

# Commissioner for Public Appointments

**Thematic Review** 

Remuneration and Public Appointments

March 2021

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#### **Foreword**

One of my main objectives as Commissioner for Public Appointments has been to seek to broaden the range of people who apply for the thousands of positions on public bodies, in order to reflect the range of experience and characteristics of the public generally. I have always favoured a broad definition of diversity - covering not just the statutorily defined protected characteristics of gender, ethnic background and disability, but also age, social background, views, occupation and residence. They are, of course, all connected rather than compartmentalised. There are common themes. Traditionally, public appointments appeared to be designed in their selection processes and operations for people who had conventional professional careers near or just passed retirement age, mainly white men in their 60s. Much has changed for the better in recent years. A half of public appointees are now women, around 15 per cent come from ethnic minorities and nearly a half are aged under 55. But many of the factors which have limited the range of candidates persist. In particular, it became clear to me from conversations that many people in under-represented groups were deterred from applying because they could not afford to do so. This applied, for example, to people with caring responsibilities, without full-time jobs and the self-employed. At the same time, I heard complaints that the pay offered differed enormously from post to post without apparent reasons - and many roles, particularly at a local rather than a national level, and those associated with the justice system were largely unpaid. Hence, the current thematic review.

As explained below, the aim is to start a debate. With OCPA's small resources, there have been limits to the review, but thanks to the support of many departments and our research we are able to highlight the main features. If anything, the analysis understates the problem since we have to take as given the advertised time for a particular role rather than the actual time involved (this excludes those positions paid by days worked). And chairs, in particular, often report that an advertised one or two days a week turns out to be at least three days.

The review reveals inconsistencies in the pattern of pay for public appointments, reflecting more the adage that 'this is how it has always been done' rather than any coherent strategy, with big variations between departments. Above all, the review shows the need for more research, not least into the views of appointees and potential candidates. My concern is not with the pay of chairs of public bodies but about whether remuneration affects attempts to broaden the range of those appointed.

There are several points which should be debated further:-

1. Since over a half of public appointments are unpaid, how far should we continue to rely on the spirit of volunteering to support key roles in public services?

- 2. There are obviously financial constraints on pay, but should there be a more coherent overall strategy to define which roles should be paid, and how much, rather than the current, apparently inconsistent framework?
- 3. Given that a blanket approach is neither desirable nor likely, what should the principles be for determining levels of pay and estimates of time worked?
- 4. Should the emphasis be more on expenses to assist people to serve on public bodies rather than pay as such?
- 5. Should there be specific financial incentives aimed at encouraging more people from under-represented groups to apply beyond existing mentoring and development schemes?
- 6. Do we need to consider more carefully the possible disincentive impact on levels of benefits from payments for remunerated roles? One option might be disregard remuneration for service as public appointees from calculation of benefits.

I am very grateful to the OCPA team for the enormous amount of work they have done in preparing this important thematic review - Yehoshua Hinton-Lewis for his painstaking and thorough research and analysis, and Gabrielle Bourke for her oversight and editing.

Peter Riddell March 2021

#### **Executive summary**

This report sets out for the first time the pattern of remuneration and time commitment of those undertaking public appointments made by UK and Welsh Governments. The Commissioner for Public Appointments, Peter Riddell, became interested in the question of remuneration after hearing from appointees, candidates, and departments making appointments, that pay might be having an impact on successful recruitment. Public and media interest in pay for public appointments has usually focused on the top end of pay and chairs of public bodies. Instead, this report looks at all appointments, including those relatively lowly paid and the many unpaid, and asks: is the remuneration framework for public appointments having an impact on our ambitions to recruit as wide a range of people as possible to serve on public bodies?

This research is based on public appointments competitions that were announced with successful appointments between 1 April 2019 and 31 March 2020. Our sample contains 291 competitions, 76 percent of all competitions in 2019-20. This is a snapshot of the over 5,000 public appointment roles currently available across the UK and Welsh Governments. Within our sample, just under 51 per cent of roles were unpaid, but this falls to less than 9 per cent for chairs of public bodies. There are some departments where having public appointments roles unremunerated is the norm - the hundreds of Ministry of Justice regional bodies, for example - others where all their roles are paid, and others sitting somewhere in the middle.

