisfactory and did not allow for consultation in its truest sense.

In one case, MOD ministers consulting the Commissioner on extending the tenure of an interim appointee, revealed the initial interim appointment was announced without consultation with the Commissioner. The Commissioner noted that given the circumstances, he would have been mostly likely to agree with the approach by the MOD, but nevertheless, this is a breach of the Code. MOD ministers also wrote to the Commissioner 12 months after an interim appointment was made, with regret for not consulting the Commissioner and asking for a retrospective view, which the Commissioner then provided.

BEIS ministers announced an interim appointment and notified the Commissioner after the fact. The appointment was being made after competition had not been run to replace a member reaching the end of their term. The Commissioner reminded the department that proper succession planning should have allowed sufficient time for a competition to have been launched well in advance of the end of that term and could have prevented the need for an appointment by exception. The Commissioner retrospectively agreed to the interim appointment.

Similarly, a mix up with letters resulted in the Commissioner being alerted by the Department of Culture Media and Sport (DCMS) of an interim appointment weeks after it had been announced. The Commissioner retrospectively agreed to the interim appointment but this again was a breach of the Code.

Importantly, none of these breaches concern matters of the appropriateness of the appointee, and the Commissioner is pleased that ministers' use of Section 3.3 appears proportional and reasonable, and that it is only in an administrative and planning sense that there is room for improvement.

Tenure

The Commissioner was notified of 73 third term reappointments or extensions beyond ten years.



The Commissioner suggested a reduction in the proposed term length on 3 occasions

Reappointments or extensions of tenure are not automatic. Ministers are able to increase the length of tenure of appointees, being mindful of the diversity of the board and the balance of skills and experience of its members, as long as the legislation underpinning the body allows for it, and the appointee has been performance appraised satisfactorily. Tenure taken beyond a certain point is subject to notification to the Commissioner. Paragraph 3.6 of the Code states:

“Subject to any statutory provisions relating to the body to which the appointment is being made, it is for ministers to decide on length of tenure. However there is a strong presumption that no individual should serve more than two terms or serve in any one post for more than ten years. In exceptional cases, ministers may decide an individual’s skills and expertise is needed beyond such a tenure. Such exceptional reappointments/extension should be notified to the Commissioner for Public Appointments ahead of announcement.”

Departments notified the Commissioner of the extension to the tenure of 73 appointees during 2019-20 (this number was 57 last year). Appointments to regional Defra and MOJ bodies make up a quarter of these extensions. In three of these 73 occasions, the Commissioner expressed a view and departments have made adjustments in light of this. In one case, the appointee had served a third term and the Commissioner was notified of a fourth. On expressing his dissenting view, the reappointment was not made by the department, who instead went to competition for a new appointee for the role. In another case, the department notified the Commissioner of an extension of a chair for two more years, having served ten. The Commissioner suggested a shorter 18 month extension to encourage a competition, which was taken up. Similarly, in the third case, the Commissioner suggested a short extension to a second term rather than a third term for one appointee, to encourage a competition to open up the Board. The department took up this suggestion.

In one case, the MOD notified the Commissioner of third terms of two committee members a month after they had been made. However, as the department had committed to a competition to shortly refresh the board membership, the Commissioner was content with the extension despite the lack of notification in good time which constitutes a breach of the Code. MOJ had a mix up with dates of appointments, leading to a situation where a member was in post for longer than ten years without the Commissioner being notified, also constituting a breach of the Code. MOJ also alerted the Commissioner to a breach where members of the Parole Board were extended beyond ten years without notification; the Commissioner accepted this was a genuine error without intention to usurp the Code.

List of notifications of reappointments beyond two terms or ten years of service in 2019-20

Department	Body	Number of appointees	Extension	Rationale for Appointment
DHSC	Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment	3	3 years; 18 months	Maintain experience and expertise on board
WG	Design Commission for Wales	1	12 months	To synchronise appointments

WG	Brecon Beacons National Park Authority	2	2 years	Body being dissolved
DfT	Disabled Persons Transport Advisory Committee	1	2 years	Provide continuity to board
WG	Velindre University NHS Trust	1	12 months	Provide continuity to board
DHSC	British Pharmacopoeia Commission	1	2 years	To allow for competition following Failed competition
DfT	British Transport Police Authority	1	3 years	National representation
WG	Hywel Dda University Health Board	1	12 months	Provide stability to the board
MOD	Defence Nuclear Safety Committee	2	2 years	For continuity
WG	Building Regulations Advisory Committee Wales	1	3 years	To synchronise term lengths
Defra	Area of Outstanding Natural Beauty Conservation Boards	2	3 years	To provide stability to board
NHS Improvement	North Staffordshire Combined Healthcare NHS Trust	1	3 months	To allow for competition following failed competition
WG	Cardiff and Vale University Health Board	1	2 months	To prevent a vacancy, to allow for competition
MOJ	CAFCASS	1	2 years	For stability
MOD	Oil and Pipeline Agency	1	18 months	For stability during review.
MOJ	Court Examiners	1	3 months	Error with measuring tenure served, retrospective
Defra	Environment Agency	1	12 months	To maintain quoracy during illness
NIO	Parades Commission	5	12 months	To maintain stability
MOJ	Civil Justice Council	1	3 months	To provide stability during competition
NHS Improvement	Leeds Teaching Hospitals NHS Trust	1	2 years and 10 months	For stability during transformation
Home Office	Technical Advisory Board	2	3 years and 5 months	To cover lapsed time and for competition
DFE	Film Industry Training Board	3	2 years	Body is dissolving

WG	Public Health Wales	1	2 years	To synchronize terms
DCMS	UK Sport	1	3 years	To mirror devolved national role
DHSC	NHS Resolution	1	4 months	To allow for competition delayed by purdah
WG	Higher Education Funding Council for Wales	1	4 months	To allow for new competition following failed competition
Defra	Various national park and AONB bodies	13	Various; 3 months to 3 years	Competitions held up by purdah; for continuity following external review
DHSC	NHS Business Services Authority	1	12 months	For stability
DCMS	National Heritage Memorial Fund/ National Lottery Heritage Fund	1	9 months	For stability
DHSC	Human Fertilisation and Embryology Authority	1	12 months	To allow for competition
WG	Cwm Taf University Health Board	2	4 years	To provide stability
WG	Design Commissioner for Wales	2	12 months	To stagger appointment terms
WG	Wales Animal Health and Welfare Framework Group	3	1 year	To allow for competitions delayed by Covid-19
WG	Hywel Dda University Health Board	1	1 year	To allow for competition delayed by Covid-19
MOJ	Parole Board	10	2 years	For stability, retrospective

Unappointable candidates

Section 3.2 of the Code allows for ministers to appoint someone who is not deemed “appointable” by the Advisory Assessment Panel. In this case, they must consult the Commissioner for Public Appointments in good time before a public announcement and will be required to justify their decision publicly.

There were no incidences of the use of Section 3.2 in 2018-19 nor in 2019-20. The Commissioner believes this shows how ministers clearly understand the importance of panels’ roles alongside their own in the appointments process.

Signification competitions

A list of 'Significant Appointments' is agreed between ministers in the UK and Welsh Governments. The list is currently under review by the Cabinet Office and the Welsh Government.

All Significant Appointments require a Senior Independent Panel Member (SIPM) to sit on the Advisory Assessment Panel. The SIPM is required to be independent of the department and of the body that is being recruited to and should not be politically active. This, along with the requirement that the SIPM has senior recruitment experience, gives additional reassurance that the appointment being is made in keeping with the principles of the Code. Some Significant Appointments also require a pre-appointment scrutiny hearing to be held before an appointment is confirmed, these are in bold in the list on page 70-72. Significant appointment status relates to the recruitment of chairs of bodies unless otherwise indicated. Departments are required to consult the Commissioner on who the SIPM should be for each competition before recruitment commences. In 2019-20 the Commissioner received consultation from a number of departments and agreed to 20 SIPMs; as departments plan their panels in advance of competitions launching, some of these 20 SIPMs had not begun or completed their work on panels in the 2019-20 year.

List of significant competitions 2019-20 and the agreed SIPM

Department	SIPM	Competition
MOJ	Cindy Butts	HM Chief Inspector of Prisons
DFE	Natalie Campbell	Student Loans Company
DIT	Mark Addison	Trade Remedies Authority
BEIS	Amerdeep Somal	ACAS
DEFRA	Mike Kapur	Forestry Commission
DFT	Olivia Grant	Civil Aviation Authority
DFT	Sir Peter Spencer	Highways England
CO	Colleen Harris	ACOPA
BEIS	Jackie Sadek	Pubs Code Adjudicator
BEIS	Lord Robert Smith	Nuclear Decommission Authority
BEIS	Amerdeep Somal	Groceries Code Adjudicator
DCMS	Neil Mendoza	National Lottery Heritage Fund
MHCLG	Wendy Barnes	Homes England
DCMS	Cindy Butts	VisitBritain
MHCLG	Rosie Varley	Regulator for Social Housing - re run competition
MOD	Cindy Butts	Service Complaints Ombudsman
DHSC	Libby Watkins	NHS Data Guardian
DFE	Amerdeep Somal	Ofsted
HO	Rosie Varley	Chief Inspector of Borders and Immigration
MOJ	John Knight	Youth Justice Board

Complaints

4 complaints investigated in 2019-20	1 complaint upheld	1 breach of the Governance Code identified
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The Commissioner has a role to hear complaints from the public on matters concerning how departments' run their appointments processes. He can only take on complaints following departments' own complaints process concluding, and as such, gives departments a chance to explain and make things right if necessary. The Commissioner has a strict remit, and cannot place or remove people into posts, nor can he ask departments to change criteria or run competitions again. He has no remit over the conduct of appointees. He takes on complaints which concern an apparent breach of the Code, an applicant's experience or the way a department or other responsible organisation has handled an appointments process. The OIC 2017 (4(4)) states:

"The Commissioner may conduct an inquiry into the procedures and practices followed by an appointing authority in relation to any public appointment whether in response to a complaint or otherwise."

Four complaints were investigated by the Commissioner in 2019-20, with several others brought to his attention not in his scope to consider. The Commissioner upheld one complaint made regarding a competition run by the Ministry of Justice. An application was lost, leaving the complainant without a chance in the competition. The department pledged immediate steps to improve its application management process to avoid a repeat. The other three complaints were not upheld, with no clear breaches of the Code identified by the Commissioner. Nevertheless, the importance to candidates of clear criteria and clear assessment of candidates against that criteria by the panel, is reinforced by these three complaint decision notices.

The fourth decision notice concerned the use of due diligence during a selection process run by DCMS. This prompted the Commissioner to once again outline his view on the necessity of due diligence, and how its use must be proportionate and relevant. A previous investigation by the Commissioner in 2017-18 on due diligence during a DFE competition showed how, essentially, the 'googling' of candidates was a necessary step for government to be assured of candidates' suitability for public life; the Nolan Principles may be 25 years old but in the age of social media they are more relevant than ever. Three years later, the argument on due diligence has shifted, and become more about the right to hold public appointments, and express so-called dissenting views at the same time. On occasion during the year, media stories have chosen to highlight particular appointments (or appointments not made) due to political views, but the Code is clear that ministers are responsible for appointments and ultimately, they will wish to see their policy agenda carried out by their respective public bodies. The complaint made to DCMS was not upheld but allowed the Commissioner again to state his views on how due diligence needs to be understood by candidates and by departments. Candidates should be asked about their public life and given the opportunity to discuss how they will manage it, like any other conflict of interest. What the Commissioner believes is crucial is a sense of proportionality, and that ministers should be reminded that a divergence of views is another aspect of diversity that should be considered along with all the other characteristics that benefit a board's strength.

Breaches

As well as identifying breaches of the Code from investigations of complaints (detailed above, breaches are also identified by the Commissioner as a result of his consideration of investigations and exceptions, or during the course of the annual compliance visits. Departments also self-report breaches. The following table has summary information on the non-complaint breaches identified in 2019-20. Whilst five were identified in 2018-19, this year breaches have increased to 12. With the breach identified from a complaint (above), the total number of reaches identified in 2019-20 is 13.

Considering that hundreds of recruitment competitions for public appointees are made across government each year, the number of breaches identified is small. Poor record keeping is the basis of a significant number of these identified breaches, as well as not making notifications to the Commissioner as required in the Code.

1 breach identified from complaint	2 breaches identified by department	6 breaches identified through exemption consideration	4 breaches identified at compliance visits
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Breaches identified of the Governance Code 2019-20 from consideration of exemptions and compliance visits, and self-reported from departments

Competition/body	Department	Details of breach and Code reference
Defence Nuclear Safety Committee	MOD	Identified during exemption consideration. Commissioner not notified after announcement of two third term appointments (3.6)
Defence Nuclear Safety Committee	MOD	Identified during exemption consideration. Commissioner not consulted on appointment without competition in good time (3.3)
Court Examiners	MOJ	Identified during exemption consideration. Commissioner not notified of term of more than ten years (3.6)
SACMILL	MOD	Self-identified by department. Commissioner not consulted on appointment without competition in good time (3.3)
HYWEL DDA UNIVERSITY HEALTH BOARD	Welsh Government	Identified during exemption consideration. Commissioner not consulted on appointment without competition in good time (3.3)
Labour Market Enforcement	BEIS/Home Office	Identified during exemption consideration. Commissioner not consulted on appointment without competition in good time (3.3)
S4C	DCMS	Identified during exemption consideration. Commissioner not consulted on appointment without competition in good time (3.3)
Legal Aid Agency	MOJ	Identified during compliance visit. Commissioner not notified of third term reappointments (3.6)

Parole Board	MOJ	Self-identified by department. Commissioner not consulted on extension of 10 members to terms beyond ten years (3.6)
Architects Registration Board	MHCLG	Identified during compliance visit. Inappropriate application of criteria (5.5).
Regulatory Board for Wales	Welsh Government	Identified during compliance visit. Reappointment made without satisfactory performance appraisal (3.5)
Natural Resources Wales	Welsh Government	Identified during compliance visit. Commissioner not consulted on choice of SIPM (6.2)

Diversity in public appointments

The Commissioner has a statutory duty to publish the inflow of public appointees and their declared diversity data. This flow data complements the 'stock' data which the Cabinet Office PAPT publish on the appointees in post on 31 March each year. Stock data for the 2019-20 year was not available at the time of writing this report.

Appointees are asked to fill out a diversity monitoring forms part of their application for a public appointment. The majority of applicants do this, and to help increase reporting rates, a new form was launched in November 2019 which explained to applicants the importance of recording diversity data and clarified its use. It is hoped this will help increase the confidence applicants have in declaring their characteristics, though the option remains for candidates to 'prefer not to say' for any characteristic they wish. The new form has a different question on disability, in line with recommendations from the Lord Holmes Review, which is based on the Office for National Statistics' approach. The 'new question' is in keeping with reporting across the public sector more widely. Due to when the question was launched, fewer than 10 of the appointees and reappointees captured in this year's data recorded their disability status with the new question, but OCPA expects the new question to be the basis for measuring the disability status for future years' data. The Commissioner acknowledges this will make comparing 2020-21 with previous years less straightforward, but recognises the urgency in addressing Lord Holmes' concerns on reporting this particular characteristic with more accuracy.

The collection and publication of diversity data of applicants, interviewees, and appointees, both new and reappointed, is a complex process. Departments have a variety of methods to submit data, including direct submission to OCPA and uploading the diversity information of candidates anonymously into a central database. Problems with the user-friendliness of the database has meant this year, there have been more manual returns. The Cabinet Office PAPT is currently developing a new website for public appointments applicants, which will not only, it is hoped, streamline the application process, but also allow candidates to input their data securely, quickly and with full confidence as to how it is used. This will be hopefully be a big improvement to the current interface and allow OCPAs analysis and publication to be a smoother process. It will build on the work in early 2019 to reform and reframe the diversity monitoring form to encourage people to fill it out.

OCPA works in partnership with the Cabinet Office PAPT to ascertain the validity of the data and check for anomalies, and then agree a dataset which OCPA then reports on, in the section below. This management information allows the Commissioner to comment on the trends in the data and also provides tailored recommendations for departments where the data reveals particular areas for improvement.

Departments need to sign off on the data, and the Commissioner notes this process is not given the attention it deserves. The PAPT and public appointments teams across departments deserve more support in their efforts to collect, submit and quality assure the data, building confidence from candidates and allowing me to fulfil my statutory duty to publish diversity statistics every year.

OCPA uses the term 'ethnic minority' to describe all those people declaring their ethnicity to be Asian/Asian British, Black/Black British, Mixed/Multiple Ethnic Groups and Other Ethnic Group. We discuss our use of this term, and others, in our reporting on diversity, on page 73.

The volume of appointments and reappointments in 2019-20

OCPA received diversity data for 1,565 appointments and reappointments made in 2019-20 by UK and Welsh governments, the second-smallest volume since OCPA began collating data. Last year there were 1844 appointments and reappointments. This reduction is mostly due to a fall in reappointment numbers and fewer chair appointments (see below).

The data submitted to OCPA for 2019-20 shows there were 914 appointments, when last year this figure was 972, a 6 percent decrease. Understandably, the disruption from the pre-election period and the subsequent ministerial reshuffles has meant fewer competitions have completed in the 2019-20 year.

Of appointments, 39 were of chairs, and 875 members (last year these figures were 72 and 900 respectively). 770 of the 914 appointees declared their diversity data (an 84.2 percent reporting rate; this includes those stating Prefer Not to Say - PNS).

There were 651 reappointments, when last year this figure was 872, a 25 percent decrease. 37 of reappointments (5.6 percent) were made by Welsh ministers, a similar proportion to last year. This suggests the UK Government have prioritised fresh talent this year. However, the picture is more nuanced, as detailed earlier in this report. The Commissioner was notified of 73 extensions of appointees' term beyond two terms or ten years in 2019-20, an increase of 28 percent on notifications last year. (Those extended under exception in the Code not counted in diversity data.)

Of the 651 reappointees in 2019-20, 36 were chairs and 615 were members. 435 of the 651 reappointees declared their diversity data (a 66.8 percent reporting rate; this includes those stating Prefer Not to Say - PNS). In total, applications are down by 10 percent on last year, appointments made down by 16 percent, and reappointments made down by 25.3 percent.

Volume of appointments and reappointments at each stage, 2019-20

Stage	Number at stage	% change from 2018-19
Applied	9127	-10.0%
Shortlisted	2109	-11.9%
Appointed	914	-6.0%
Reappointed	651	-25.3%

Volume by nation

Both the UK and Welsh Governments have appointed and reappointed fewer people this year, based on the diversity data they submitted to OCPA, but the fall in Wales is much more pronounced than in Wales.

UK Government ministers made 858 appointments and 614 reappointments – 1,472 in total. Last year this figure was 1,716, a fall of 14.2 percent.

Welsh ministers made 56 appointments and 37 reappointments in 2019-20, making 93 appointments made by Welsh ministers in total. Last year this figure was 128, a fall of 27.3 percent.

Volume of appointments and reappointments 2019-20, by government

Government	Appointments and reappointments 2018-19	Appointments and reappointments in 2019-20	% change from 2018-19
UK Government	1716	1472	-14.2%
Welsh Government	128	93	-27.3%

Summary of diversity findings

As detailed below, a milestone has been reached for appointments made to women – now over 50 percent – and the continuing increase in appointments made to ethnic minorities is very encouraging. But the continuing lack of diversity in chair appointments, the dominance of those over 55, and the slow progress in appointments made to those declaring disabilities - all identified in the 2018-19 annual report - are again weaknesses that need to be tackled urgently.