The average expected time commitment for all unpaid roles was 30 days per year, but there is huge disparity within this average, with the lowest time commitment being 4 days, and the most being 52 days. Of those appointees who are paid, on average they earn £24,851 per year. But across all roles, including paid and unpaid, this falls to an average of £12,160. Day rates for member roles range from £142 to £950. Looking in our sample at nine member roles advertised at 24 days per year, appointees could be remunerated anywhere between £3,000 and £25,000 per year. For member roles requiring 50 days of work per year or less, the relationship between time and money earned has broken down. Our research finds no obvious explanation as to why pay looks the way it does - it is not clearly tied to time commitment, nor led by average pay in the sector.

To ask the question on the potential impact of this pay system, we formulated several questions and used pay and time commitment data, with the anonymised diversity data of applicants and appointees, to try to answer them. We also spoke to departments, public appointees and stakeholders for their views.

#### **Our findings**

On average, five times as many people applied to a role paying over £200 a day than an unpaid role.

For public appointee members working less than 50 days a year, there is a negative correlation between time worked and pay earned

While unpaid member roles average 30 days a year, paid member roles require three days more

The impact of remuneration and time commitment on application rates is not even across all protected groups

Unpaid roles can still attract applicants, and can speak to a strong ethos of public service to give back to one's community

For £8k a year, an appointee may be required to work anywhere between 5 to 48 days

Evidence gathered from departments, Welsh Government and other public appointees and stakeholders suggests that a blanket approach to pay is not appropriate, and the evidence from this study finds that the impact of remuneration is not consistent. There are costs to consider in introducing a pay system, and there is a risk of unintended consequences. However, our research does find that there are perverse patterns in the relationship between time commitment and pay, and some impacts on the attractiveness of roles for some protected groups. Considering the need for greater representation of people with disabilities, this research supports the call made by others to consider more carefully the impact of remunerated public appointments on the receipt of benefits. There is also evidence to suggest the UK government's 'levelling up' agenda is not simply solved by moving roles out of London. The move to online and remote working, ushered in by the COVID-19 pandemic, perhaps presents the greatest opportunity to open up appointments to more people.

As our research is based on a snapshot of all the public appointments roles across UK and Welsh Governments, we encourage UK and Welsh governments to consider the findings of this report in relation to their respective diversity strategies, and to conduct further research. Evidence from public appointees shows that a blanket approach to payment may be counterproductive, and it is right that payment (or lack of it) should be related to the particular public position, to reflect the nature of the role and the body, and what is practical in terms of public spending. Evidence from Scotland shows that expenses policy can have a big impact on appointee satisfaction, and feedback from regional Ministry of Justice bodies suggests other forms of recognising the work of appointees may be more helpful for candidate attraction and retention. But carrying on to pay X

Roles based in the East Midlands, Home Counties, and North West have the lowest average salaries - but London does not have the highest

50.9% of public appointment roles were unpaid. A further 13.4% were paid less than £200 a day.

Public appointees declaring disabilities work on average the most hours

Average pay is £187.85 per day, and the average time commitment is 44 days per year

Day rates range from £142 to £950; salaries from £3k to £150k

The difference between average pay (ONS figures) and public appointments pay varies from 200-700 percent

Roles requiring 24 days per year have been salaried anywhere between £3k and £25k per year Around two thirds of appointments based in the West Midlands, the North East, and the East are held by people residing outside of those regions

Roles that were advertised with a higher time commitment attracted the smallest proportion of female applicants

or Y or nothing at all, simply because that is what has always been done, is not without risks, and departments should look carefully at their patterns of remuneration and consider what is best for these roles today. OCPA looks forward to more discussion and debate on public appointment pay as we work towards public appointees being more reflective of the communities they serve, putting aside the high-earners and focussing instead on the majority of appointments where remuneration is little, or nothing at all.

About our data: We have obtained the remuneration and time commitment information from 76 percent of competitions announced in 2019-20, and linked this to corresponding diversity data collected for those campaigns. We have ensured our sample of competitions includes a representative share of competitions across departments, for chair and member roles. More detail on our data can be found in Appendix 1.

#### Introduction

#### The diversity of Public Appointees

The opportunity to participate in public life, and to be able to make decisions that can make a positive impact on millions of people, are important reasons for why so many people apply for public appointments.<sup>1</sup> There are over 300 public bodies to which ministers in Whitehall and Welsh Government make appointments.<sup>2</sup> In 2019-20, 400 people took up a public appointment for the first time.<sup>3</sup>

What is less obvious than the altruistic motivation behind each of these appointees is the personal circumstances that give them the time and sometimes, the money, to be able to take on a public appointment. Very few public appointments are full time roles and they often sit side by side with other roles in someone's working life, most commonly providing part time work for someone nearing the end of their working life, or into retirement. The proportion of appointed members under the age of 55 has remained relatively steady in recent years at around half; for Chair roles, this falls to a quarter.<sup>4</sup>

Between 2006 and 2016, those aged between 55 and 74 in Great Britain over had the highest median wealth, and the gap between this age group and others widened.<sup>5</sup> Evidence from the Scottish Public Appointments Commissioner finds that in 2019, roughly 64 percent of applicants and 78 percent of appointees to Scottish public bodies had household incomes above the Scottish national median (£26,884 pa).<sup>6</sup>

<sup>&</sup>lt;sup>1</sup> Research from public appointees to Scottish public bodies in 2020 found a strong sense of public service drives many public appointees. Scottish Ethical Standards Commissioner (2021). *Report on a survey on time commitment, remuneration and other aspects of the role of public appointees 2020.* 

https://www.ethicalstandards.org.uk/sites/default/files/publications/ESC%20Annual%20Report%20and%20Accounts %202019-20%20FINAL.pdf

<sup>&</sup>lt;sup>2</sup> Appointments by Ministers in UK and Welsh Government must be made in accordance with the Government's Governance Code. See Cabinet Office (2016). *Governance Code for Public Appointments.* 

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/578498/governance\_code\_on\_public\_appointments\_16\_12\_2016.pdf.

<sup>&</sup>lt;sup>3</sup> Commissioner for Public Appointments (2020). *Annual Report 2019-20*. Table 43, 'New appointments by number of additional appointments held and role', p. 87. <a href="https://39h2q54dv7u74bwyae2bp396-wpengine.netdna-ssl.com/wp-content/uploads/2021/01/OCPA-19-20-Annual-report-final-26-11-2020.pdf">https://39h2q54dv7u74bwyae2bp396-wpengine.netdna-ssl.com/wp-content/uploads/2021/01/OCPA-19-20-Annual-report-final-26-11-2020.pdf</a>

<sup>&</sup>lt;sup>4</sup> The proportion of members appointed who were aged 55 or under was 48.4 percent in 2019-20, compared to 45.9 percent in 2018-19 and 50.8 percent in 2017-18. See Commissioner for Public Appointments *Annual Report 2019-20*, pp. 54-55.

<sup>&</sup>lt;sup>5</sup> Office for National Statistics (2018). Wealth in Great Britain Wave 5: 2014 to 2016. https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/incomeandwealth/bulletins/wealthingreatbritainwave5/2014to2016

<sup>&</sup>lt;sup>6</sup> Scottish Ethical Standards Commissioner (2020). A consultation on potential revisions to the Code of Practice for Ministerial Appointments to Public Bodies in Scotland.

https://www.ethicalstandards.org.uk/sites/default/files/publications/2020-08-

<sup>06%20</sup>FINAL%20DRAFT%20Consultation%20Document%20-%20Prospective%20Code%20Revisions.pdf

From the diversity information applicants provide when they apply for roles, we know their age, gender, ethnicity, whether or not they consider themselves disabled, their sexuality, their religion, what region they live in and even what political party they have undertaken declarable activity for. Both Whitehall and Welsh Government have strong ambitions to improve the diversity of public appointments, and the Commissioner for Public Appointments, an advocate for diversity in appointments himself, supports the many efforts outlined in those governments' respective strategies to encourage, support and inspire more people from more walks of life to take on these public roles. We all have a stake in making sure voices from all walks of life are heard in public bodies' governorship. Diverse boards make better decisions and they have an important role in modelling social inclusion. This research into how appointees are paid and patterns of diversity is a first step to better understanding the landscape of appointments remuneration and diversity in England and Wales.

#### What we know already

#### Public appointments and people with disabilities

Lord Holmes' review into opening up appointments to disabled people<sup>7</sup> highlighted the many barriers that disabled people face in accessing public appointments and the ways to break them down. One important message in his review was how financial support played a part in whether or not someone with a disability was able to participate in this form of public life. The Review highlighted the perverse situation whereby payment for public appointments interfered with benefit payments. We took the issue to the Equality and Human Rights Commission's disability committee, where its members discussed the impact payment had on their own opportunity to participate in public life. We have considered the patterns of remuneration and time commitment on the appointment of people with disabilities, seen in Question 2 of this report.