Ethnicity

82.2 percent of appointees and 62.8 percent of reappointees reported their ethnicity.² This declaration rate for appointees is up slightly from 79.2 percent 2018-19, and increased more sharply for reappointees from only 60.3 percent last year. However for both reappointees and appointees, 37.2 percent still do not have the confidence to declare their ethnicity nor state they prefer not to say. The Commissioner encourages government and public body chairs to work together to investigate and find solutions to help overcome this data quality deficit.

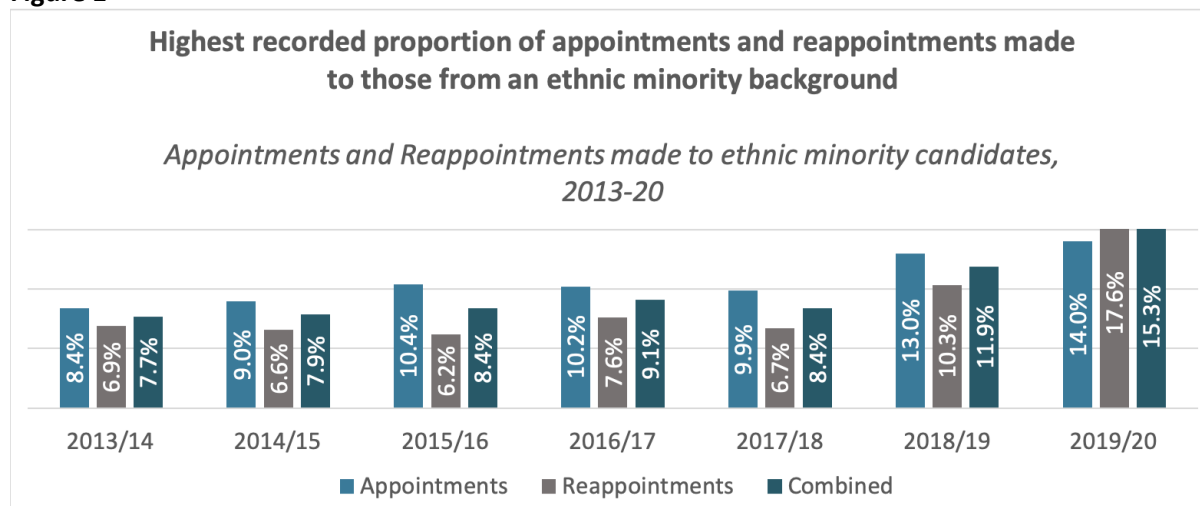
Encouragingly, the overall proportion of appointments to those from ethnic minority backgrounds continues to grow. This year, the combined proportion of all reappointees and appointees in 2019-20 from a minority ethnic background was 15.3 percent,³ up from the overall proportion of 11.9 percent last year and less than 8 percent only five years ago.⁴

² Table 10

³ Table 13

⁴ Table 14

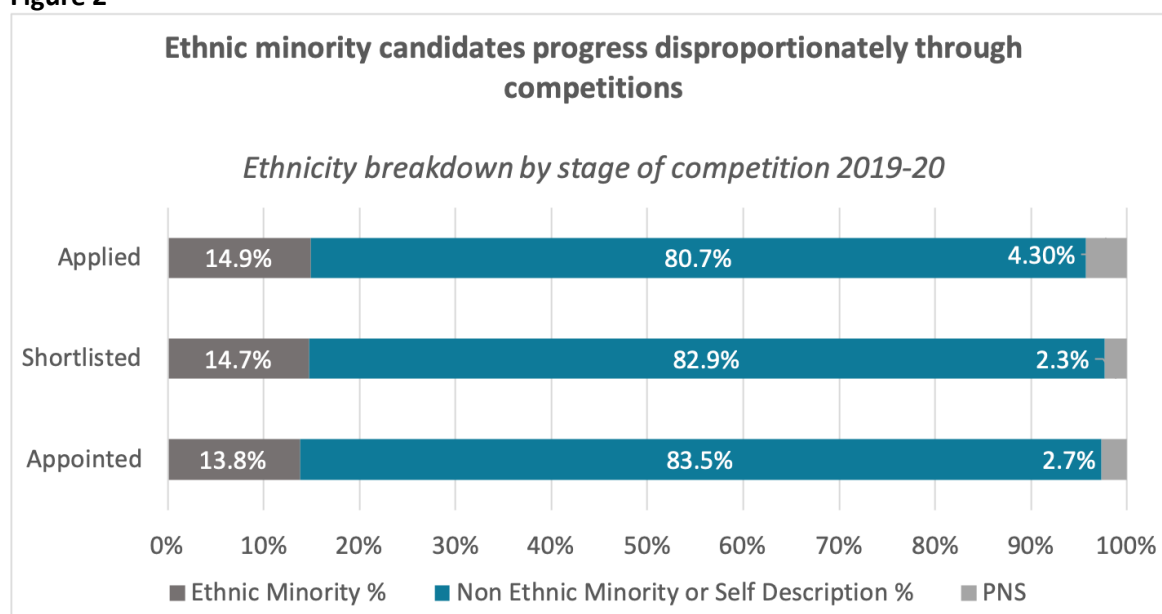
Figure 1



Amongst Welsh Government appointments alone, the proportion of appointees and reappointees from a minority ethnic background was 7.7 percent,⁵ up from only 3 percent last year.

Taking only the competitions where we can track applicants through the process,⁶ the proportion of applicants from ethnic minority backgrounds continues to grow, from 13.6 percent in 2017-18, to 14.3 percent in 2018-19 and 14.9 percent in 2019-20.⁷ Those from ethnic minority backgrounds made up 14.7 percent of shortlisted candidates and then 13.8 percent of appointees.⁸

Figure 2



⁵ Table 65

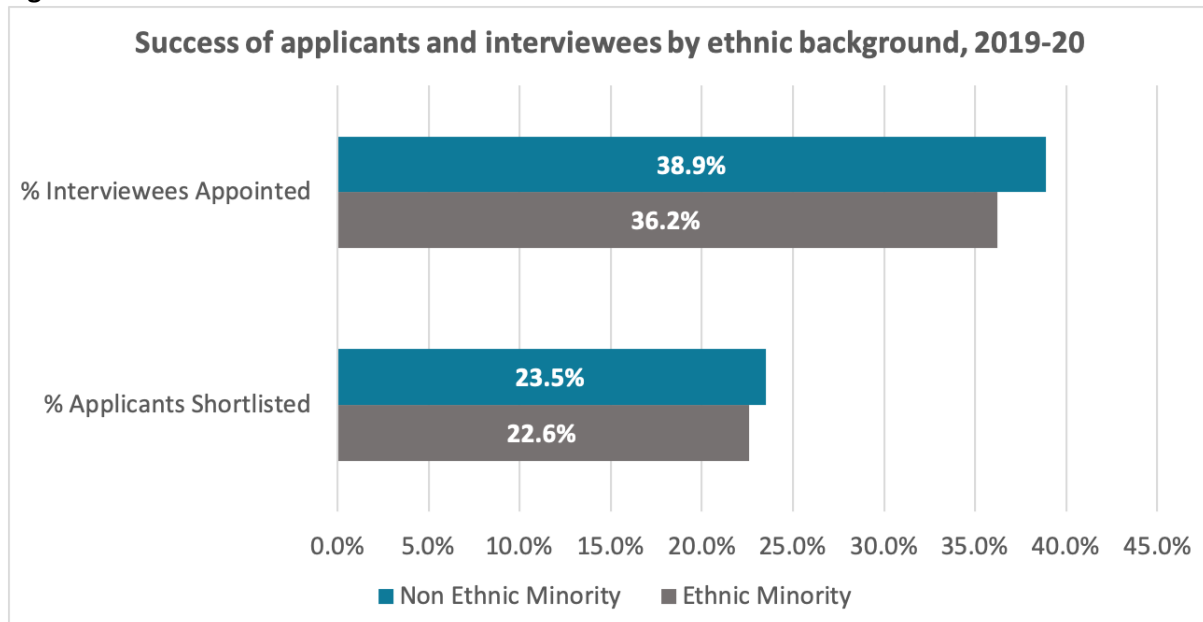
⁶ See the Management Information tables for an explanation of stage by stage analysis.

⁷ Table 24

⁸ Table 24

Those from ethnic minority backgrounds are slightly less likely to be shortlisted after applying compared to non-ethnic minority candidates (a success rate of 22.6 percent versus 23.5 percent), and also less likely to be appointed after being shortlisted.⁹

Figure 3



In 2019-20, 5.4 percent of all chair appointments were made to those declaring an ethnic minority background,¹⁰ up from 2.9 percent last year. Individuals from ethnic minority backgrounds accounted for fewer than 5 percent of reappointed chairs in 2019-20.¹¹ Overall, 4.3 percent of appointed and reappointed chairs are from a minority ethnic background, up from 2.4 percent last year.¹²

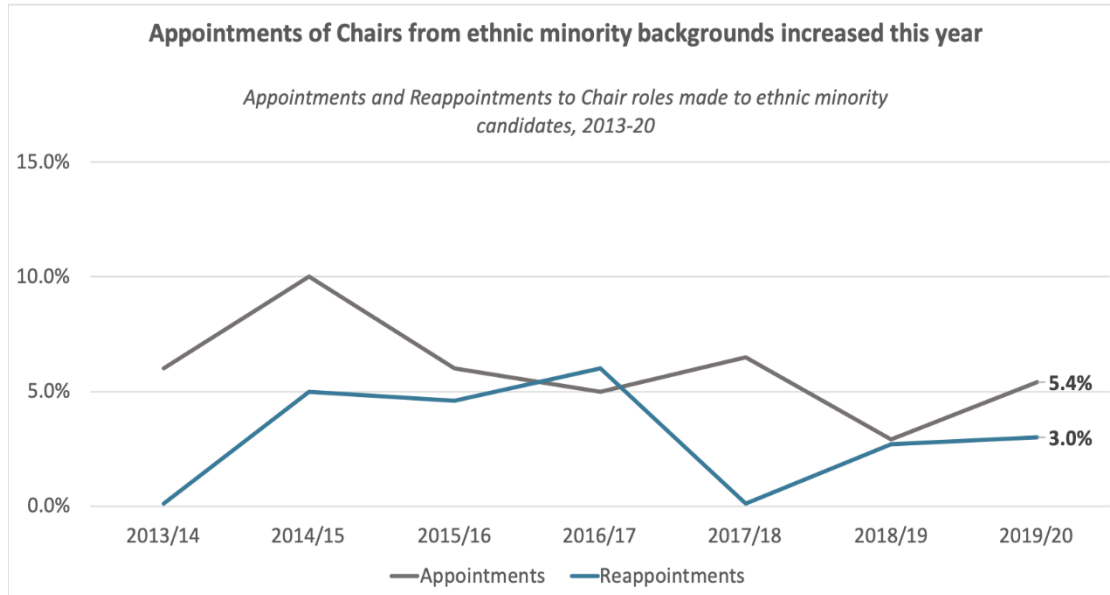
⁹ Table 25

¹⁰ Table 11

¹¹ Table 12

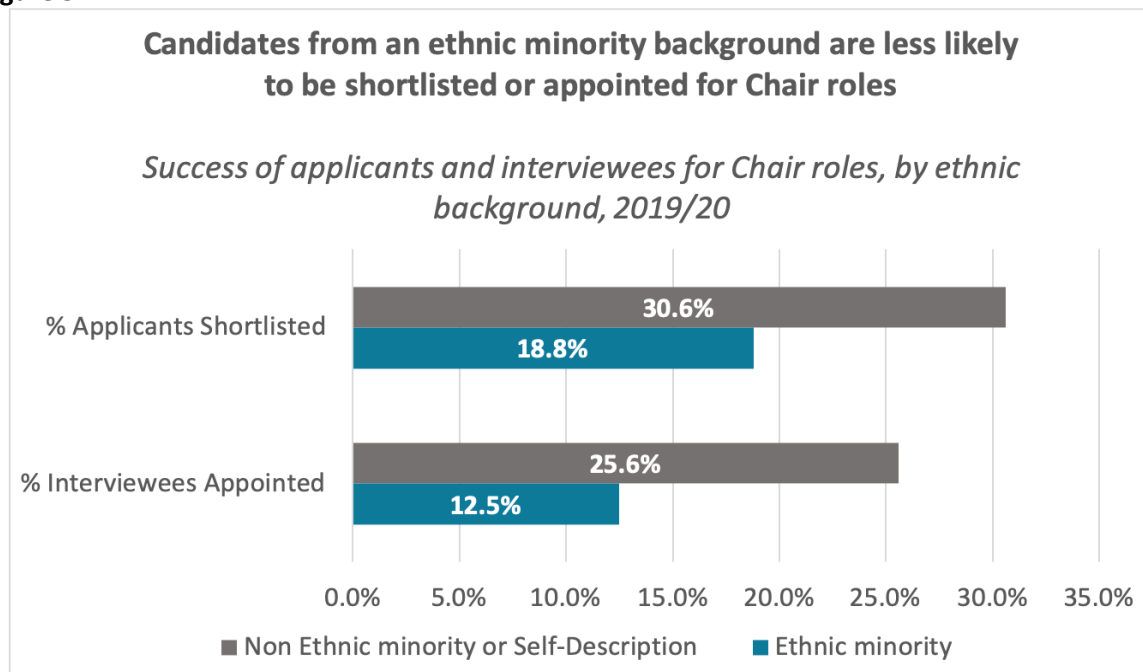
¹² Table 13

Figure 4



However, like last year, there is a major disparity in the proportions of candidates from ethnic minorities who were shortlisted and subsequently appointed after interview for a position as a chair. Looking at success rates stage-by-stage for chair roles, 12.5 percent of ethnic minority interviewees were appointed, compared to 25.6 percent of non-ethnic minority interviewees.¹³

Figure 5



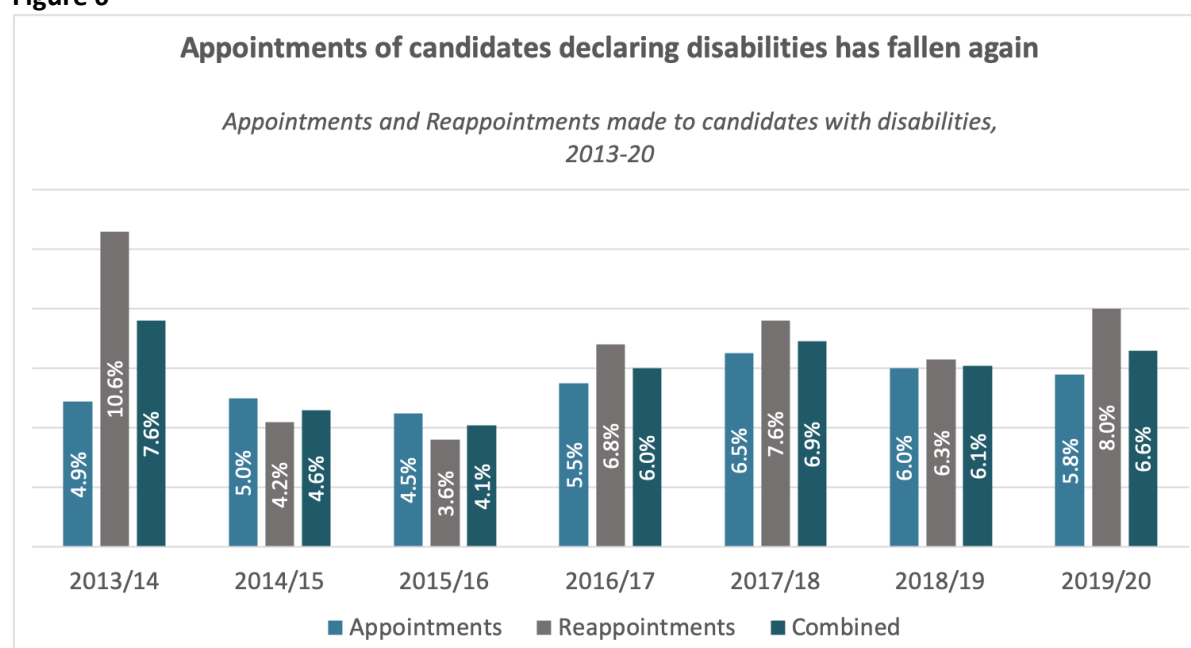
¹³ Table 27

Disability

82.7 percent of applicants reported their disability status in 2019-20,¹⁴ down from 87.5 percent last year. Reporting rates for those appointed slightly increased from last year (80.6 percent versus 78.6 percent) and for those reappointed (61.4 percent, up from 58.4 percent in 2018-19).¹⁵

Progress in getting more people with disabilities into public appointments has been slow, unlike with gender and ethnic background; figure 6 below shows how little progress has been made in the last several years. The proportion of appointees who declared a disability has decreased slightly from last year, from 6.0 to only 5.8 per cent. This is particularly disappointing since the publication two years ago of the Lord Holmes Review which included recommendations accepted by both the UK and Welsh Government to help get more people with disabilities into public appointments. For reappointments, the proportion is 8.0 percent, an increase from last year. For appointments and reappointments together the figure is 6.6 percent, up slightly from 6.1 percent last year.¹⁶ Amongst Welsh appointments only, the proportion of appointees and reappointees declaring a disability was 4.6 percent,¹⁷ falling from 5.5 percent in 2018-19.¹⁸

Figure 6



¹⁴ Table 15

¹⁵ Table 15

¹⁶ Tables 16, 17 18

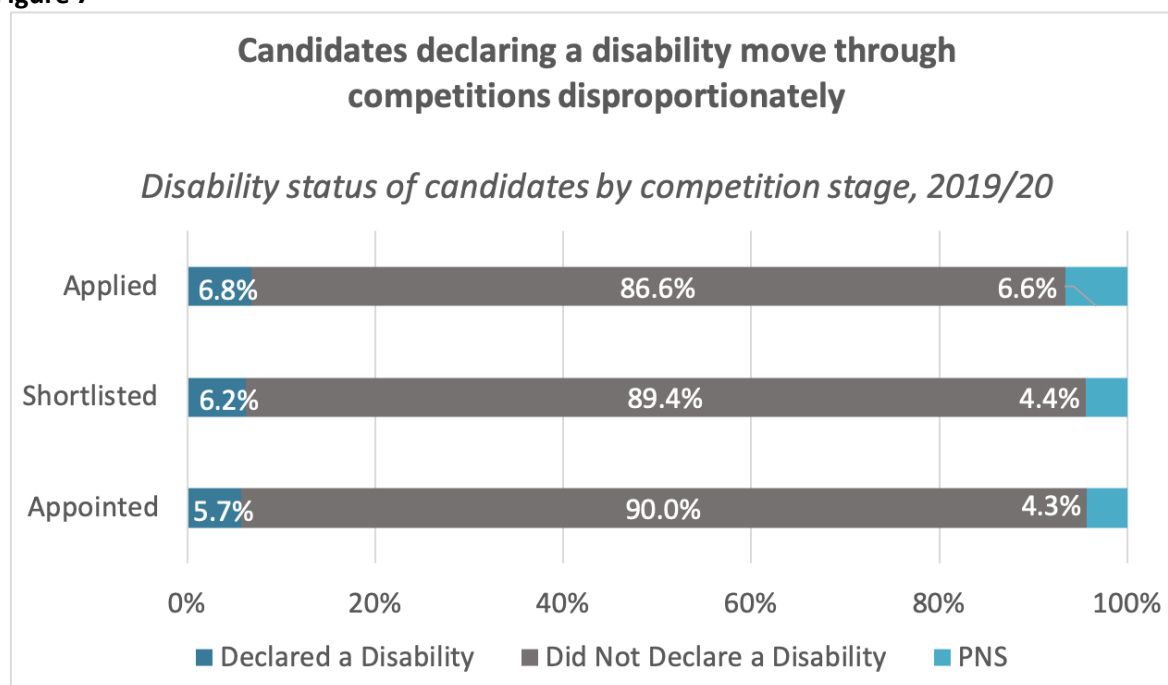
¹⁷ Table 65

¹⁸ Table 66

Looking at competitions stage by stage, the proportion of applicants declaring a disability is up slightly to 6.8 percent in 2019-20,¹⁹ from 6.7 percent the year before.