#### Pay for NHS board roles

Within the NHS in England, pressure was mounting as progress in diversity of leadership appeared to have stalled. With appointments to NHS foundation trusts - and payment - devolved down to local level, disparity had emerged in the payment for non-executive roles at trusts and at foundation trusts. NHSE/I developed a new pay system to bring the roles across both types of trusts into line over time, bringing greater transparency, consistency and alignment in

<sup>&</sup>lt;sup>7</sup> Lord Holmes Review (2018). *Opening up public appointments to disabled people*. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/760721/Lord-Holmes-Review-full.pdf

<sup>&</sup>lt;sup>8</sup> NHS Confederation (2019). *Chairs and non-executives in the NHS: The need for diverse leadership*. https://www.nhsconfed.org/resources/2019/06/chairs-and-non-executives-in-the-nhs

remuneration across provider trusts. Early data emerging at the end of 2019 suggested applications to non-foundation trusts were increasing as the new pay system began.

#### **Government initiatives**

The Welsh Government, in its Strategy for Public Appointments in Wales released in early 2020, noted evidence from potential applicants that, 'a consistent barrier for many from protected groups is the limited remuneration for work which requires more time and commitment than it is "rewarded" for.' Many felt that 'only those on good salaries and good pensions are able to apply,' and this included the barrier caused by the potential impact of any income on disability benefits, as noted by Lord Holmes. The Welsh Government has already committed to a review of Board remuneration. Similarly, in mid-2019 the UK Government released its Diversity Action Plan, pledging further exploratory work on remuneration for public appointees, to improve understanding about whether a consistent approach to pay, adjustments and expenses could better attract, and continue to support, diverse applicants. Meanwhile, as OCPA undertook its annual compliance visits to departments, we began hearing how some departments were carrying out their own internal benchmarking of their roles, and while some public appointments which were unremunerated were hard to recruit to, others remained popular no matter what. We hope this research helps both Governments explore this topic further and support their aims in their respective ambitious goals for diversity in public appointments.

#### **Research from Scotland**

My counterpart in Scotland, the Ethical Standards Commissioner, was similarly concerned with the impact of remuneration and reward on diversity. She undertook research on the views of appointees on their remuneration, expenses and time commitment in late 2020 and published her report in early 2021. The survey showed that not all appointees thought that current levels of time commitment and remuneration may be precluding applications from, and appointments to, currently under-represented groups, as the Commissioner had suggested. But there were other comments from respondents speaking candidly about the impact they felt, on pay, and on scheduling of meetings, undervaluing younger people's experiences, trying to balance caring responsibilities with overwhelming and intimidating work practices, and whether the 'public service' feel-good factor was adequate compensation. Most crucially, the research found two thirds of appointees surveyed said the time commitment needed for the role they were doing was

<sup>&</sup>lt;sup>9</sup> NHS England and NHS Improvement (2019). Structure to align remuneration for chairs and non-executive directors of NHS trusts and NHS foundation trusts. <a href="https://www.england.nhs.uk/non-executive-opportunities/about-the-team/remuneration-structure-nhs-provider-chairs-and-non-executive-directors/">https://www.england.nhs.uk/non-executive-opportunities/about-the-team/remuneration-structure-nhs-provider-chairs-and-non-executive-directors/</a>

<sup>&</sup>lt;sup>10</sup> Welsh Government (2020). *Reflecting Wales in Running Wales: Diversity and Inclusion Strategy for Public Appointments in Wales (2020-2023)*. <a href="https://gov.wales/diversity-and-inclusion-strategy-public-appointments">https://gov.wales/diversity-and-inclusion-strategy-public-appointments</a>

 $<sup>^{11}</sup>$  Cabinet Office (2019). Public Appointments Diversity Action Plan.

https://www.gov.uk/government/publications/public-appointments-diversity-action-plan

<sup>&</sup>lt;sup>12</sup> Scottish Ethical Standards Commissioner, 2021.

more than had been advertised. Only 36 percent of appointees said remuneration was important to them at the time of applying for the position, but of those who were paid, fewer than 30 per cent considered it to be appropriate to the role and attendant responsibilities. The research also uncovered a reluctance to claim for expenses, and limitations on claiming which left appointees out of pocket. The evidence from this research in Scotland suggests that appointees are not immune from the terms and conditions of their roles; they have a significant impact on the experience of appointees and their ability to contribute to public life.

#### How public appointments pay is set

There are many quirks about public bodies. There is huge variation in their purpose, not to mention their size. In England in 2017-18, 30 ALBs accounted for 80 per cent of ALB employment. The spending of the five ALBs with the highest gross capital expenditure vastly outweighed the spending of the remaining 294 bodies. The oldest public body dates back to 1660<sup>14</sup> and two new ones in 2021. Pay appears to have developed in a piecemeal way, much like the bodies themselves. Some pay rates are tied to other roles, so when they change, so does the public appointment. Others are set in legislation, making it more difficult to change over time. Whilst pay at the highest end is subject to oversight, half of the roles examined for this report were not remunerated at all, let alone paid handsomely. The question is whether this situation - no apparent rhyme or reason as to why one role is paid X and another Y, or not at all - is making a difference to the diversity of applications, and eventual diversity of appointees. And if it is, it is the Commissioner's view that governments should ask what needs to be done to ensure diversity ambitions are supported by the financial support given to appointees, not hindered by it.