The proportion of candidates declaring disabilities slightly decreased at each stage of a competition - making up 6.8 percent of applicants, 6.2 percent of shortlisted candidates, and 5.7 percent of appointees.²⁰

Figure 7



Most disappointingly, fewer than 5 percent of new appointed chairs 2019-20 declared a disability,²¹ while 13.3 percent of reappointed chairs did.²² It is important to recognise that the overall chair figure of 5.9 percent is therefore made up from talent predominantly secured in previous years.²³

¹⁹ Table 28

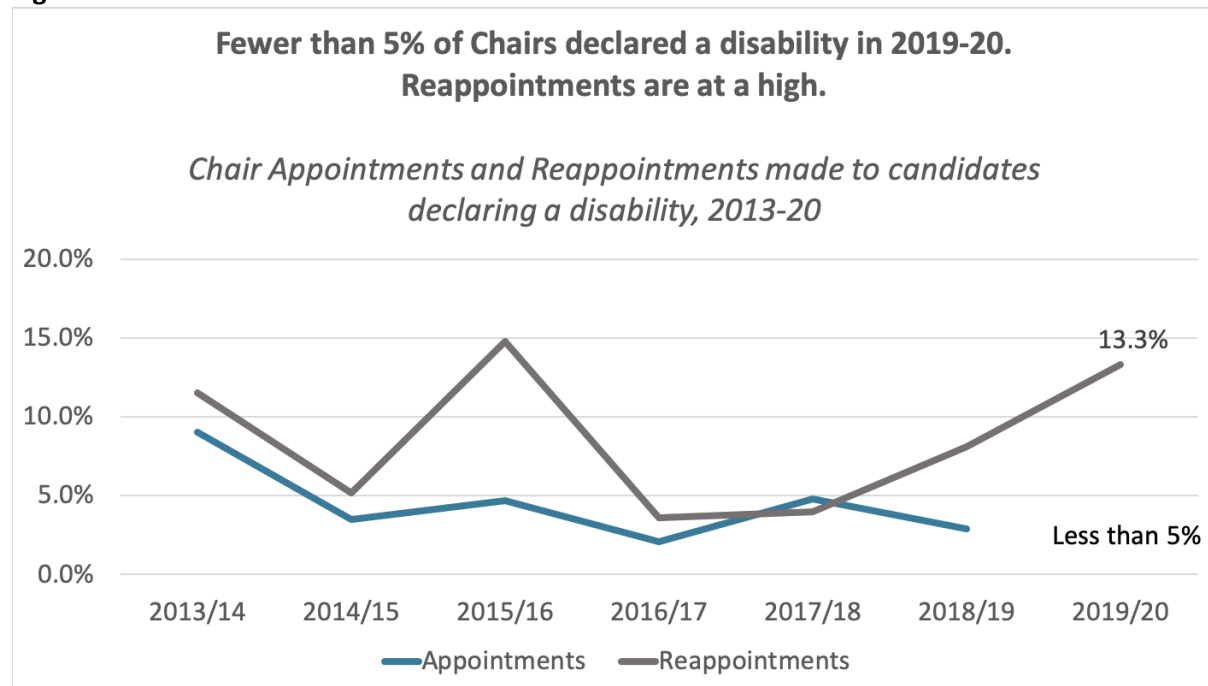
²⁰ Table 28

²¹ Table 16

²² Table 17

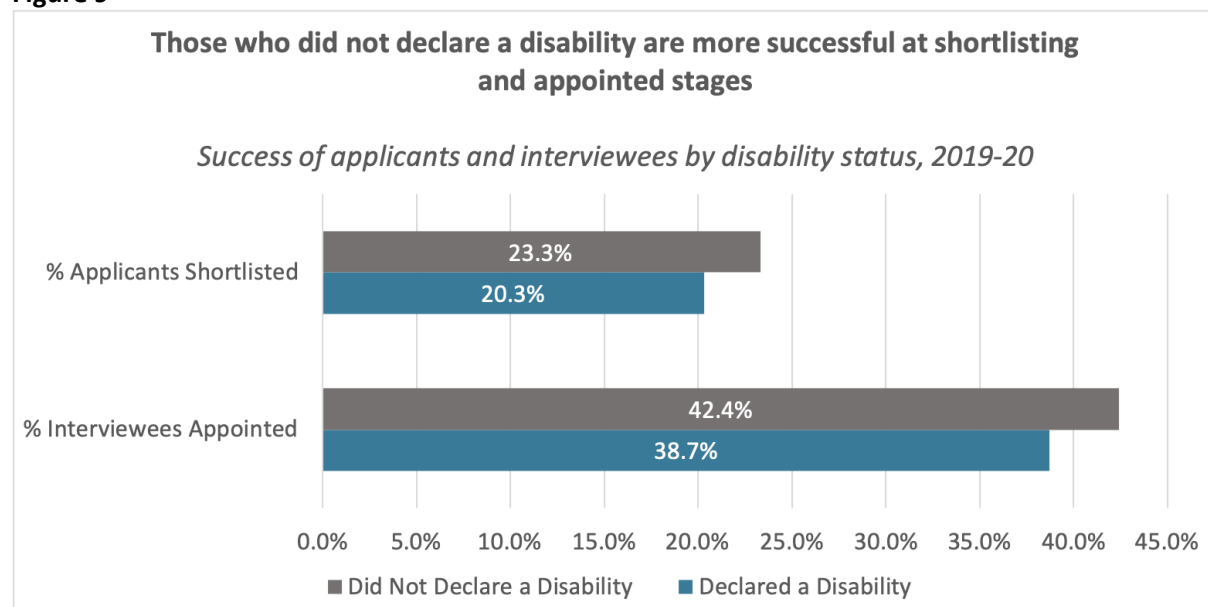
²³ Table 18

Figure 8



Unlike last year, applicants declaring disabilities were less successful than non-disabled applicants at each stage. Looking at competitions where we can track people across each stage, those applicants declaring a disability are slightly less likely to be shortlisted – 20.3 percent of disabled applicants were shortlisted - compared to those not declaring – 23.3 percent.²⁴

Figure 9

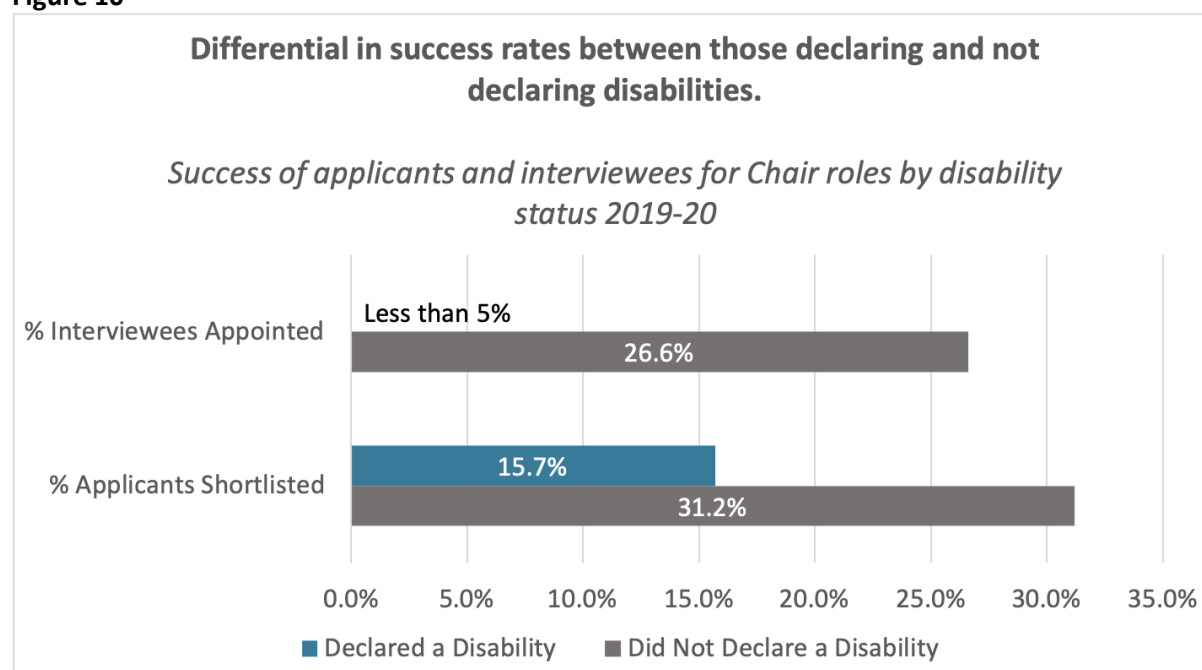


²⁴ Table 29

With chair roles, those declaring disabilities are disproportionately under-represented in shortlisted candidates/interviewees, and amongst appointees, compared to applicants. Looking where we can track applicants across each stage of a competition, those with disabilities made up 9.6 percent of applicants to chair roles, only 5.2 percent of shortlisted candidates, and fewer than five percent were appointed.²⁵ This continues the trend where fewer than five percent of new chairs declared disabilities in 2018-19 and 2017-18 too.

Looking at success of applicants through the process, 15.7 percent of applicants to chair roles declaring disabilities were shortlisted, compared to 31.2 percent of those not declaring a disability. While 26.6 percent of interviewees not declaring a disability went on to be appointed, this was fewer than five percent for disabled interviewees.²⁶

Figure 10



Gender

83.0 percent of appointees and 66.5 percent of reappointees reported their gender.²⁷ This reporting rate for appointees has fallen from last year, while grown slightly for reappointees. Better reporting from candidates is a key plank of both governments' diversity strategies, suggesting more must be done to build confidence amongst candidates to declare.

For the first time, the proportion of women newly appointed to NHSI trusts, independent monitoring boards, and all other bodies, is over 50 percent.²⁸ Overall, the proportion of new appointees who are

²⁵ Table 30

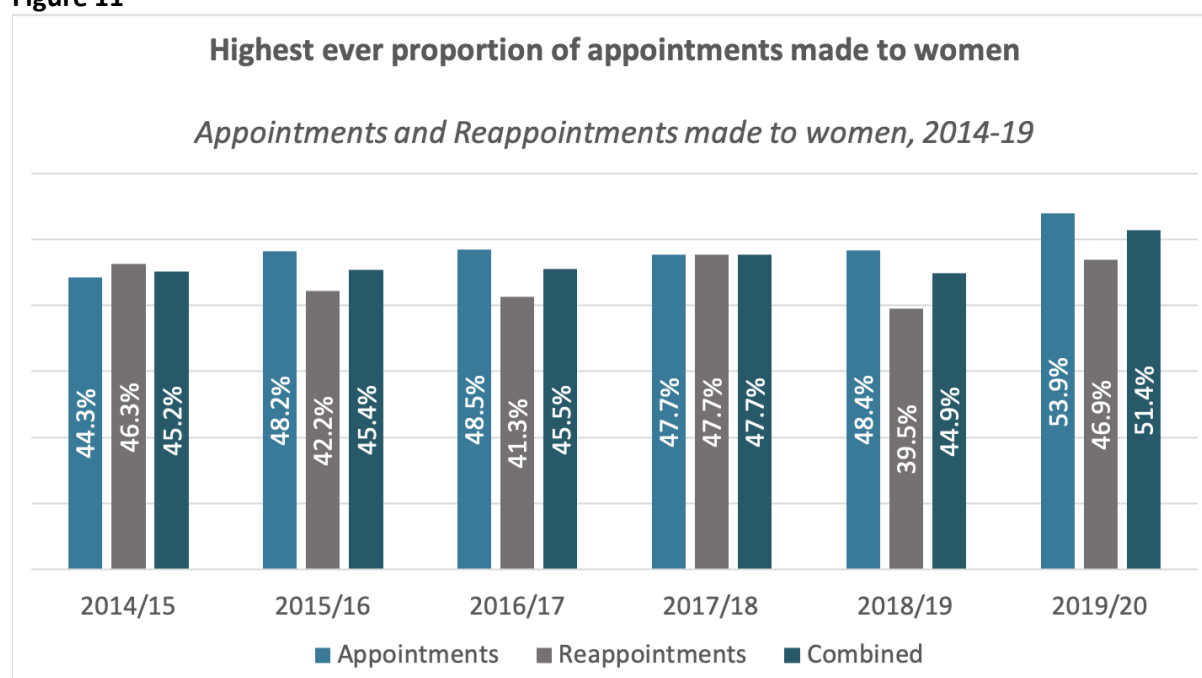
²⁶ Table 31

²⁷ Table 5

²⁸ Table 6

female is 53.9 percent (up from 48.4 percent last year), a genuine achievement towards the UK Government's ambition of 50 percent of the total appointees in post by 2022. The proportion of female reappointees is 46.9 percent,²⁹ (up from 39.5 percent) making the total proportion of appointees and reappointees declaring female in 2019-20 51.4 percent,³⁰ up from 44.9 percent last year.³¹

Figure 11



Within Welsh Government appointments only, the proportion of new appointments to those declaring female has fallen, from a record high of 57.7 percent last year, to only 43.4 percent this year.³² The proportion of new members who declared as female was 50.0 percent, but fewer than 5 per cent of new chairs declared female, dragging the overall average down.³³

This disparity on gender in chair roles seen in Wales is present in the whole UK and Wales dataset. Only 33.3 percent of appointed and reappointed chairs were female,³⁴ though this is an improvement on 30.8 percent recorded last year.

As with 2017-18 and 2018-19, the data shows that women progressed in greater proportions than men at the shortlisting stage, and in greater proportions from interview to appointment.³⁵ Looking at applicants through each stage of a competition, female candidates made up less than 40 percent of

²⁹ Table 7

³⁰ Table 8

³¹ Table 9

³² Table 63

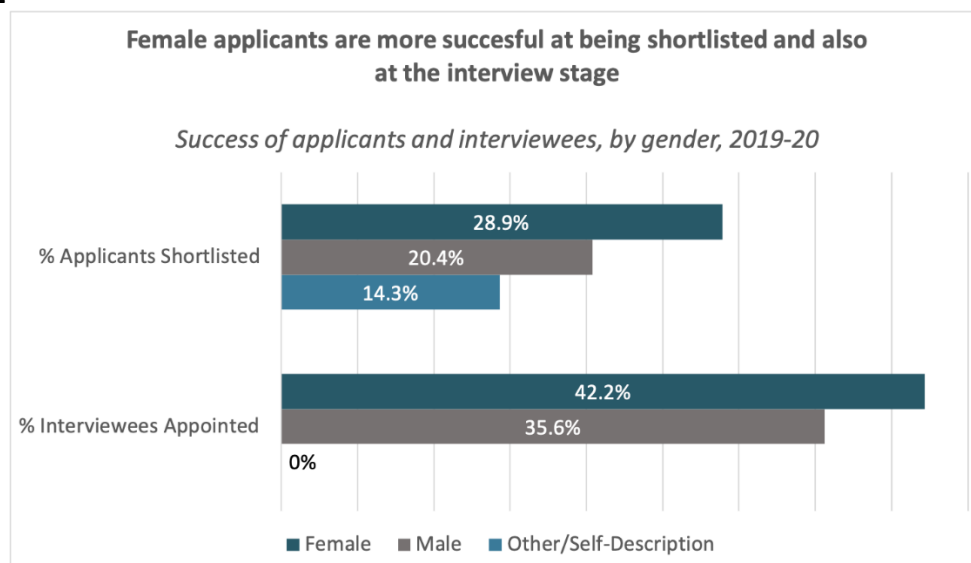
³³ Table 63

³⁴ Table 8

³⁵ Table 20

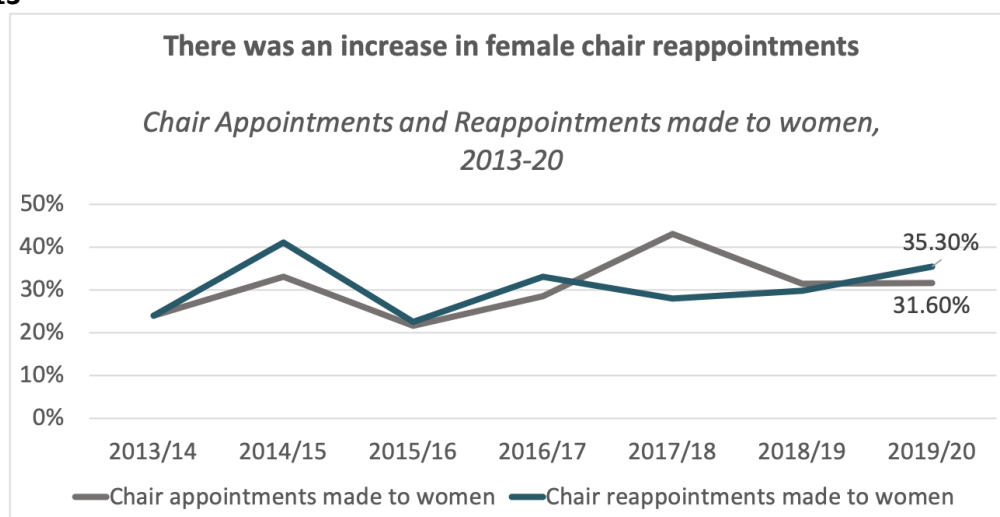
applicants but made up 47.5 percent of shortlisted candidates, and 51.8 percent of appointees. Those declaring male or self-description, and prefer not to say candidates, had their proportion of the whole fall at each stage (for example, males made up 58.8 percent of applicants, but only 47.3 percent of appointees).³⁶ Of all female applicants, 12.2 percent were appointed, compared to 7.3 percent of male applicants.³⁷

Figure 12



31.6 percent of chairs appointed in 2019-20 declared as female, slightly down on last year, whilst 35.3 percent of reappointed chairs did, an increase on last year.³⁸

Figure 13



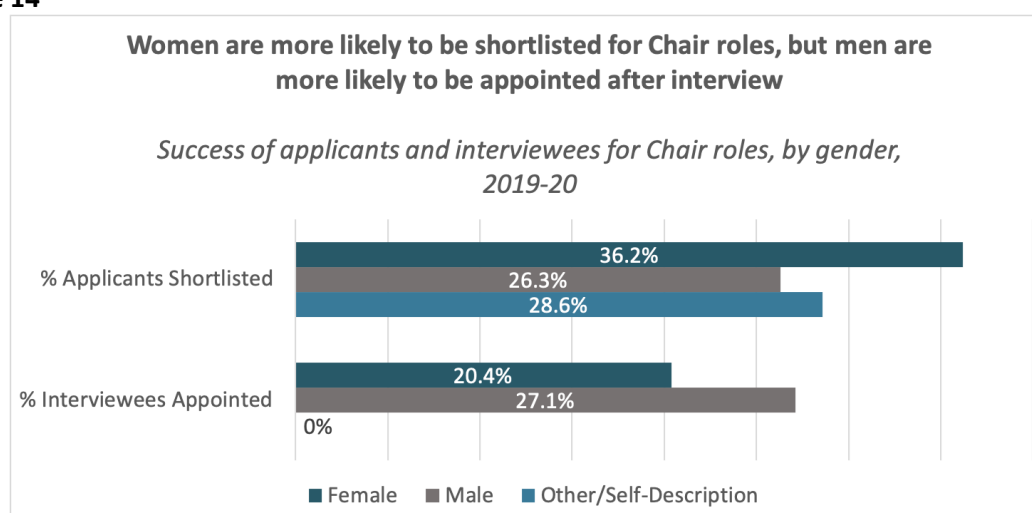
³⁶ Table 20

³⁷ Table 21

³⁸ Tables 6 and 7

The deficit we see in new chair appointments being made to those declaring female starts at the start - they made up only 28.1 percent of applicants for chair roles and subsequently gained 29.7 percent of chair appointments.³⁹ In contrast, males, making up 68.9 percent of chair applicants, made up 70.2 percent of chair appointments.⁴⁰ Looking at the 'success rates' of applicants by gender, of all the women who applied to chair roles, a greater proportion of them were shortlisted than male applicants.⁴¹ Males have a slightly greater rate of success from interview to appointment (seen in the figure below, 27.1 percent versus 20.4 percent), but 7.4 percent of female applicants were appointed; for males, this figure is 7.1 percent (seen in table 23).⁴² This illustrates how important it is to encourage women to apply as once in the system, the system appears to treating both females and males reasonably equally.