Pay for appointees that is £150,000 or above is subject to oversight from the Chief Secretary to the Treasury (CST) in line with the 'Guidance for approval of senior pay' published in 2018. <sup>16</sup>
Departments can apply for a post to be remunerated at this level using evidence to support their claim that it is required to attract the right calibre of applicants whilst ensuring value for money for the taxpayer. This £150,000 trigger is tied to high public sector pay more generally, and in previous iterations of the policy, was tied to pay of the Prime Minister. The CST considers the request from departments on a case by case basis and approves or denies the request based on the evidence for that role in particular within the market. There is no comparison made between

<sup>&</sup>lt;sup>13</sup> Cabinet Office (2019). *Public Bodies 2018-19*. <a href="https://www.gov.uk/government/publications/public-bodies-2018-19-report">https://www.gov.uk/government/publications/public-bodies-2018-19-report</a>

<sup>&</sup>lt;sup>14</sup> Royal Armouries. Others in the following century include the British Library and the British Museum (both 1753). See Cabinet Office (2019). *Public Bodies 2018-19*.

<sup>&</sup>lt;sup>15</sup> Defra's 'Office for Environmental Protection' will be created with the passing of the Environment Bill. There is also the 'Trade Remedies Authority', under the Department for International Trade, conditional upon the passing of the Trade Bill. The early appointments to both these bodies are regulated by the Commissioner for Public Appointments under Section 2(4) of the 2019 Order in Council, which allows for appointments to be regulated before a public body exists in law.

<sup>&</sup>lt;sup>16</sup> HM Treasury (2017). *Guidance for approval of senior pay*. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/756196/Guidanc\_e\_for\_approval\_of\_senior\_pay\_final.pdf.

high paying public appointment roles in that assessment, and no overall calculation of public appointees' pay in the round which could be divided between appointees. This reflects that the pay for public appointees will come from individual departments, not from a central pot, and there is no overall cap on highly paid public appointees. Amongst the roles in the sample of this report, only one appointment (0.3 percent of or sample) was advertised at £150,000 or more. In reality, this means the pay for the vast majority of appointees is not subject to oversight or market benchmarking to the same degree as high pay is. This is understandably a reflection of the public interest in high pay, but has dragged attention away from the other side of the issue – the question of whether low pay may be damaging talent acquisition to public bodies. The Commissioner's view is that this is also of interest to the public, just as much as high pay is, and is the impetus for this report.

Public appointments which pay nothing or very little can be seen in the context of volunteering more generally. The NCVO notes in their recent report on volunteering in Great Britain, those from lower socio-economic groups (C2DE) are less likely to have volunteered recently than those from higher socio-economic groups (ABC1).<sup>17</sup> Those aged 65 and over are most likely to have volunteered recently. Volunteers perceive a range of benefits from their volunteering – most commonly enjoyment, a sense of personal achievement and feeling they make a difference. Crucially, for our interest, and echoing the research from Scotland's Ethical Standards Commissioner above, of those volunteers reporting negative impacts from their volunteering, 31 percent said they had found themselves out of pocket and 33 per cent found it had taken up too much of their time.

However, unlike with public appointments, women outnumber men in the NCVO volunteers' survey, which they explained by women being more commonly in part-time work and part-time workers being more likely to volunteer. And while the NCVO rates of volunteering do not differ across different ethnicities, or across disability status, the number of public appointees who are female, from an ethnic minority background or have a disability is slightly out of sync with the wider 'economically active' population (Figure 1).<sup>18</sup>

<sup>17</sup> NCVO (2019). *Time Well Spent. A National Survey on the Volunteer Experience*. <a href="https://www.ncvo.org.uk/policy-and-research/volunteering-policy/research/time-well-spent">https://www.ncvo.org.uk/policy-and-research/volunteering-policy/research/time-well-spent</a>

<sup>&</sup>lt;sup>18</sup> Cabinet Office (2020). Public Appointments Data Report 2018/19.

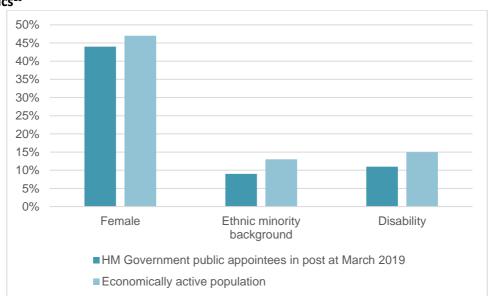


Figure 1: Proportion of public appointees compared economically active population, by protected characteristics<sup>19</sup>

#### **OCPA's objectives and questions**

Picking up on the developments described above, OCPA began scoping work on remuneration of public appointments in mid-2019. Early findings suggested that there was no obvious pattern to the financial support given to different public appointment roles advertised. The Commissioner for Public Appointments presented this early finding to the Public Administration and Constitutional Affairs Select Committee in March 2020, where he committed to undertake a full thematic review into the financial support given to appointees. This report fulfils this commitment. Moreover, he hopes the findings of this report provide a much-needed understanding of the situation that Whitehall and Welsh Government can use to support their ambitions to increase the diversity of public appointees.

The objective of this research is to show the picture of payment for non-executive member and chair roles across public appointments advertised between April 2019 to March 2020, and to link these advertisements to the diversity of the applicants and eventual appointees. In doing so, the Commissioner hopes to find answers to questions that can tell us more about the system of payment and what it does to the talent pool:

#### **Research questions**

- 1. Is there a consistent approach to paying public appointees for their time?
- 2. Do public appointments which do not provide substantial financial support shut out younger people and those from minority groups?
- 3. Is there a pay difference between the average for all appointments and those held by women and those from minority groups?

<sup>&</sup>lt;sup>19</sup> Data from Cabinet Office (2020). Public Appointments Data Report 2018/19.

- 4. Do public appointments based in London pay more than those roles based out of London?
- 5. Is payment for public appointments sector-led?

#### Limitations of our research and next steps

OCPA's data on diversity of public appointees and applicants has some basic limitations which restrict the depth and validity of this research. First, we have only studied appointments that were announced in 2019-20 to give the most recent picture. There are over 5,000 public appointees in post overall having been appointed in previous years; in comparison our sample is fewer than 1,000 most recent appointees. Further, the 2019-20 year included a general election, and the early weeks of the COVID-19 pandemic. Ministers have a central role in making public appointments, and this upheaval restricted ministers' time to give to appointments. As such, some competitions that were started in this time period, were not completed before end of that financial year, and the resulting number of appointments made in the 2019-20 year was the second-smallest since OCPA began collating data ten years ago on appointment volume.<sup>20</sup> However, it is arguable that with the last five years including two general elections, a referendum, numerous ministerial reshuffles, and now a global pandemic, it has not been 'business as usual' in the appointments world for some time.

Secondly, our sample has focussed on competitions that have been successful - that is, someone has been appointed at the end of the process. The Governance Code for Public Appointments allows ministers not to make an appointment following the end of a competition, and some competitions do not attract enough or the right calibre of applicants, so are discontinued and later re-run. The attractiveness of roles may play a part in these 'failed' campaigns, and remuneration may be a part of that. OCPA encourages all departments to review failed campaigns to learn lessons and would expect remuneration to be considered in that review.

Thirdly, applicants to public appointees declare various characteristics such as sex, ethnic background, age and religion through a diversity monitoring form they are encouraged to complete. These are the diversity characteristics we can measure. However, we cannot identify other common markers of social mobility, such as educational attainment, access to transport and other essential utilities, housing security, or inherited wealth. We do not know whether appointees have another source of stable or substantial income, nor whether appointees have caring responsibilities. We have no reason to assume that the evidence from Scotland on household income of appointees is not valid for English and Welsh bodies, but we have no data from applicants or appointees on these aspects of social mobility. So while these aspects of appointees' lives may very well be relevant to a discussion on remuneration, this aspect of diversity must remain unknown for now. The Commissioner believes these other aspects of someone's life - caring, wealth and education status - should be acknowledged as rich sources of

<sup>&</sup>lt;sup>20</sup> Commissioner for Public Appointments (2020). *Annual Report 2019-20*, Table 4, 'Total appointments and reappointments by role by year', p. 74

diversity of thought and life experience. These factors can have a huge practical impact on whether people are able to participate in leadership in public life and we should consider whether financial support could play a part in diversity in this sense of assisting social mobility. We encourage further research from Whitehall and Welsh governments into this issue to increase diversity in its fullest sense.