Figure 14



Area of principle residence

2018-19 was the first year OCPA reported on data relating to applicants and appointees declared regional area of residence. Data was only collected part way through that year; this year 2019-20 there is data for the whole year and consequently, we know the region where 76.0 percent of applicants and 77.5 percent of appointees are from.⁴³ (Last year these figures were only 56.2 percent and 36.9 percent respectively.) Some public bodies have members to specifically represent the different UK nations, but the small numbers of appointees based in Wales, Scotland and Northern Ireland show that for the most part, UK Government bodies are appointing people who are living in England, and for Welsh bodies, those from Wales.

³⁹ Table 22

⁴⁰ Table 22

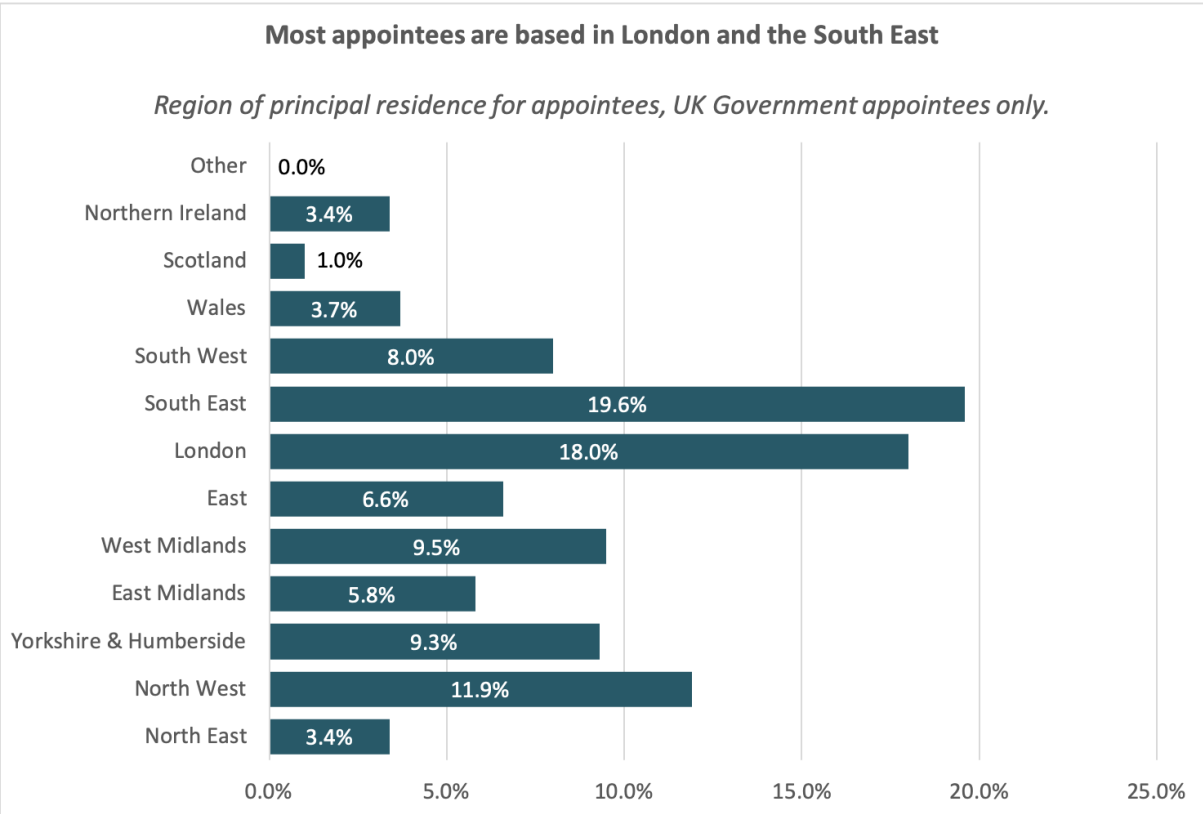
⁴¹ Table 23

⁴² Table 23

⁴³ Table 32

Looking at all appointments made by UK Government ministers only, the largest proportion of appointees stated they lived in the South East - 19.6 percent - and a further 18.0 percent in London.⁴⁴

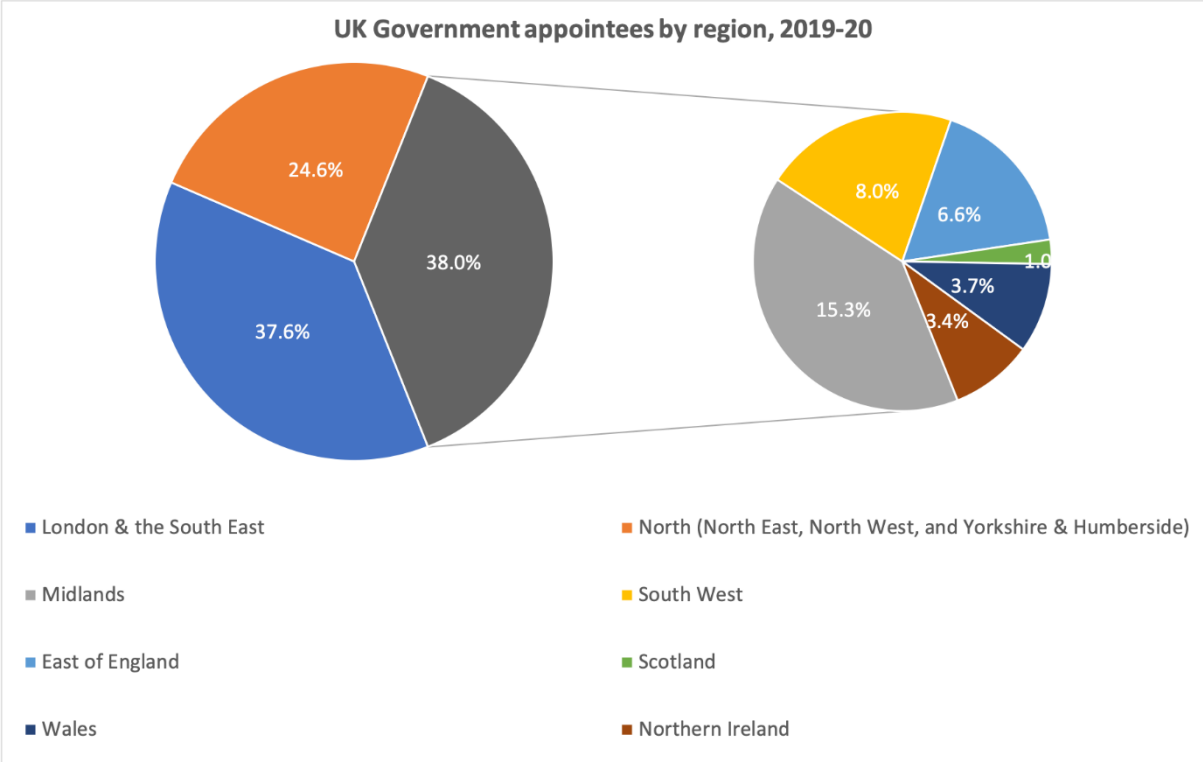
Figure 15



Grouping the regions, 37.6 percent of new appointees live in London and the South East, an increase from 28 percent last year. 24.6 percent live in Northern regions, with the remaining 37.9 percent throughout the rest of the UK.

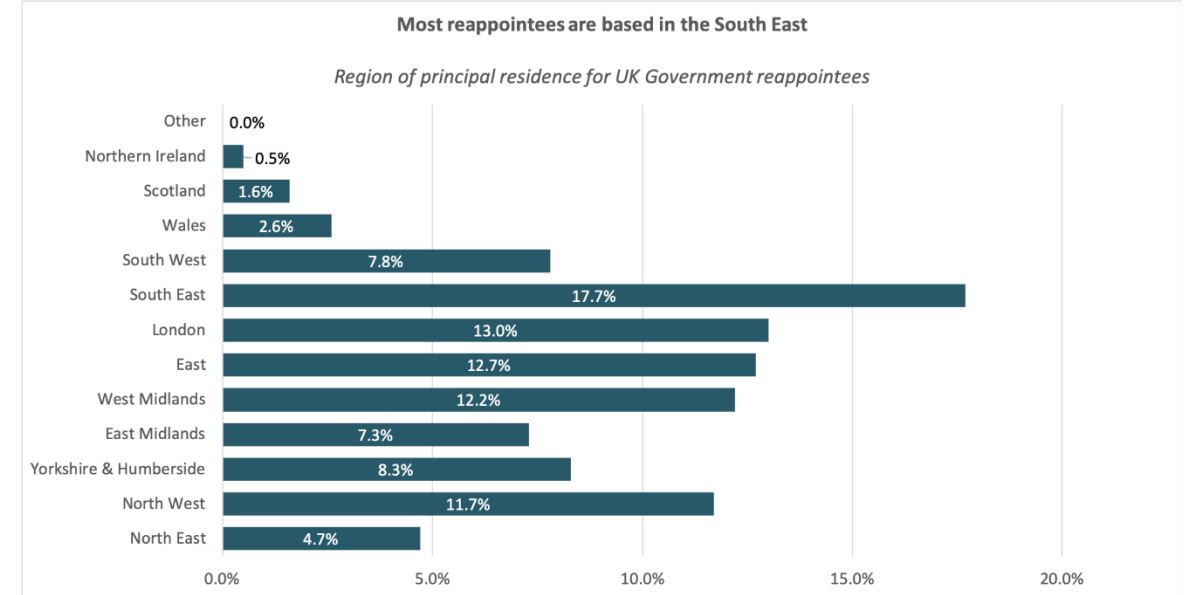
⁴⁴ Table 33

Figure 15.1



Amongst reappointees, a similar pattern emerges, with the South East dominating (17.7 percent), with London, the West Midlands, the East and the North West following.⁴⁵

Figure 16



⁴⁵ Table 34

Almost half of all new chairs appointed by the UK Government were from London and a further 13.8 percent from the South East. The next most well-represented regions are Yorkshire and Humberside, the East and South West just over 10 percent each. No chairs declared residence outside of England.⁴⁶

Things are slightly more equal on a regional basis for member roles. Members from London and the South East made up just over a third of new appointed members, with the North West and Yorkshire and Humberside following with 12.5 per cent and 9.3 percent each.⁴⁷

Looking at Welsh Government appointments alone, 100 percent of appointed and reappointed chairs declared their residence within Wales.⁴⁸ 6.9 percent of appointed and reappointed members declared residence outside of Wales, with the remaining 91.4 percent based in Wales.⁴⁹

Age

Reporting rates for age have fallen from last year, with only 69.4 percent of appointees and 60.4 percent reappointees declaring their age.⁵⁰ The Commissioner notes that public appointment roles often lend themselves to candidates with career experience, bringing a certain degree of expertise to a board. It is also possible that portfolio careers are perhaps more attractive to those with the flexibility to attend board meetings. It is important, however, to bring a younger perspective to boards where possible, in particular for those public bodies that provide services to a broad age range, as with other forms of diversity that bring different perspectives.

There is a predominance of appointees who declare themselves as within the 55-64 category, a similar finding to last year.⁵¹ 38.9 percent of members appointed last year were aged 55-64,⁵² and almost 40 percent of reappointed members.⁵³ However, almost half (48.4 percent) of new members appointed last year were under 55 (up from 45.9 percent last year), with an increase in the 35 to 44 age group in particular.⁵⁴

⁴⁶ Table 33

⁴⁷ Table 33

⁴⁸ Table 67

⁴⁹ Table 67

⁵⁰ Table 36

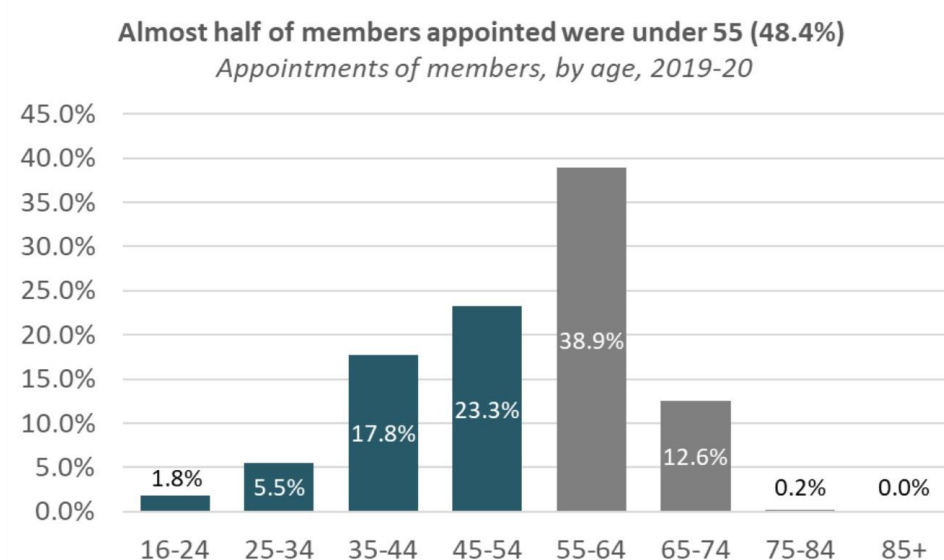
⁵¹ Table 37

⁵² Table 37

⁵³ Table 38

⁵⁴ Table 37

Figure 17



Chairs, understandably, have an older age profile than members. 25.0 percent of appointed chairs were aged under 55, almost half (47.2 percent) were between the ages of 55 and 64. The remaining 27.8 percent were aged between 65 and 74;⁵⁵ there were no chairs appointed over the age of 75.⁵⁶ Only 10.3 percent of reappointed chairs were aged under 55.⁵⁷

Amongst appointees and reappointees from the Welsh Government, a similar pattern emerges, with 45.3 percent being aged between 55 and 64, 43.8 percent were aged under 55, and a further 10 percent over 65.⁵⁸

Sexual Orientation

77.8 percent of appointees reported information about their sexual orientation, but this falls to less than 60 percent of reappointees.⁵⁹ 5.0 percent of appointments and reappointments this year were made to LGB+ people for both chair and member roles,⁶⁰ down slightly from 5.2% last year.

⁵⁵ Table 37

⁵⁶ Table 37

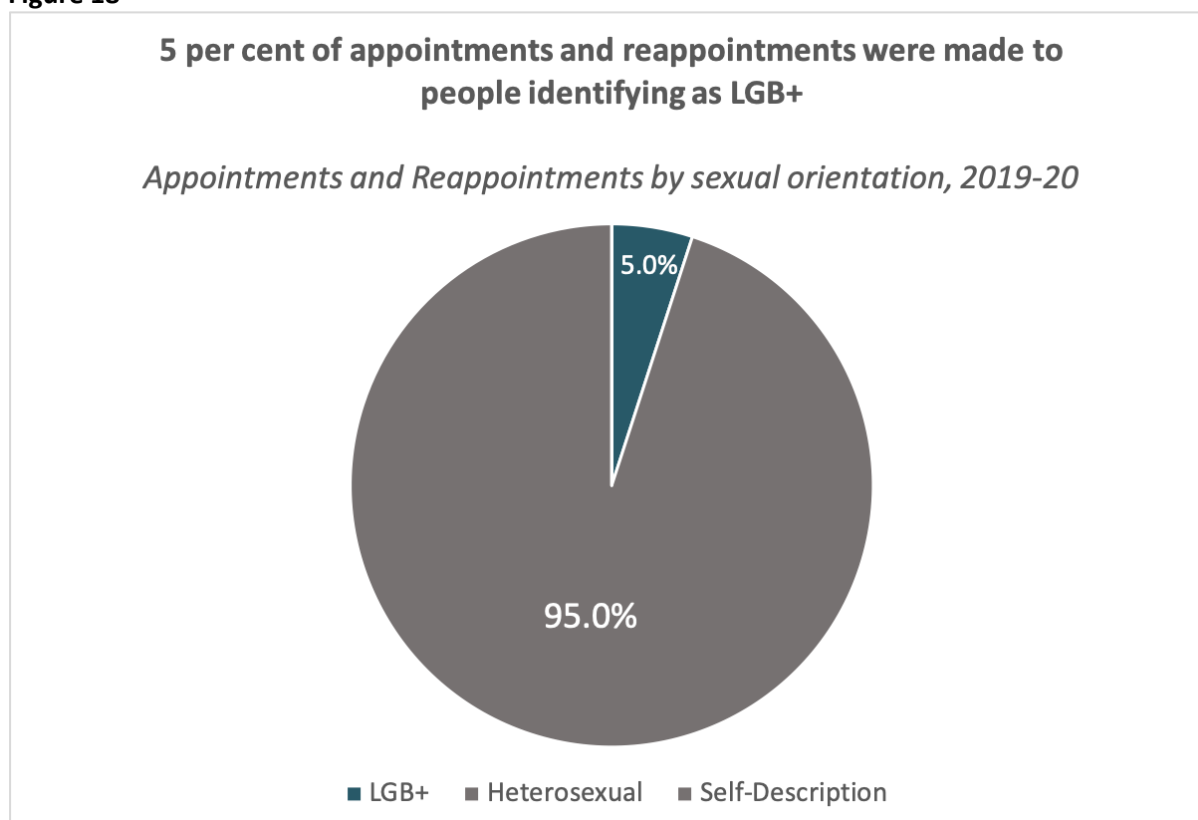
⁵⁷ Table 38

⁵⁸ Table 68

⁵⁹ Table 40

⁶⁰ Table 41

Figure 18



Amongst Welsh Government appointments only, 5.1 per cent of appointees and reappointees declared their sexuality as LGB+. ⁶¹

Additional appointments

Applicants are asked about any other public appointments currently held (not whether they have ever held one before).