With these limitations in mind, it has not always been possible to answer our research questions as hoped. However, our intention with this research is to publish, for the first time, analysis of the current remuneration and time commitment for a sample of public appointment roles. We hope to better understand the correlation (if any) between the current system of financial support with the diversity of public appointees, and the likely implications for our public appointments diversity ambitions if the status quo pay system continues.

### Public Appointment roles advertised and successfully filled in 2019-20

Our sample of roles advertised in 2019-20 totals 291, 76 per cent of all public appointments that were advertised as being completed (a successful appointment was made) between 1 April 2019 and 31 March 2020. These roles were in 162 public bodies from 17 departments and Welsh Government. 48 were chair roles and 243 were for member roles. There were 10,451 applicants to these roles and 731 successful appointees. To place this in context, UK Government appointees as at 31 March 2019 (the latest data available) numbered 4,955. For more information about our data, please see Appendix 1.

#### Applicant attraction by remuneration and time commitment

There are stark differences in the average number of applicants to paid, low paid and unpaid roles. On average last year, five times as many people applied to a role advertised as paying over £200 a day than an unpaid role (see Table 1).

Table 1: Average number of applicants by remuneration of role

Roles	Unpaid	Paid less than £200 per day	Paid more than £200 a day
Average number of applicants	10	22	50

Looking at time commitment, roles that were advertised at less than 50 days a year attracted more applicants than those roles requiring a higher time commitment (Table 2).

Table 2: Average number of applicants by time commitment of role

		51 days or more a year
Average number of applicants	51	42

#### Variation in remuneration and time commitment

Just over half - 50.9 percent - of public appointments in our sample of 291 successful competitions were unpaid. This falls to 8.3 percent when you look at chair roles only and rises to 59.3 percent when you look at member roles only.

Table 3: Chair and member roles, paid and unpaid

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	Chair and member roles	Chair roles only	Member roles only
Paid roles	49.1% (143)	91.7% (44)	40.7% (99)
Unpaid Roles	50.9% (148)	8.3% (4)	59.3% (144)
All roles	291	48	243

<sup>&</sup>lt;sup>21</sup> Cabinet Office (2020). Public Appointments Data Report 2018/19.

#### Paid and unpaid roles, and time commitment

The average expected time commitment for all unpaid roles was 30 days, but there are big differences within this average, with the lowest time commitment being 4 days, and the highest being 52. For unpaid members, the average is 30 days, and for unpaid chairs, 38 days (based on only four roles).

While the differential for the time commitment for chairs is significant between paid unpaid roles - unpaid chairs expected to work only a quarter of the days a paid chair is - this is not true for member roles. While unpaid member roles average 30 days a year; paid member roles require just three days more (Table 4).

Table 4: Time commitment of roles advertised, by role type and remuneration

			, , , , , , , , , , , , , , , , , , , ,			
		Paid roles		U	npaid Roles	
	All role types	Chair	Member	All role types	Chair	Member
Number of roles in our sample	143	44	99	148	4	144
Average time commitment (days per year)	60	121	33	30	38	30

#### Unpaid roles, by department

each Department, and the proportion of them which are unpaid. MOJ advertised the most unpaid roles in 2019-20 (89.2 percent of their 139 roles were unpaid), followed by DCMS and DEFRA, HO and MOD. 100 percent of FCO roles in our sample were unpaid roles but this was for only one role overall.

Name This graphic shows the number of roles in our sample from **Proportion** ΑII roles of unpaid roles **HMT** 0% **Cabinet DFT DWP** NIO Office 0% 5 0% 3 0% 0% 4 6 Welsh **DHSC BEIS NHSI** Government 8 0% 0% 11 38 0% 0% 21 MHCLG **MOD** Home **DFE** Office 5 20% 33.3% 3 16.7% 6 33.3% **DCMS FCO** MOJ **DEFRA** 100% 1 6 21 66.7% 139 89.2% 33.3%

**Department** 

Figure 2 below shows the split between unpaid chair and member roles. Of the unpaid roles below, four are chairs, split between MOD, Welsh Government, Defra and DCMS. The remainder are member roles.