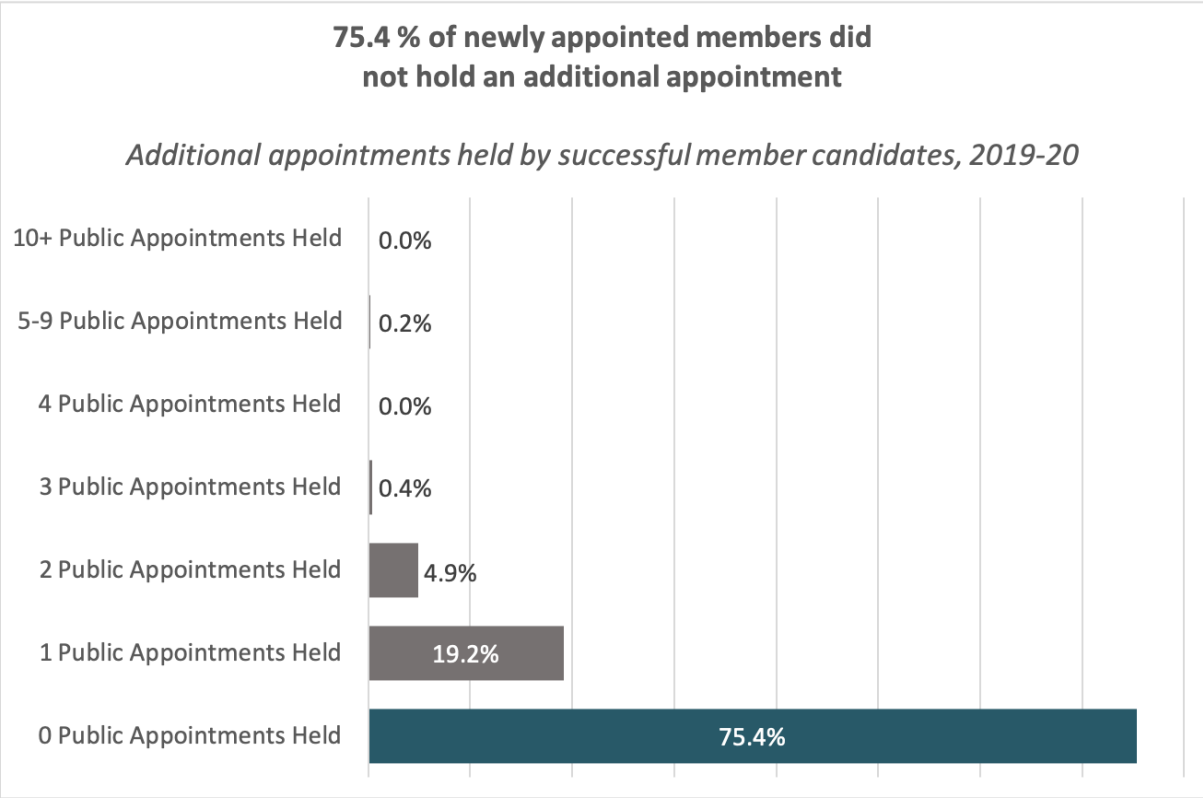
Looking at chairs and members together, 72.3 per cent of new appointees this year were taking on their only public appointment (last year this was 73 per cent), and 21.2 per cent were taking on their second (last year, 19.1 per cent). Only 5.6 per cent were taking on their third or more appointment - this was 7.5 per cent last year. ⁶²

⁶¹ Table 69

⁶² Table 43

Unsurprisingly, almost 75 percent of newly appointed chairs had other public appointments, but for members it was the opposite, with 75.4 percent of new member appointees taking on their only appointment.⁶³

Figure 19



Amongst Welsh Government appointments, over half of appointees and reappointees held no other public appointments, and a further third held only one other.⁶⁴

Looking at competitions where we have data at every stage, we can compare the success rates of candidates who hold other appointments, to see whether this confers some advantage to them progressing through a competition.

Applicant holding at least one appointment does confer advantage over those applicants aiming to take on their only appointment; of those who were applying for their only public appointment, the success rate was 6.5 percent,⁶⁵ while for those applicants who held 1 or 2 other appointments, the success rate was over 10 percent. Holding three or four more appointments does not increase success

⁶³ Table 43

⁶⁴ Table 70

⁶⁵ Table 46

by very much, and while success rates for those with 5 or more other appointments are high they are based on the success of very few individuals.⁶⁶

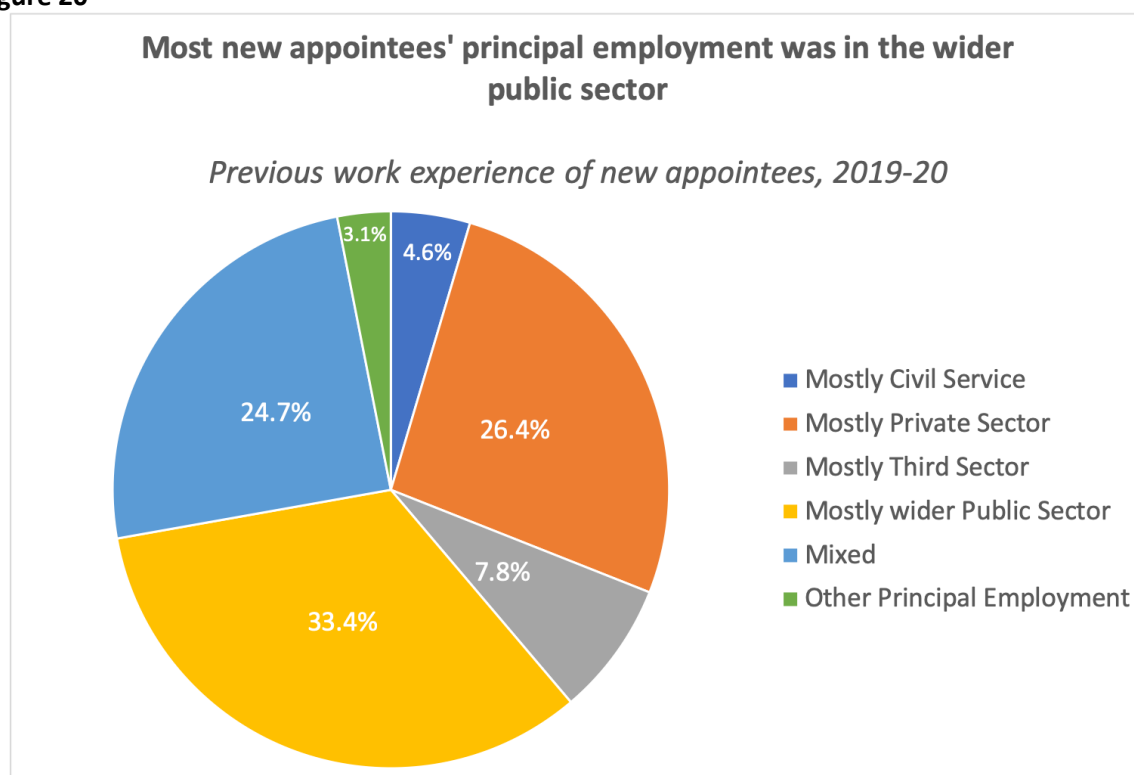
Looking at chair roles only, the advantage from holding other public appointments is more marked. Only 2.9 percent of applicants to chair roles who held no other public appointments were eventually appointed, climbing to 14.0 percent of those holding one other, and 17.1 percent of those holding two other appointments.⁶⁷

Principal employment

Last year's report covering 2018-19 was the first time the Commissioner had examined and reported on data around appointees' principal employment. This enables understanding around the career background of the people attracted to public appointment roles.

47.2 percent of newly appointed chairs in 2019-20 declared a mostly public sector background, much like 2018-19, with 30.6 percent mixed and a further 16.7 percent from the private sector. For appointed members, employment was much more evenly distributed, with 32.7 percent from the public sector, 26.9 percent from the private sector, and 24.4 percent declaring a mix.⁶⁸ Figure 20 puts chairs and members together.

Figure 20



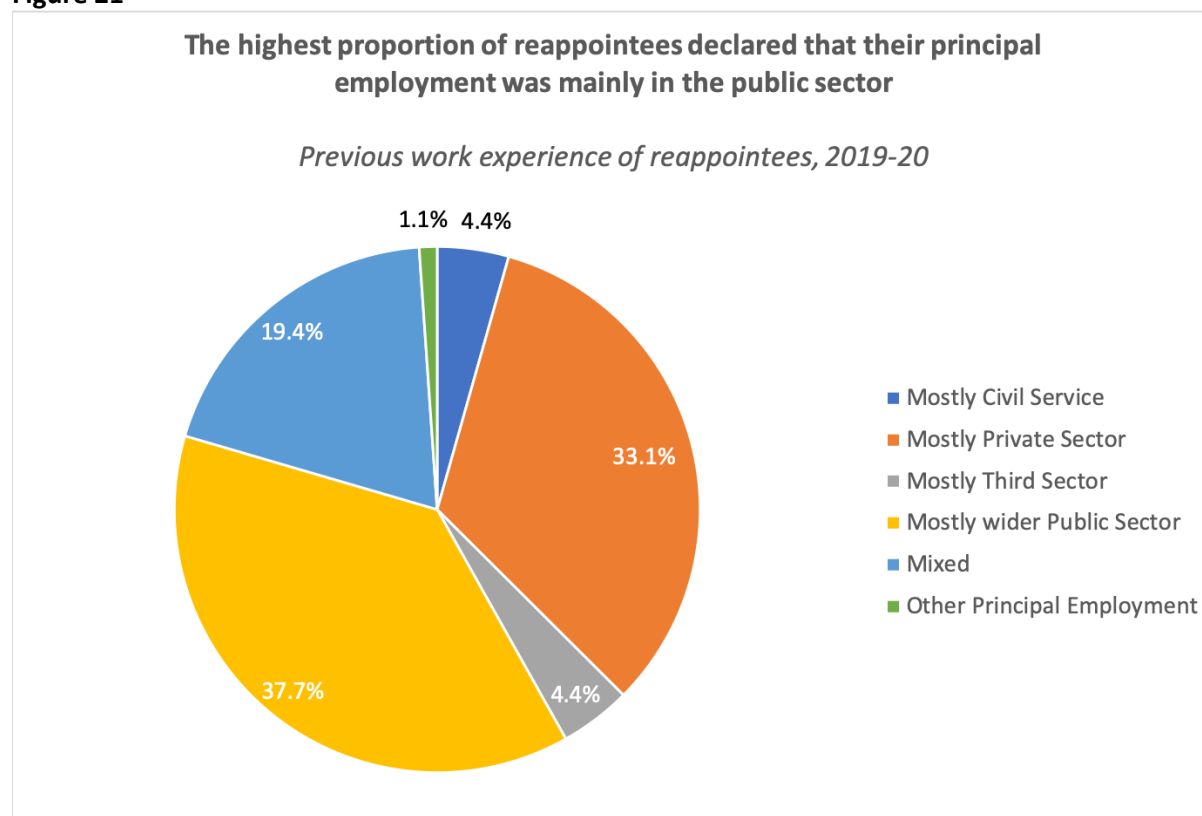
⁶⁶ Table 46

⁶⁷ Table 47

⁶⁸ Table 49

Reappointed chairs were more likely to come from the private sector – 42.9 percent - with those from the public sector making up 39.3 percent. For reappointed members this pattern was 37.6 percent from the public sector, 32.2 percent from the private sector and 19.5 percent mixed.⁶⁹ Figure 21 looks at chairs and members together.

Figure 21



Within Welsh Government appointments alone, 40.3 percent of appointees and reappointees were from the wider public sector, with a further 30.6 percent declaring a mixed employment background, and 21.0 percent from the private sector.⁷⁰

Political Activity

The Code mandates transparency around any appointees who undertake significant political activity. This is defined as holding office, public speaking, making a recordable donation and candidature for election within the 5 years prior to application. Political activity should not affect any judgement of merit nor be a bar to appointment (Code, para 9.2).

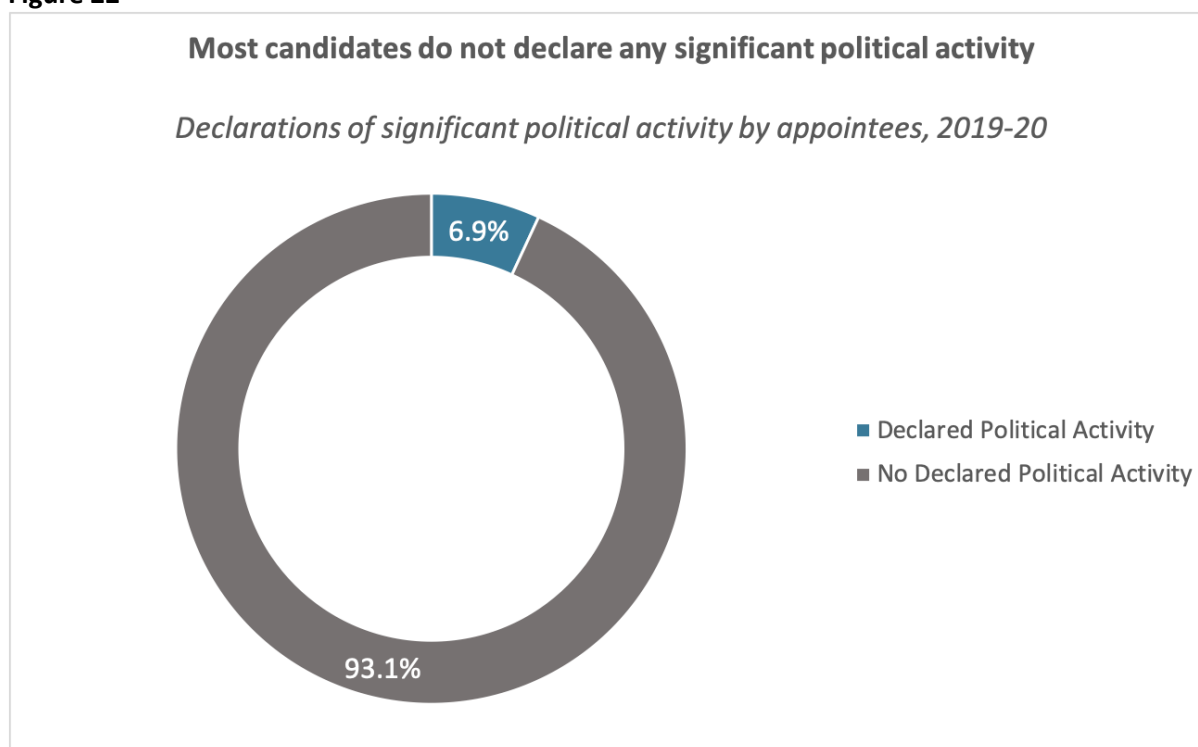
Those appointed (both chairs and members) from Independent Prison Monitoring Boards are slightly more likely to declare political activity (9.5 percent), compared to those appointed to NHS bodies (6.5

⁶⁹ Table 50

⁷⁰ Table 71

percent) and the remainder of bodies (6.1 percent). Overall, the rate of new appointees declaring significant political activity is 6.9 percent, which is less than last year (9.9 percent).⁷¹

Figure 22



For reappointments, the rate of significant activity is even lower, with only 3.5 percent of reappointees declaring political activity.⁷² Together, only 5.7 percent of all appointees and reappointees in 2019-20 declared significant political activity.⁷³ The rate within Welsh Government appointments and reappointments is 6.2 percent.⁷⁴

Those declaring significant political activity are asked to declare which party this activity was undertaken. Candidates can declare activity for more than one party. Where political activity has been declared by appointees and reappointees for all UK and Welsh Government appointments, there is a slight prevalence of affiliations with the Labour Party (38.2 percent), followed by the Conservative Party (36.8 percent).⁷⁵ This affiliation is reversed looking at declarations made by chairs only.⁷⁶ Within Wales, half of declared activity is on behalf of Plaid Cymru.⁷⁷

⁷¹ Table 53

⁷² Table 54

⁷³ Table 55

⁷⁴ Table 72

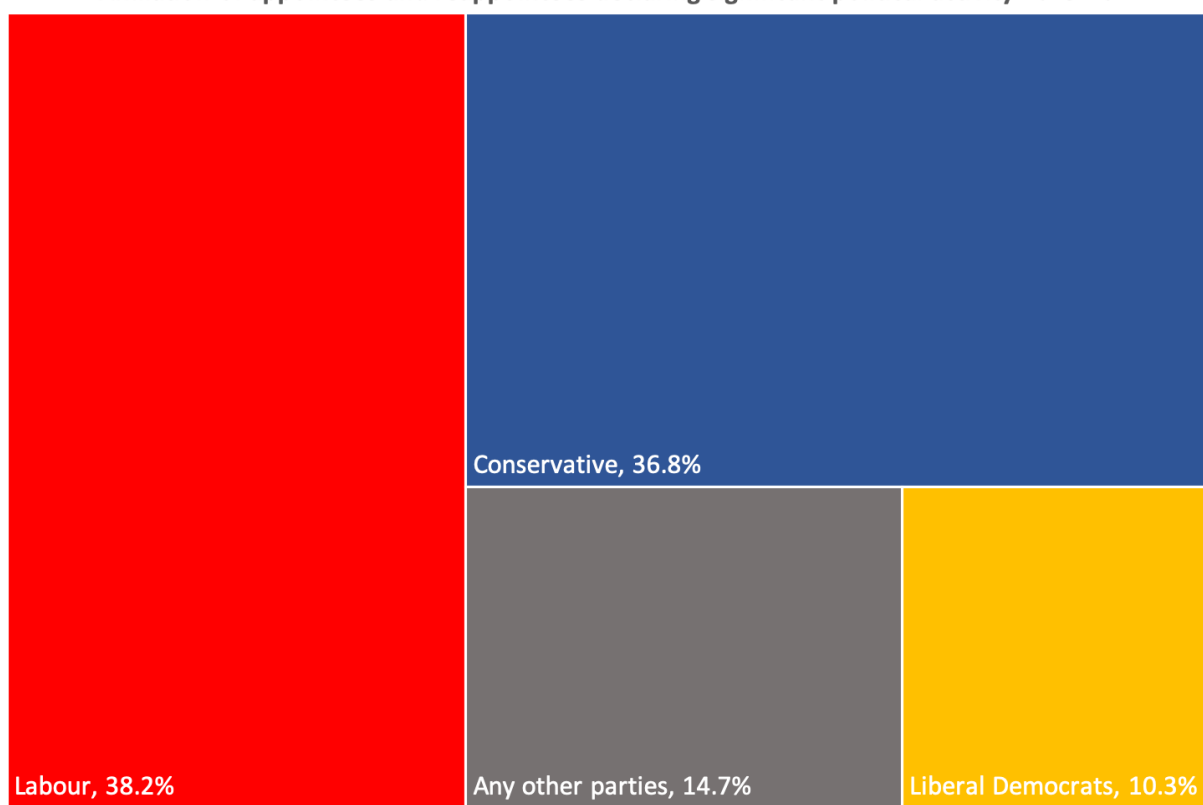
⁷⁵ Table 57

⁷⁶ Table 57

⁷⁷ Table 73

Figure 23

Affiliation of appointees and reappointees declaring significant political activity 2019-20



Priorities for 2020-2021

At the time of writing this report, the competition to find the next Commissioner for Public Appointments is underway. My role, as I have seen over the last four and a half years, depends not only on the office holder being independent and impartial, but also on an ability to understand and navigate Whitehall, and Cardiff Bay, both publicly, and privately. As seen in the successful development of the compliance visits by the OCPA team, a key part has been to create and nurture positive and trusted relationships with departments, to offer advice before problems become serious, and to share best practice to lift performance. The Code, now in its fourth year, is well-embedded. Almost all likely scenarios for public appointments - what happens in General Elections, when Board members become sick, when applicants use social media, when ministers change, and when pandemics keep everyone apart - have been tested. This is not to say more shocks may not come, but the Code and its practitioners, officials and ministers, have been resilient and diligent in operating processes and practices.

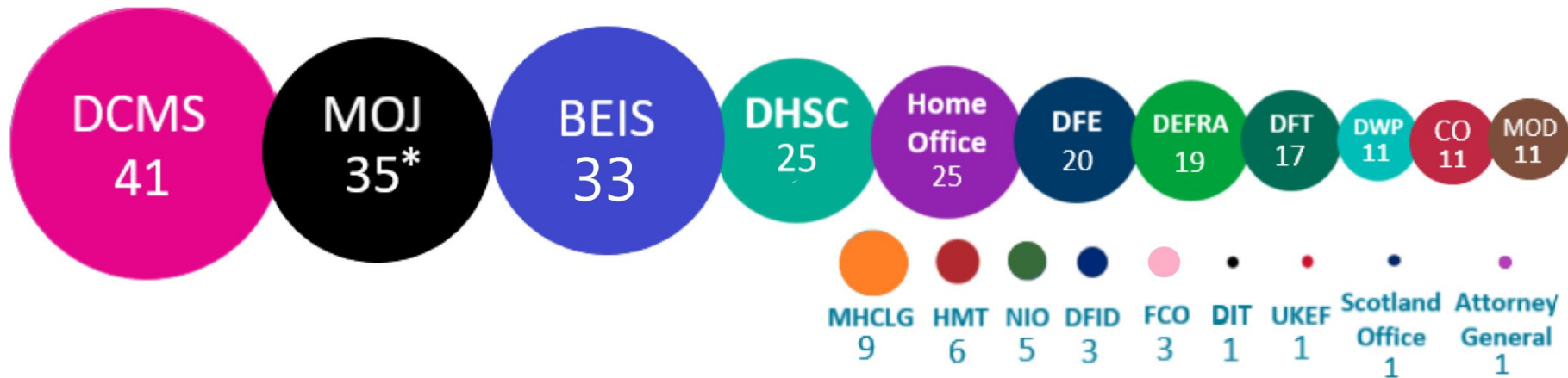
What has become increasingly clear is that the Code's strengths and its ability to keep the confidence of the public lies both in adhering to its spirit as well as its letter. Everyone recognises, or should recognise, what a fair and open recruitment process looks like. However, I fear that attempts to stretch that definition beyond the spirit of the Code are becoming more common and are likely to be more of a concern to my successor. The Commissioner's office, with its independence, can and must be used to highlight such threats, and to use opportunities for private discussion and negotiation in order to uphold the principles of the Code. Recent media stories on public appointments, and the controversy around other appointments - not regulated by my office - have contributed to what I see as a worrying erosion of public faith in the processes by which the government makes appointments. I have made it clear that ministers have ample opportunities to shape the appointments process within the Code, and that the decision on appointees is always for them to make. They can make known their views on candidates and will no doubt encourage applicants who are sympathetic to the present government's aims, as has happened when previous parties have been in office. All of this is within the principles of the Code. My concern is that the choice of appointable candidates should be based on merit through fair and open competition in line with the announced job specification without attempts to predetermine the outcome. The Code's provisions on timeliness, candidate care, conflicts of interest and the role of independent panel members are also well-defined by now and I would urge my successor to uphold these provisions.

In 2020-21, OCPA has been working through the Covid-19 pandemic by working mainly from home, keeping up engagement with departments, processing case work, undertaking research for the thematic review, and meeting national accessibility requirements for its website. I also appeared before the Public Administration and Constitutional Affairs Committee and the Committee on Standards in Public Life in October 2020, expanding on the points I have made here. Priorities for the remainder of the year include publishing the thematic review into remuneration, launching the mentoring scheme in partnership with the Cabinet Office PAPT and the PCF, and further engagement with Permanent Secretaries to match the visits I made at the start of my tenure. My office will also be preparing for the new Commissioner taking over the leadership of OCPA in April 2021, alongside a new Civil Service Commissioner from September 2021. I look forward to seeing my successor taking over a fascinating and important job and shaping it to build upon OCPA's success thus far, without, I hope, all the political and other upheavals and disruption which I have experienced. My successor will

have an opportunity to encourage the recruitment and development of a wider range of candidates for public appointments not only in terms of gender, ethnic background and disability but also socially and geographically and in terms of life experience and views.

In 2019-20 the Commissioner for Public Appointments regulated appointments to 333 Public Bodies*

Regulated bodies



The Commissioner for Public Appointments regulates appointments to the boards of over 300 public bodies of 20 departments in the UK Government and the Welsh Government. The most recent list of bodies is in the Order in Council November 2019, and reproduced here for ease of reference. Mostly, the Commissioner regulates all the non-executive members and chairs of boards but there are some cases where only individual roles on the bodies are OCPA-regulated and this is detailed in list below. *Appointments to the Trade Remedies Authority, Digital Health and Care Wales and the Office of Environmental Protection are currently made under Section 2(4) of the Order in Council that allows competitions to be regulated by the Commissioner when the body itself does not yet exist in law.

Attorney General's Office

Her Majesty's Crown Prosecution Service
Inspectorate

Department for Business, Energy and Industrial Strategy

Advisory, Conciliation and Arbitration Service
British Business Bank, Chair only
British Hallmarking Council
Central Arbitration Committee
Certification Officer

Civil Nuclear Police Authority

Coal Authority

Committee on Climate Change

Committee on Fuel Poverty

Committee on Radioactive Waste

Management

Competition and Markets Authority Board

Competition Appeal Tribunal

Competition Service

Electricity Settlements Company Ltd, Chair
and Senior Independent Director only

Financial Reporting Council

Gas and Electricity Markets Authority

Groceries Code Adjudicator

Labour Market Enforcement Director

Land Registry

Low Carbon Contracts Company Ltd, Chair and
Senior Independent Director Only

Low Pay Commission

National Nuclear Laboratory

National Physical Laboratory (NPL)
Management Ltd, Chair only

Nuclear Decommissioning Authority
Nuclear Liabilities Fund
Oil and Gas Authority, Chair only
Ordnance Survey, Chair only
Post Office Ltd, Chair only
Pubs Code Adjudicator and Deputy Pubs Code
Adjudicator
Regulatory Policy Committee
Small Business Commissioner
UK Atomic Energy Authority
UK Research and Innovation

Cabinet Office

Advisory Committee on Business
Appointments, excluding political members
Boundary Commission for England
Boundary Commission for Wales
Civil Service Pensions Board
Committee on Standards in Public Life,
excluding political appointments
Equality and Human Rights Commission
House of Lords Appointment Commission,
excluding political members
Office of the Registrar of Consultant Lobbyists
Security Vetting Appeals Panel
Senior Salaries Review Body
UK Statistics Authority Board

Department for Digital, Culture, Media and Sport

The Advisory Council on National Records and
Archives
Arts Council England
Big Lottery Fund (The National Lottery
Community Fund)
Birmingham Organising Committee for the
2022 Commonwealth Games Ltd
British Broadcasting Corporation
British Film Institute
British Library
British Museum
Charity Commission for England and Wales
Gambling Commission
Geffrye Museum
Historic Buildings and Monuments
Commission for England
Historic Royal Palaces
Horniman Public Museum and Public Park
Trust
Horserace Betting Levy Board
Imperial War Museum
Information Commissioner
National Citizen Service Trust
National Gallery
National Heritage Memorial Fund/Heritage
Lottery Fund (The National Lottery Heritage
Fund)
National Museums Liverpool
National Portrait Gallery
Natural History Museum
Office of Communications (OFCOM)

Reviewing Committee on the Export of Works
of Art and Objects of Cultural Interest
Royal Armouries
Royal Museums Greenwich
Science Museum Group
Sianel Pedwar Cymru (S4C)
Sport England
Sports Grounds Safety Authority
Tate
The Royal Parks
Theatres Trust
Treasure Valuation Committee
UK Sport
United Kingdom Anti-Doping Ltd
Victoria and Albert Museum
VisitBritain
VisitEngland
Wallace Collection

Department for Education

Adoption and Special Guardianship Leadership
Board, Chair only
Child Safeguarding Practice Review Panel
Children's Commissioner for England
Construction Industry Training Board
Engineering Construction Industry Training
Board
Film Industry Training Board
Further Education Commissioner's Office,
Commissioner and Deputy only
Her Majesty's Chief Inspector of Education,
Children's Services and Skills

Independent Assessors for Student Finance,
Appeals and Complaints
Institute for Apprenticeships and Technical
Education
LocatEd
Office for Standards in Education, Children's
Services and Skills (Ofsted)
Office for Students
Office of Qualifications and Examinations
Regulation (Ofqual)
Residential Care Leadership Board, Chair only
School Teachers' Review Body
Social Mobility Commission
Social Work England
Student Loans Company Ltd

Department for Environment, Food and Rural Affairs

Advisory Committee on Releases to the
Environment
Agriculture and Horticulture Development
Board
British Wool Marketing Board
Broads Authority
Conservation Board for the Chilterns Area of
Outstanding Natural Beauty, with the
exception of parish members
Conservation Board for the Cotswolds Area of
Outstanding Natural Beauty, with the
exception of parish members
Consumer Council for Water
Covent Garden Market Authority
Environment Agency

Forestry Commission
Joint Nature Conservation Committee
Marine Management Organisation
National Park Authorities, with the exception
of parish members
Natural England
Office for Environmental Protection*
Regional Flood and Coastal Committees, Chair
only
Royal Botanic Gardens, Kew
Science Advisory Council
Sea Fish Industry Authority
Water Services Regulation Authority (OFWAT)

Department for International Development

CDC Group Plc
Commonwealth Scholarship Commission
Independent Commission for Aid Impact

Department for International Trade

Trade Remedies Authority*

Department for Transport

British Transport Police Authority
Civil Aviation Authority
Disabled Persons Transport Advisory
Committee
Dover Harbour Board, Chair only
East West Rail Company
Harwich Haven Authority, Chair only
Highways England, Chair only
HS2 Ltd

Independent Commission on Civil Aviation
Noise
London and Continental Railways Ltd
Milford Haven Port Authority, Chair only
Network Rail, Chair only
Office of Rail and Road
Port of London Authority, Chair only
Port of Tyne Authority, Chair only
Traffic Commissioners
Transport Focus

Department for Work and Pensions

BPDS Ltd
Health and Safety Executive
Industrial Injuries Advisory Council
Money and Pensions Service
National Employment Savings Trust
Office for Nuclear Regulation
Pension Protection Fund, Chair only
Pension Protection Fund Ombudsman
Pensions Ombudsman
Pensions Regulator
Social Security Advisory Committee

Department of Health and Social Care

Advisory Committee on Clinical Excellence
Awards, Chair and Medical Director only
Advisory Committee on Resource Allocation,
Chair only
British Pharmacopoeia Commission
Care Quality Commission
Commission on Human Medicines

Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment
 Food Standards Agency
 Health and Social Care Information Centre (NHS Digital)
 Health Education England
 Health Research Authority
 Human Fertilisation and Embryology Authority
 Human Tissue Authority
 Independent Reconfiguration Panel Monitor (part of the operating body known as NHS Improvement)
 National Data Guardian
 National Institute for Health and Care Excellence
 NHS Blood and Transplant
 NHS Business Services Authority
 NHS Commissioning Board (NHS England)
 NHS Counter Fraud Authority
 NHS Litigation Authority (NHS Resolution)
 NHS Pay Review Body
 NHS Trust Development Authority (part of the operating body known as NHS Improvement)
 Office for Strategic Coordination of Health Research, Chair only
 Review Body on Doctors' and Dentists' Remuneration

Export Credits Guarantee Department (UK Export Finance)

Export Guarantee Advisory Council

Foreign and Commonwealth Office

Great Britain-China Centre
 Marshall Aid Commemoration Commission
 Westminster Foundation for Democracy

HM Treasury

Court of Directors of the Bank of England, with the exception of the Governor and Deputy Governors
 Crown Estate Commissioners
 Financial Conduct Authority
 National Savings and Investments
 Royal Mint Advisory Committee on the Design of Coins, Medals, Seals and Decorations
 UK Government Investments

Home Office

Advisory Council on the Misuse of Drugs
 Animals in Science Committee
 Appointed Person under the Proceeds of Crime Act 2002
 Biometric and Forensics Ethics Group
 College of Policing Board of Directors
 Commissioner for the Retention and Use of Biometric Material
 Disclosure and Barring Service
 Forensic Science Regulator
 Gangmasters and Labour Abuse Authority
 Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services
 Independent Anti-Slavery Commissioner
 Independent Chief Inspector of Borders and Immigration

Independent Family Returns Panel
 Independent Monitor of the Disclosure and Barring Service
 Independent Office for Police Conduct
 Independent Reviewer of Terrorism Legislation
 Members of the Visiting Committee of any immigration removal centre or short-term holding facility
 Migration Advisory Committee
 National Crime Agency Remuneration Review Body
 Office of the Immigration Services Commissioner
 Police Advisory Board for England and Wales
 Police Remuneration Review Body
 Security Industry Authority
 Surveillance Camera Commissioner
 Technical Advisory Board (for the Regulation of Investigatory Powers Act 2000), with the exception of Agency Members

Ministry of Defence

Armed Forces Pay Review Body
 Defence Nuclear Safety Committee
 Independent Medical Expert Group
 Independent Monitoring Board for the Military Corrective Training Centre
 Nuclear Research Advisory Council
 Oil and Pipelines Agency
 Royal Air Force Museum
 Science Advisory Committee on the Medical Implications of Less-Lethal Weapons

Service Complaints Ombudsman
Single Source Regulations Office
Veterans Advisory and Pensions Committees

Ministry of Housing, Communities and Local Government

Architects Registration Board
Building Regulation Advisory Committee
Commission for Local Administration in
England (Local Government and Social Care
Ombudsman)
Ebbsfleet Development Corporation
Homes England
Leasehold Advisory Service (LEASE)
Regulator of Social Housing
The Housing Ombudsman
Valuation Tribunal Service

Ministry of Justice

Advisory Committees on Justices of the Peace
Advisory Council on Conscientious Objectors
Chair of the National Council of Prisoner
Escort and Custody Services Lay Observers
Children and Family Court Advisory and
Support Service
Civil Justice Council
Civil Procedure Rule Committee
Commissioner for Victims and Witnesses
(Victims' Commissioner)
Court Examiners
Court of Protection Visitors
Criminal Cases Review Commission
Criminal Procedure Rule Committee

Family Procedure Rule Committee
Her Majesty's Chief Inspector of Prisons
Her Majesty's Chief Inspector of Probation
Independent Advisory Panel on Deaths in
Custody
Independent Monitoring Board of any prison
or young offender institution
Insolvency Rules Committee
Judicial Appointments and Conduct
Ombudsman
Judicial Appointments Commission
Judicial Pension Board, independent Chair and
independent members only
Law Commission, with the exception of the
Chair
Legal Services Board
Multi-Agency Public Protection Arrangements
Lay Advisers
National Chair of the Independent Monitoring
Boards
National Mental Capacity Forum, Chair only
Non-Judicial Members of Disciplinary Panels
of the Judicial Conduct Investigations Office
Parole Board, with the exception of judicial
members
Persons appointed by the Lord Chancellor
under section 2 of the Legal Aid, Sentencing
and
Punishment of Offenders Act 2012
Prisoner Escort and Custody Services Lay
Observers
Prisons and Probation Ombudsman
Prison Service Pay Review Body

Sentencing Council for England and Wales
Tribunal Procedure Committee
Youth Justice Board for England and Wales

Northern Ireland Office

Boundary Commission for Northern Ireland
Chief Electoral Officer for Northern Ireland
Equality Commission for Northern Ireland
Northern Ireland Human Rights Commission
Parades Commission for Northern Ireland

Scotland Office

Boundary Commission for Scotland

Welsh Government

Advisory Panel to the Welsh Language
Commissioner
Agricultural Advisory Panel for Wales
All Wales Medicines Strategy Group
All Wales Programme Monitoring Committee
for the European Structural Funds
Amgueddfa Cymru - National Museum of
Wales
Aneurin Bevan Community Health Council
Aneurin Bevan University Local Health Board
Animal Health and Welfare Framework Group
Arts Council of Wales
Betsi Cadwaladr Community Health Council
Betsi Cadwaladr University Health Board
Board of Community Health Councils
Brecon Beacons National Park Authority
Cardiff & Vale Community Health Council
Cardiff & Vale University Health Board

Career Choices Dewis Gyrfa
 Children's Commissioner for Wales
 Commissioner for Older People in Wales
 Cwm Taf Morgannwg Community Health
 Council
 Cwm Taf Morgannwg University Local Health
 Board
 Design Commission for Wales
 Digital Health and Care Wales
 Education & Skills Ministerial Advisory Group
 Education Workforce Council
 Future Generations Commissioner
 Health Education Improvement Wales
 Higher Education Funding Council for Wales
 Hybu Cig Cymru
 Hywel Dda Community Health Council
 Hywel Dda University Health Board
 Independent Remuneration Panel for Wales
 Industry Wales
 Life Sciences Hub Wales Board
 Local Government Boundary Commission for
 Wales
 National Academy for Educational Leadership
 National Adviser for Violence against Women
 and other forms of Gender-based Violence,
 Domestic Abuse and Sexual Violence
 National Library of Wales
 Natural Resources Wales
 Pembrokeshire Coast National Park Authority
 Powys Community Health Council
 Powys Teaching Health Board
 Public Health Wales NHS Trust
 Qualifications Wales

Regulatory Board for Wales
 Royal Commission on the Ancient and
 Historical Monuments of Wales
 Snowdonia National Park Authority
 Social Care Wales
 Sports Council for Wales
 Swansea Bay Community Health Council
 Swansea Bay University Local Health Board
 Velindre National Health Services Trust
 Welsh Ambulance Services National Health
 Service Trust
 Welsh Industrial Development Advisory Board
 Welsh Language Commissioner
 Welsh Revenue Authority

Significant Appointments

A list of ‘significant appointments’ is agreed between ministers in Her Majesty’s Government. All competitions for Chairs (unless otherwise indicated) of bodies on the Significant Appointment list require a Senior Independent Panel Member (SIPM) to sit on the Advisory Assessment Panel. The SIPM is required to be independent of the department and of the body that is being recruited to and should not be politically active. This, along with the requirement that the SIPM has senior recruitment experience, gives additional reassurance that the appointment being is made in accordance with the principles of the Code. Some UK Government Significant Appointments also require a pre-appointment scrutiny hearing to be held before an appointment is confirmed; these are in bold in the below lists.⁷⁸ OCPA will work with the UK Government and Welsh Government to refresh this list in 2020-21.

List of significant appointments requiring a Senior Independent Panel Member, UK Government

Cabinet Office	Land Registry	Historic Buildings and Monuments Commission for England
Advisory Committee on Business Appointments	Low Pay Commission	Historic Royal Palaces
Committee on Standards in Public Life	Nuclear Decommissioning Authority	Information Commissioner
Equality and Human Rights Commission	Office of Gas and Electricity Markets	National Citizen Service
House of Lords Appointments Commission	Post Office Ltd	National Museums Liverpool
Senior Salaries Review Body	Pubs Code Adjudicator	Office of Communications (OFCOM)
UK Statistics Authority	UK Green Investment Bank	Science Museum Group
	UKRI	Sianel Pedwar Cymru (S4C)
		Sport England
Department for Business, Energy and Industrial Strategy	Department for Digital, Culture, Media and Sport	The Royal Parks
ACAS	Arts Council England	UK Sport
British Business Bank plc	British Film Institute	Victoria and Albert Museum
Certification Officer	British Library	VisitBritain
Committee on Climate Change	BBC	<i>Chairs of the following DCMS bodies are chosen by Trustees:</i>
Competition and Markets Authority	Big Lottery Fund	British Museum
Groceries Code Adjudicator	Charity Commission for England and Wales	Imperial War Museum
Innovate UK	Gambling Commission	National Gallery
	Heritage Lottery Fund	National Portrait Gallery
		Natural History Museum

⁷⁸ The most recent list of appointments that Government considers to be subject to routine pre-appointment scrutiny is dated January 2019 and is available at <https://www.gov.uk/government/publications/pre-appointment-scrutiny-by-house-of-commons-select-committees>

Royal Museums Greenwich
Tate
Wallace Collection

Department for International Development (now Foreign, Commonwealth and Development Office)

Independent Commission for Aid Impact

Ministry of Defence (MOD)

Service Complaints Ombudsman

Department for Education

Children's Commissioner for England

HM Chief Inspector of Education, Children's Services and Skills

Ofqual

Chief Regulator for Ofqual

Ofsted

Office for Students

Student Loans Company

Social Mobility Commission

Department for Environment, Food and Rural Affairs

Environment Agency

Forestry Commission

Kew

Natural England

Office of Environmental Protection

Water Services Regulatory Authority (OFWAT)

Department for Health and Social Care

Care Quality Commission

Food Standards Agency

Human Fertilisation & Embryology Authority

NHS Commissioning Board (NHS England)

NHS Improvement

National Institute for Health and Care Excellence

Department for Transport (DFT)

British Transport Police Authority

Civil Aviation Authority

Highways England

HS2 Ltd

Network Rail

Office of Road and Rail

Department for Work and Pensions (Health and Safety Executive)

Pensions Ombudsman

Pension Protection Fund Ombudsman

Pensions Regulator

Social Security Advisory Committee

Her Majesty's Treasury

Court of Directors of the Bank of England

Crown Estate Commissioners

Financial Conduct Authority

Northern Ireland Office

Equality Commission for Northern Ireland

Northern Ireland Human Rights Commission

Chief Electoral Officer

Ministry of Housing, Communities and Local Government

Homes England

Regulator of Social Housing

Local Commissioners for Administration in England

Ministry of Justice (MOJ)

Criminal Cases Review Commission

HM Chief Inspector of Prisons

HM Chief Inspector of Probation

Prison and Probation Ombudsman

Youth Justice Board for England & Wales

Home Office

Director General of Independent Office for Police Conduct

HM Chief Inspector of Constabulary

Independent Chief Inspector of Borders and Immigration

Independent Reviewer of Terrorism Legislation

Independent Anti-Slavery Commission

Welsh Government

Abertawe Bro Morgannwg
University Health Board

Amgueddfa Cymru –
National Museum Wales

Aneurin Bevan University
Health Board

Arts Council of Wales

Betsi Cadwaladr University
Health Board

Cardiff & Vale University
Health Board

Care Council for Wales

Children's Commissioner for
Wales

Commissioner for Older
People in Wales

Cwm Taf University Health
Board

Digital Health and Care
Wales

Future Generations
Commissioner

Higher Education Funding
Council for Wales

Hywel Dda University Health
Board

National Library of Wales

Natural Resources Wales

Powys Teaching Health
Board

Qualification Wales

Royal Commission on the
Ancient and Historical
Monuments of Wales

Sports Council for Wales

Velindre NHS Trust

Welsh Ambulance Service
NHS Trust

Welsh Language Commissioner

Management Information

Annual Survey of Public Appointments 2019/20

Tables 1 to 61 contain data for appointments regulated by the Commissioner for Public Appointments, made by ministers of the UK Government and the Welsh Government. Data was submitted for 381 competitions, and 194 reappointments. The average number of people appointed from a competition in 2019-20 was 2.4, and from a reappointment decision, 3.4). Table 4 shows the volume of appointments and reappointments is smaller than the last two years and the second-smallest in OCPA's records. This is discussed further on page 40. Appointments made by Welsh Government only are detailed separately in tables 62 onwards.

In order to reduce the risk of identification of individuals, we have redacted some information about appointees and brought together categories of information about appointees. We do this to protect appointees' rights to privacy, but also allow for analysis of the diversity of appointees.

We recognise that terminology used to describe groups of people in these tables, such as 'ethnic minority' and 'declared disability' may not be the most insightful way to understand diversity. Every person represented in these tables is an individual and there are likely to be nuances in the characteristics within each category that tell a unique story. We make these groupings based on how individuals declare their own diversity characteristics and in order to measure progress in representation from all communities in our society whilst protecting the identity of individuals. But not every person experiences barriers and discrimination in the same way, even when belonging to the same groupings. Thus this data is only a starting point to further, more holistic research into how to we can ensure public appointments 'reflect the diversity of the society in which we live' (Code, Principle F).

In November 2019, OCPA and Cabinet Office introduced a new Diversity Monitoring Form which included a different question on disability. This was based on best practice by the Office for National Statistics, designed to bring greater consistency to how people are asked this question across the public sector and help people understand what and why we are asking about their physical and mental health conditions/illnesses. Fewer than 10 of the appointees and reappointees in this analysis have used this question (the rest using the question used in previous years) but we hope to see increased reporting rates from its use in competitions which complete in next year's reporting period. The diversity monitoring forms are available in screen reader-friendly formats, using accessible PDF, Google Forms and MS Forms formats. OCPA is encouraging all departments to use these formats to help all applicants have the confidence and ability to declare.

Table 1: New appointments by role and body type

Body Type	Chair	%	Non Chair/Member	%	Total Number of new Appointments
MOJ Independent Monitoring Boards	NA	0.0%	291	33.3%	291
NHSI trusts	9	23.1%	70	8.0%	79
Other	30	76.9%	514	58.7%	544
Total	39	100.0%	875	100.0%	914

Table 2: Reappointments by role and body type

Body Type	Chair		Non Chair/Member		Total Number of Reappointments
MOJ Independent Monitoring Boards	NA	0.0%	384	62.4%	384
NHSI trusts	24	66.7%	95	15.4%	119
Other	12	33.3%	136	22.1%	148
Total	36	0.0%	615	0.0%	651

Table 3: Total new appointments and reappointments by role and body type

Body Type	Chair		Non Chair/Member		Total Number of Appointments and Reappointments
MOJ Independent Monitoring Boards	NA	0.0%	675	45.3%	675
NHSI trusts	33	44.0%	165	11.1%	198
Other	42	56.0%	650	43.6%	692
Total	75	100.0%	1490	100.0%	1565

Table 4: Total appointments and reappointments by role by year

Year	New appointments			Reappointments			Total
	Chair	Non Chair/Member	Total	Chair	Non Chair/Member	Total	
2009/10	109	1118	1227	60	952	1012	2239
2010/11	87	939	1026	170	675	845	1871
2011/12	195	1280	1475	31	234	265	1740
2012/13	N/A	N/A	605	N/A	N/A	482	1087
2013/14	79	1044	1123	55	972	1027	2150
2014/15	76	931	1007	45	836	881	1888
2015/16	56	1252	1308	72	860	932	2240
2016/17	64	1211	1275	72	884	956	2231
2017/18	51	889	950	40	892	932	1872
2018/19	72	900	972	46	826	872	1844
2019/20	39	875	914	36	615	651	1565

Gender

Table 5: Gender declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	8080	88.5%	7573	83.0%
Shortlisted	2109	1838	87.2%	1819	86.2%
Appointed	914	770	84.2%	764	83.6%
Reappointed	651	435	66.8%	433	66.5%

Table 6: New appointments by known gender, role and body

Body Type	Chair			Member			PNS	% female where known
	Female	Male	Other	Female	Male	Other		
MOJ Independent Monitoring Boards	NA	NA	NA	103	76	0	0	57.5%
NHSI trusts	5	4	0	36	33	0	0	52.6%
Other	7	22	0	261	217	0	6	52.9%
Total	12	26	0	400	326	0	6	53.9%
%	31.6%	68.4%	0.0%	55.1%	44.9%	0.0%		

Table 7: Reappointments by known gender, role and body

Body Type	Chair			Member			PNS	% female where known
	Female	Male	Other	Female	Male	Other		
MOJ Independent Monitoring Boards	NA	NA	NA	105	98	1	0	51.7%
NHSI trusts	12	13	0	36	58		1	38.8%
Other		9	0	155	149		1	49.8%
Total	12	22	0	191	207	1	2	46.9%
%	35.3%	64.7%	0	48.0%	52.0%	0		

Table 8: Appointments and Reappointments by known gender, role and body

Body Type	Chair			Member			PNS	% female where known
	Female	Male	Other	Female	Male	Other		
MOJ Independent Monitoring Boards	NA	NA	NA	208	174	0	0	54.5%
NHSI trusts	14	17	0	72	91	0	1	44.3%
Other	10	31	0	416	366	1	7	51.7%
Total	24	48	0	591	533	1	8	51.4%
%	33.3%	66.7%	0	52.6%	47.4%	0		

Table 9: Appointments and reappointments made to those declaring female, by year

Year	Total appointments and reappointments made to females (where gender known)
2009/10	34.7%
2010/11	36.4%
2011/12	33.9%
2012/13	35.6%
2013/14	39.1%
2014/15	45.2%
2015/16	45.4%
2016/17	45.5%
2017/18	47.7%
2018/19	44.9%
2019/20	51.4%

Ethnicity

Table 10: Ethnicity declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	7941	87.0%	7599	83.3%
Shortlisted	2109	1837	87.1%	1795	85.1%
Appointed	914	770	84.2%	751	82.2%
Reappointed	651	435	66.8%	409	62.8%

Table 11: New appointments by known ethnicity, role and body

Body Type	Chair		Member		PNS	% EM where known
	Ethnic minority	Not EM or Self-description	Ethnic minority	Not EM or Self-description		
MOJ Independent Monitoring Boards	NA	NA	16	165	7	8.8%
NHSI trusts	<5	8	15	52	2	21.1%
Other		27	72	394	10	14.8%
Total	<5	35	103	611	19	14.0%
%	5.4%	94.6%	14.4%	85.6%		

Table 12: Reappointments by known ethnicity, role and body

Body Type	Chair		Member		PNS	% EM where known
	Ethnic minority	Not EM or Self-description	Ethnic minority	Not EM or Self-description		
MOJ Independent Monitoring Boards	NA	NA	50	149	4	25.1%
NHSI trusts	<5	20	12	81	2	11.4%
Other		12	9	75	20	9.4%
Total	<5	32	71	305	26	17.6%
%	3.0%	97.0%	18.9%	81.1%		

Table 13: Appointments and Reappointments by known ethnicity, role and body

Body Type	Chair		Member		PNS	% EM where known
	Ethnic minority	Not EM or Self-description	Ethnic minority	Not EM or Self-description		
MOJ Independent Monitoring Boards	NA	NA	66	314	11	17.4%
NHSI trusts	2	28	27	133	4	15.3%
Other	1	39	81	469	30	13.9%
Total	3	67	174	916	45	15.3%
%	4.3%	95.7%	16.0%	84.0%		

Table 14: Appointments and reappointments made to people with a minority ethnic background by year

Year	Total appointments and reappointments made to ethnic minorities (where ethnicity known)
2009/10	7%
2010/11	6.8%
2011/12	7.2%
2012/13	5.5%
2013/14	7.7%
2014/15	7.9%
2015/16	8.4%
2016/17	9.1%
2017/18	8.4%
2018/19	11.9%
2019/20	15.3%

Disability

Table 15: Disability declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	8072	88.4%	7544	82.7%
Shortlisted	2109	1838	87.2%	1759	83.4%
Appointed	914	770	84.2%	737	80.6%
Reappointed	651	431	66.2%	400	61.4%

Table 16: New appointments by declared disability status, role and body

Body Type	Chair		Member		PNS	% declared disabled where known
	Declared disability	No Declared disability	Declared disability	No Declared disability		
MOJ Independent Monitoring Boards	NA	NA	13	148	18	8.1%
NHSI trusts	<5	9	7	60	2	9.2%
Other		29	23	448	13	4.6%
Total	<5	38	43	656	33	5.8%
%	<5%	>95%	6.2%	93.8%		

Table 17: Reappointments by declared disability status, role and body

Body Type	Chair		Member		PNS	% declared disabled where known
	Declared disability	No Declared disability	Declared disability	No Declared disability		
MOJ Independent Monitoring Boards	NA	NA	18	176	9	8.9%
NHSI trusts	<5	17	<10	87	2	9.6%
Other		9		79	20	3.3%
Total	<5	26	28	342	31	8.0%
%	13.3%	48.1%	7.6%	91.7%		

Table 18: Appointments and Reappointments by known disability, role and body

Body Type	Chair		Member		PNS	% declared disabled where known
	Declared disability	No Declared disability	Declared disability	No Declared disability		
MOJ Independent Monitoring Boards	NA	NA	31	324	27	8.7%
NHSI trusts	<5	26	14	147	4	9.4%
Other		38	26	527	33	4.4%
Total	<5	64	71	998	64	6.6%
%	5.9%	94.1%	6.6%	93.4%		

Table 19: Appointments and reappointments made to people with a declared disability by year

Year	Total Appointments and reappointments made to people with a declared disability
2009/10	3.9%
2010/11	8.6%
2011/12	5.1%
2012/13	5.3%
2013/14	7.6%
2014/15	4.6%
2015/16	4.1%
2016/17	6.0%
2017/18	6.9%
2018/19	6.1%
2019/20	6.6%

Protected characteristic progress at each competition stage

The following tables 20 to 31 only contain data for competitions where data was submitted at the applied, shortlist and appointed stages of competitions. This is 355 competitions in total in the 2019-20 year (from the entire sample of 382 competitions in 2019-20).

Gender

Table 20: Gender breakdown by stage of competition, all roles

Stage	Female	Male	Other/self-description	Prefer not to say (PNS)
Applied	38.4%	58.8%	0.2%	2.6%
Shortlisted	47.5%	51.4%	0.1%	1.1%
Appointed	51.8%	47.3%	0.0%	0.9%

Table 21: Success by known gender at each stage, all roles*

All appointments	Female	Male	Other/SD
% Applicants Shortlisted	28.9%	20.4%	14.3%
% Shortlisted Appointed	42.2%	35.6%	0.0%
% Applicants Appointed	12.2%	7.3%	0.0%

*The % of Applicants Shortlisted refers to the percentage of applicants from each category that were shortlisted.

*The % of Shortlisted Appointed refers to the percentage of those who were shortlisted and interviewed from each category who were then subsequently appointed.

*The % of Applicants Appointed refers to the percentage of those who applied to positions who were subsequently appointed.

Table 22: Gender breakdown by stage of competition, chair roles only

Stage	Female	Male	Other/self-description	Prefer not to say (PNS)
Applied	28.1%	68.9%	1.3%	1.7%
Shortlisted	34.9%	62.4%	1.3%	1.3%
Appointed	29.7%	70.2%	0.0%	0.0%

Table 23: Success by known gender at each stage, chair roles only*

Chair appointments	Female	Male	Other/SD
% Applicants Shortlisted	36.2%	26.3%	28.6%
% Shortlisted Appointed	20.4%	27.1%	0.0%
% Applicants Appointed	7.4%	7.1%	0.0%

Ethnicity

Table 24: Ethnicity breakdown by stage of competition, all roles

Stage	Ethnic Minority	Not EM or Self-description	Prefer not to say (PNS)
Applied	14.9%	80.7%	4.3%
Shortlisted	14.7%	82.9%	2.3%
Appointed	13.8%	83.5%	2.7%

Table 25: Success by known ethnicity at each stage, all roles*

All appointments	Ethnic minority	Not EM or Self-description
% Applicants Shortlisted	22.6%	23.5%
% Shortlisted Appointed	36.2%	38.9%
% Applicants Appointed	8.2%	9.1%

Table 26: Ethnicity breakdown by stage of competition, chair roles only

Stage	Ethnic Minority	Not EM or Self-description	Prefer not to say (PNS)
Applied	16.0%	81.9%	2.1%
Shortlisted	10.4%	86.4%	3.2%
Appointed	5.4%	91.9%	2.7%

Table 27: Success by known ethnicity at each stage, chair roles only*

Chair appointments	Ethnic minority	Not EM or Self-description
% Applicants Shortlisted	18.8%	30.6%
% Shortlisted Appointed	12.5%	25.6%
% Applicants Appointed	2.4%	7.8%

Disability

Table 28: Declared disability status breakdown by stage of competition, all roles

Stage	Declared a disability	Did not declare a disability	Prefer not to say (PNS)
Applied	6.8%	86.6%	6.6%
Shortlisted	6.2%	89.4%	4.4%
Appointed	5.7%	90.0%	4.3%

Table 29: Success by known declared disability status at each stage, all roles*

All appointments	Declared a disability	Did not declare a disability
% Applicants Shortlisted	20.3%	23.3%
% Shortlisted Appointed	38.7%	42.4%
% Applicants Appointed	7.9%	9.9%

Table 30: Declared disability status breakdown by stage of competition, chair roles only

Stage	Declared a disability	Did not declare a disability	Prefer not to say (PNS)
Applied	9.6%	86.6%	3.8%
Shortlisted	5.2%	92.9%	1.9%
Appointed	<5%	>95%	<5%

Table 31: Success by known declared disability status at each stage, chair roles only*

Chair appointments	Declared a disability	Did not declare a disability
% Applicants Shortlisted	15.7%	31.2%
% Shortlisted Appointed	<5%	26.6%
% Applicants Appointed	<5%	8.3%

Region of principal residence

Table 32: Region of principal residence declaration and reporting rates by stage, all competitions

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	9127	6,933	76.0%	6,172
Shortlisted	2109	2109	1645	78.0%	1,572
Appointed	914	914	708	77.5%	676
Reappointed	651	651	415	63.7%	397

Table 33: New appointments by region and role, UK appointments only, not including PNS

North East	North West	Yorkshire & Humber side	East Midlands	West Midlands	East	London	South East	South West	Wales	Scotland	Northern Ireland	Other
Appointed chairs												
3.4%	0.0%	10.3%	0.0%	3.4%	10.3%	48.3%	13.8%	10.3%	0.0%	0.0%	0.0%	0.0%
Appointed members												
3.4%	12.5%	9.3%	6.1%	9.8%	6.4%	16.5%	19.9%	7.9%	3.9%	1.0%	3.5%	0.0%
Appointed chairs and members												
3.4%	11.9%	9.3%	5.8%	9.5%	6.6%	18.0%	19.6%	8.0%	3.7%	1.0%	3.4%	0.0%

Table 34: Reappointments by region and role, UK appointments only, not including PNS

North East	North West	Yorkshire & Humber side	East Midlands	West Midlands	East	London	South East	South West	Wales	Scotland	Northern Ireland	Other
Reappointed chairs												
0.0%	20.0%	3.3%	0.0%	20.0%	13.3%	13.3%	10.0%	13.3%	3.3%	3.3%	0.0%	0.0%
Reappointed members												
5.1%	11.0%	8.7%	7.9%	11.5%	12.7%	13.0%	18.3%	7.3%	2.5%	1.4%	0.6%	0.0%
Reappointed chairs and members												
4.7%	11.7%	8.3%	7.3%	12.2%	12.7%	13.0%	17.7%	7.8%	2.6%	1.6%	0.5%	0.0%

Table 35: New appointments and reappointments by region and role, UK appointments only

North East	North West	Yorkshire & Humber side	East Midlands	West Midlands	East	London	South East	South West	Wales	Scotland	Northern Ireland	Other
Appointed and reappointed chairs												
1.7%	10.2%	6.8%	0.0%	11.9%	11.9%	30.5%	11.9%	11.9%	1.7%	1.7%	0.0%	0.0%
Appointed and reappointed members												
4.0%	11.9%	9.1%	6.7%	10.4%	8.7%	15.2%	19.3%	7.7%	3.4%	1.2%	2.4%	0.0%
Appointed and reappointed chairs and members												
3.9%	11.8%	8.9%	6.3%	10.5%	8.9%	16.1%	18.8%	7.9%	3.3%	1.2%	2.3%	0.0%

Age

Table 36: Age declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	6934	76.0%	6,338	69.4%
Shortlisted	2109	1646	78.0%	1,565	74.2%
Appointed	914	709	77.6%	689	75.4%
Reappointed	651	415	63.7%	393	60.4%

Table 37: New appointments by age, role and body type

Age group	16-24	25-34	35-44	45-54	55-64	65-74	75-84	85+	(PNS)
Appointed chairs	0.0%	0.0%	2.8%	22.2%	47.2%	27.8%	0.0%	0.0%	1
Appointed members	1.8%	5.5%	17.8%	23.3%	38.9%	12.6%	0.2%	0.0%	19
All appointees	1.7%	5.2%	17.0%	23.2%	39.3%	13.4%	0.1%	0.0%	20

Table 38: Reappointments by age, role and body type

Age group	16-24	25-34	35-44	45-54	55-64	65-74	75-84	85+	(PNS)
Reappointed chairs	0.0%	0.0%	0.0%	10.3%	44.8%	44.8%	0.0%	0.0%	4
Reappointed members	1.6%	2.2%	7.7%	15.1%	39.8%	33.2%	0.3%	0.0%	18
All reappointees	1.5%	2.0%	7.1%	14.8%	40.2%	34.1%	0.3%	0.0%	22

Table 39: New appointments and reappointments by age, role and body type

Age group	16-24	25-34	35-44	45-54	55-64	65-74	75-84	85+	(PNS)
All chairs	0.0%	0.0%	1.5%	16.9%	46.2%	35.4%	0.0%	0.0%	5
All members	1.8%	4.3%	14.2%	20.4%	39.2%	20.0%	0.2%	0.0%	37
All appointees and reappointees	1.7%	4.1%	13.4%	20.1%	39.6%	20.9%	0.2%	0.0%	42

Sexual Orientation

Table 40: Sexual Orientation declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	8035	88.0%	7025	77.0%
Shortlisted	2109	1838	87.2%	1,659	78.7%
Appointed	914	770	84.2%	711	77.8%
Reappointed	651	435	66.8%	375	57.6%

Table 41: New appointments and reappointments by known sexual orientation

Appointees			Reappointees			PNS	LGB+ where known
LGB+	Heterosexual	Self-description	LGB +	Heterosexual	Self-description		
4.8%	95.2%	0.0%	5.3%	94.7%	4.8%	119	5.0%

Number of Additional Appointments Held

Individuals were asked if they held any additional public appointments. This includes all non-departmental public bodies (NDPBs), NHS bodies, parole boards and research councils.

Table 42: Additional appointments held declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	7971	87.3%	6,855	75.1%
Shortlisted	2109	1837	87.1%	1,519	72.0%
Appointed	914	769	84.1%	567	62.0%
Reappointed	651	435	66.8%	192	29.5%

Table 43: New appointments by number of additional appointments held and role

Number of Additional Appointments held	% of Chairs exl PNS	% of members exl PNS	All appointees	% Exl PNS
0	25.7%	75.4%	410	72.3%
1	51.4%	19.2%	120	21.2%
2	17.1%	4.9%	32	5.6%
3	2.9%	0.4%	3	0.5%
4	0.0%	0.0%	0	0.0%
5-9	2.9%	0.2%	2	0.4%
10 or more	0.0%	0.0%	0	0.0%
Prefer not to say	3	199	202	

Table 44: Reappointments by number of additional appointments held and role

Number of Additional Appointments held	% of Chairs exl PNS	% of members exl PNS	All reappointees	% Exl PNS
0	7.1%	45.1%	76	39.6%
1	35.7%	36.6%	70	36.5%
2	25.0%	12.8%	28	14.6%
3	14.3%	3.7%	10	5.2%
4	10.7%	0.6%	4	2.1%
5-9	3.6%	1.2%	3	1.6%
10 or more	3.6%	0.0%	1	0.5%
Prefer not to say	6	237	243	

Table 45: Appointments and reappointments by number of additional appointments held and role

Number of Additional Appointments held	% of Chairs exl PNS	% of members exl PNS	All appointees and reappointees	% Exl PNS
0	17.5%	68.2%	486	64.0%
1	44.4%	23.3%	190	25.0%
2	20.6%	6.8%	60	7.9%
3	7.9%	1.1%	13	1.7%
4	4.8%	0.1%	4	0.5%
5-9	3.2%	0.4%	5	0.7%
10 or more	1.6%	0.0%	1	0.1%
Prefer not to say	63	696	759	

The following tables 48 and 49 only contain data for competitions where data was submitted at the applied, shortlist and appointed stages of competitions. This is 355 competitions in total in the 2019-20 year (from the entire sample of 382 competitions in 2019-20).

Table 46: Success rates by stage of competition by number of additional appointments held*

Stage – all comps	0	1	2	3	4	5-9	10 or more
% Applicants Shortlisted	19.3%	31.5%	31.5%	28.3%	14.3%	29.4%	66.7%
% Shortlisted Appointed	33.8%	33.3%	34.1%	11.5%	0.0%	40.0%	0.0%
% Applicants Appointed	6.5%	10.5%	10.7%	3.3%	0.0%	11.8%	0.0%

Table 47: Success rates by stage of competition by number of additional appointments held, chair roles only *

Stage – Chair comps only	0	1	2	3	4	5-9	10 or more
% Applicants Shortlisted	21.6%	45.0%	45.7%	50.0%	33.3%	75.0%	66.7%
% Shortlisted Appointed	13.6%	31.0%	37.5%	14.3%	0.0%	33.3%	0.0%
% Applicants Appointed	2.9%	14.0%	17.1%	7.1%	0.0%	25.0%	0.0%

*The % of Applicants Shortlisted refers to the percentage of applicants from each category that were shortlisted.

*The % of Shortlisted Appointed refers to the percentage of those who were shortlisted and interviewed from each category who were then subsequently appointed.

*The % of Applicants Appointed refers to the percentage of those who applied to positions who were subsequently appointed.

Principal Employment

Table 48: Principal employment declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	7755	85.0%	7,095	77.7%
Shortlisted	2109	1828	86.7%	1,733	82.2%
Appointed	914	769	84.1%	734	80.3%
Reappointed	651	435	66.8%	366	56.2%

Table 49: New appointments by principal employment, role and body type, exl PNS

Body Type	Mostly Civil Service	Mostly Private Sector	Mostly Third Sector	Mostly wider Public Sector	Mixed	Other Principal Employment
Chairs						
MOJ Independent Monitoring Boards	NA	NA	NA	NA	NA	NA
NHSI trusts	0.0%	0.0%	11.1%	22.2%	66.7%	0.0%
Other	3.7%	22.2%	0.0%	55.6%	18.5%	0.0%
Total % exl PNS	2.8%	16.7%	2.8%	47.2%	30.6%	0.0%
Members						
MOJ Independent Monitoring Boards	4.7%	26.9%	8.0%	32.7%	24.4%	3.3%
NHSI trusts	0.0%	29.0%	10.1%	36.2%	24.6%	0.0%
Other	5.6%	27.1%	7.2%	35.6%	22.8%	1.7%
Total % exl PNS	4.7%	26.9%	8.0%	32.7%	24.4%	3.3%
Appointed chairs and members						
Total % exl PNS	4.6%	26.4%	7.8%	33.4%	24.7%	3.1%

Table 50: Reappointments by principal employment, role and body type, exl PNS

Body Type	Mostly Civil Service	Mostly Private Sector	Mostly Third Sector	Mostly wider Public Sector	Mixed	Other Principal Employment
	Chairs					
MOJ Independent Monitoring Boards	NA	NA	NA	NA	NA	NA
NHSI trusts	0.0%	50.0%	0.0%	31.8%	18.2%	0.0%
Other	0.0%	16.7%	0.0%	66.7%	16.7%	0.0%
Total % exl PNS	0.0%	42.9%	0.0%	39.3%	17.9%	0.0%
Members						
MOJ Independent Monitoring Boards	6.1%	30.7%	4.5%	38.0%	20.7%	0.0%
NHSI trusts	1.1%	33.3%	2.2%	44.1%	18.3%	1.1%
Other	6.1%	34.8%	9.1%	27.3%	18.2%	4.5%
Total % exl PNS	4.7%	32.2%	4.7%	37.6%	19.5%	1.2%
Reappointed chairs and members						
Total % exl PNS	4.4%	33.1%	4.4%	37.7%	19.4%	1.1%

Table 51: New appointments and reappointments by principal employment, role and body type, exl PNS

Body Type	Mostly Civil Service	Mostly Private Sector	Mostly Third Sector	Mostly wider Public Sector	Mixed	Other Principal Employment
Chairs						
MOJ Independent Monitoring Boards	NA	NA	NA	NA	NA	NA
NHSI trusts	0.0%	35.5%	3.2%	29.0%	32.3%	0.0%
Other	3.0%	21.2%	0.0%	57.6%	18.2%	0.0%
Total % exl PNS	1.6%	28.1%	1.6%	43.8%	25.0%	0.0%
Members						
MOJ Independent Monitoring Boards	5.2%	28.2%	6.9%	30.8%	24.5%	4.3%
NHSI trusts	0.6%	31.5%	5.6%	40.7%	21.0%	0.6%
Other	5.7%	28.1%	7.4%	34.5%	22.2%	2.1%
Total % exl PNS	4.7%	28.7%	6.9%	34.3%	22.8%	2.6%
All appointed and reappointed chairs and members						
Total % exl PNS	4.5%	28.6%	6.6%	34.8%	22.9%	2.5%

Significant Political Activity

Significant political activity as defined in the Governance Code includes holding office, public speaking, making a recordable donation and candidature for election within the 5 years prior to application.

Table 52: Significant political activity declaration and reporting rates by stage

Stage	Number at stage	Declarations (inc PNS)	Declaration Rate (inc PNS)	Known Responses (exc PNS)	Reporting Rate (Exc PNS)
Applied	9127	8035	88.0%	7066	77.4%
Shortlisted	2109	1838	87.2%	1757	83.3%
Appointed	914	769	84.1%	749	81.9%
Reappointed	651	435	66.8%	404	62.1%

Table 53: New appointments by declared significant political activity and body type, all roles

Body Type	Total Appointments (where known)	Those declaring significant political activity	%	Those declaring NO significant Political Activity	%
MOJ Independent Monitoring Boards	179	17	9.5%	162	90.5%
NHSI trusts	77	5	6.5%	72	93.5%
Other	493	30	6.1%	463	93.9%
Total	749	52	6.9%	697	93.1%

Table 54: Reappointments by declared significant political activity and body type, all roles

Body Type	Total reappointments (where known)	Those declaring significant political activity	%	Those declaring NO significant Political Activity	%
MOJ Independent Monitoring Boards	203	7	3.4%	196	96.6%
NHSI trusts	113	5	4.4%	108	95.6%
Other	88	2	2.3%	86	97.7%
Total	404	14	3.5%	390	96.5%

Table 55: Appointments and Reappointments by declared significant political activity and body type, all roles

Body Type	Total appointments and reappointments (where known)	Those declaring significant political activity	%	Those declaring NO significant Political Activity	%
MOJ Independent Monitoring Boards	382	24	6.3%	358	93.7%
NHSI trusts	190	10	5.3%	180	94.7%
Other	581	32	5.5%	549	94.5%
Total	1153	66	5.7%	1087	94.3%

Table 56: Declared significant political activity by year, all roles, appointments and reappointments

Year	Total appointments and reappointments	Declared significant activity	% of known
2009/10	2239	188	10.2%
2010/11	1871	193	8.4%
2011/12	1740	232	10.3%
2012/13	1087	98	13.3%
2013/14	2150	107	9.0%
2014/15	1888	85	5%
2015/16	2240	136	4.5%
2016/17	2231	95	6.1%
2017/18	1882	96	5.9%
2018/19	1844 (1277 where known)	110	8.6%
2019/20	1565 (1153 where known)	66	5.7%

Table 57: Significant political party activity by body type, role and political party, all appointments and reappointments

Note: Candidates could select more than one party for their declared activity

Body Type	Declarations made	Conservative	Labour	Liberal Democrat	Other
Declarations from all members appointed and reappointed					
MOJ Independent Monitoring Boards	24	20.8%	66.7%	8.3%	4.2%
NHSI trusts	9	11.1%	33.3%	44.4%	11.1%
Other	29	51.7%	17.2%	3.4%	27.6%
Total member declarations	62	33.9%	38.7%	11.3%	16.1%
Declarations from all chairs appointed and reappointed					
MOJ Independent Monitoring Boards	NA	NA	NA	NA	NA
NHSI trusts	1	0.0%	100.0%	0.0%	0.0%
Other	5	80.0%	20.0%	0.0%	0.0%
Total chair declarations	6	66.7%	33.3%	0.0%	0.0%
Declarations from all chairs and members appointed and reappointed					
Total declarations	68	36.8%	38.2%	10.3%	14.7%

Tables 58 and 60 (below) look at the competitions where data was submitted at the applied, shortlist and appointed stages of competitions. This is 355 competitions in total in the 2019-20 year (from the entire sample of 382 competitions in 2019-20).

Table 58: Breakdown of Political Party affiliation by competition stage, all appointments where data was submitted at all stages

Parties listed in this table are from the declarations of candidates at any stage – no other specific party names were declared within this sample of competitions

Stage	Conservative	Labour	Liberal Democrats	Green	Plaid Cymru	Sinn Féin	Any 'other party'	total
Applied	205	156	53	6	4	4	66	494
%	41.5%	31.6%	10.7%	1.2%	0.8%	0.8%	13.4%	100.0%
Shortlisted	50	48	11	0	3	3	15	130
%	38.5%	36.9%	8.5%	0.0%	2.3%	2.3%	11.5%	100.0%
Appointed	21	16	5	1	2	3	4	52
%	40.4%	30.8%	9.6%	1.9%	3.8%	5.8%	7.7%	100.0%

Table 59: Breakdown of Political Party affiliation, reappointments

Parties listed in this table are from the declarations of reappointees – no other specific party names were declared amongst reappointees

Stage	Conservative	Labour	Liberal Democrats
Chair	0	1	0
Member	4	7	2
All declarations of reappointees	4	8	2
%	28.6%	57.1%	14.3%

Table 60: Breakdown of Political Party affiliation by competition stage, chair appointments only, where data was submitted at all stages

Parties listed in this table are from the declarations of candidates at any stage – no other specific party names were declared within this sample of competitions

Stage	Conservative	Labour	Liberal Democrats	Any 'other' party
Applied	30	12	3	5
%	60.0%	24.0%	6.0%	10.0%
Shortlisted	17	4	1	1
%	73.9%	17.4%	4.3%	4.3%
Appointed	4	0	0	0
%	100.0%	0.0%	0.0%	0.0%

Table 61: Breakdown of Political Party affiliation, chair reappointments only

Parties listed in this table are from the declarations of Chair reappointees – no other specific party names were declared amongst Chair reappointees

Stage	Labour
Reappointees	1
%	100%

Welsh Government Appointments

Table 62: Reporting rates by stage

Stage	Number at stage	Number returning diversity form	% returning diversity form
Applied	495	487	98.4%
Shortlisted	177	172	97.2%
Appointed	56	53	94.6%
Reappointment	37	12	32.4%

Table 63: Protected characteristic percentages by role, new appointments

Role	Total Number	% Female (where known)	% Ethnic minority background (where known)	% Declared disability (where known)
Chair	7	<5%	<5%	<5%
Non Chair/Member	49	50.0 %	7.3%	<5%
Total	56	43.4%	5.9%	<5%

Table 64: Protected characteristic percentage by role, reappointments

Role	Total Number	% Female (where known)	% Ethnic minority background (where known)	% Declared disability (where known)
Chair	0	0%	0%	0%
Non Chair/Member	37	45.5 %	18.2%	9.1%
Total	37	45.5%	18.2%	9.1%

Table 65: Protected characteristic percentages by role, appointments and reappointments

Role	Total Number	% Female (where known)	% Ethnic minority background (where known)	% Declared disability (where known)
Chair	7	<5%	<5%	<5%
Non Chair/Member	86	48.3%	8.6%	5.2%
Total	93	43.1%	7.7%	4.6%

Table 66: Welsh Government appointments and reappointments, protected characteristic percentages

Year	% Female (where known)	% Ethnic minority background (where known)	% Declared disability (where known)
2009/10	30%	2.7%	3.6%
2010/11	49%	2.5%	16.3%
2011/12	37.3%	1.4%	1.5%
2012/13	46.6%	3.1%	11.5%
2013/14	40.4%	3.0%	8.9%
2014/15	50%	3.8%	7.2%
2015/16	47.2%	3.9%	3.7%
2016/17	48.7%	4.5%	7.0%
2017/18	51.9%	6.9%	7.6%
2018/19	63.5%	3.0%	5.1%
2019/20	43.1%	7.7%	4.6%

Table 67: New appointments and reappointments by region of principal residence, by role

Role	Wales	England	Scotland	NI	PNS	Total
Chairs	7	0	0	0	0	7
%	100.0%	0.0%	0.0%	0.0%		
Members	53	4	0	1	0	58
%	91.4%	6.9%	0.0%	1.7%		
Total	92.3%	6.2%	0.0%	1.5%	0	65

Table 68: Age breakdown of appointments and reappointments

Age group	16-24	25-34	35-44	45-54	55-64	65-74	75-84	85+	PNS	Total
Number	1	1	18	8	29	7	0	0	1	65
% exl PNS	1.6%	1.6%	28.1%	12.5%	45.3%	10.9%	0.0%	0.0%		

Table 69: Sexual orientation, declared appointments and reappointments

Sexual Orientation	LGB+	Heterosexual	PNS (number)
% all appointees and reappointees exl PNS	5.1%	94.9%	6

Table 70: Breakdown of appointments and reappointments made to people holding additional appointments

Number of Additional Appointments Held	Number	% exl PNS
0	34	53.1%
1	21	32.8%
2	8	12.5%
3	1	1.6%
4	0	0%
5-9	0	0%
10 or more	0	0%
PNS	1	
Total	65	

Table 71: New appointments and reappointments by principal employment and role

Principal Employment	Appointees	% exl PNS	Reappointees	% exl PNS	Total
Mostly Civil Service	1	1.9%	0	0.0%	1.6%
Mostly Private Sector	10	18.9%	3	33.3%	21.0%
Mostly Third Sector	3	5.7%	1	11.1%	6.5%
Mostly wider Public Sector	23	43.4%	2	22.2%	40.3%
Mixed	16	30.2%	3	33.3%	30.6%
Other Principal Employment	0	0.0%	0	0.0%	0.0%
PNS	0		3		
Total declarations	53		9		62

Table 72: Appointments and reappointments made to people declaring significant political activity

Significant Political Activity	Declared	None Declared	PNS
Number of appointments and reappointments	4	61	0
% exl PNS	6.2%	93.8%	

Table 73: Breakdown of Political Party affiliation, appointments and reappointments

Conservative	Green	Labour	Liberal Democrats	Plaid Cymru	SNP	Any other parties
1	0	1	0	2	0	0
25%	0%	25%	0%	50%	0%	0%