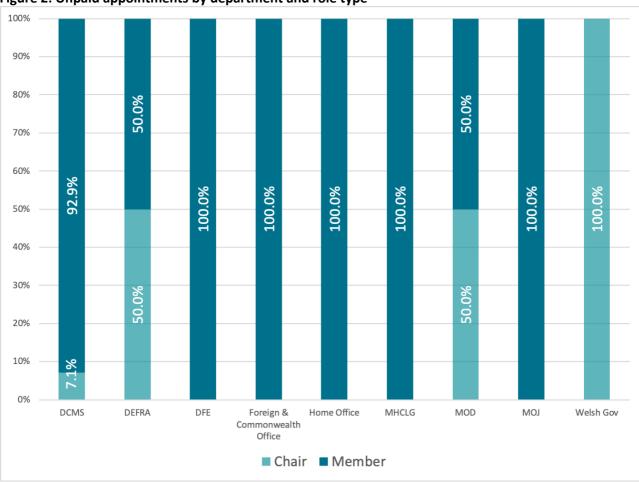


Figure 2: Unpaid appointments by department and role type

Looking at the time commitment of unpaid roles (Table 5 below), Welsh Government roles asked for the most - averaging 52 days per year - and the lowest was zero (no guaranteed days) from DfE. MOD unpaid were the next lowest, requiring four days of service per year.

Table 5: Average time commitment of unpaid roles across departments

Department	Number of unpaid roles in our sample	Average time commitment per year
Welsh Government	1	52 days
DEFRA	2	48 days
MOJ	124	33 days
FCO	1	27 days
Home Office	2	15 days
DCMS	14	12 days

MHCLG	1	10 days
MOD	2	4 days
DFE	1	0 days (work as needed, no guarantee to work)

#### **Remuneration levels**

Table 6 below shows across all 291 roles in our sample, the median day rate is £0, with just over half of roles unpaid. The average day rate is £187.85, and the average equivalent salary is £12,160.

Taking out the unpaid roles and looking at paid roles only (49.1 percent of our sample), the median day rate rises to £333.33, and the mean day rate £388.78. This results in a mean annual equivalent salary of £23,138, for an average of 60 days of work per year. Unpaid roles' time commitment is half of this, at 30 days.

Table 6: Average and median remuneration, paid and unpaid roles

_	All roles	Paid roles only	Unpaid roles only
Mean Day Rate	£187.85	£388.78	£0
Median Day Rate	£0	£333.33	£0
Mean Salary	£12,160	£23,138	£0
Median Salary	£0	£9,360	£0
Mean Expected Time Commitment (days per year)	44 days	60 days	30 days

These averages for paid roles hide great disparity. Across departments, salaried roles were advised at anywhere from £3,000 to £150,000 per annum, and day rates varying by £808 pounds. With public bodies' size, purpose and spending being so different, not to mention the requirements of chair versus members roles, it is not surprising that there is such variation in time commitment and remuneration across roles advertised in 2019-20.

**Table 7: Pay variation across departments** 

	Lowest in our sample	Highest in our sample
Annualised Salary (where role is salaried)	£3,000 (Cabinet Office)	£150,000 (BEIS)
Day Rates (where role is day rate)	£142 (DWP)	£950 (DfT)

Evidence from Scotland's Ethical Standards Commissioner found that two thirds of Scottish Government appointees considered the time commitment needed for the roles they held was more than had been advertised, and one fifth considered the commitment to be at least double that advertised. OCPA encourages more research to understand if there is a similar risk for UK and Welsh Government appointees, those salaried in particular, that the time commitment for roles underestimates what is actually required, and therefore overstates the relative pay.

#### Paid or unpaid? Different recruitment experiences across Whitehall and Welsh Government

Around 1,000 people take on a public appointment every year, with departments in Whitehall and Welsh Government running hundreds of competitions to fill these roles. While our data shows a weak pattern of remuneration against time commitment, it is important to note that underneath these averages lie very different and sometimes counterintuitive examples of how pay and time commitment work on candidate attraction. We have taken soundings from public appointments officials across Whitehall and Welsh Government to find out more about how they view their challenges and success with roles. This is further evidence to suggest a standardised approach to pay would not necessarily elicit a consistent applicant pool.

The Governance Code for Public Appointments states that appointments must be made on merit, meaning 'providing Ministers with a choice of high quality candidates, drawn from a strong, diverse field.' There are examples of where meeting this standard is a struggle where the time commitment is high and roles are unpaid. For example, an unpaid role for a Chair requiring four days of work per month received 12 applications, none of whom declared a disability, were from an ethnic minority nor female. In another case, after extending an application window to attract more applicants for a chair role of national advisory committee, a department directly approached 40 potential candidates to encourage them to apply. None did so, despite positive feedback that the role was interesting. Some potential applicants commented that they didn't currently have capacity for an extra role, whilst others expressed concern that the role was unremunerated. Sometimes this challenge can be directly addressed during the course of campaign - a department was looking for members of a different national advisory committee, for unpaid roles requiring four days a year. The application window was extended after ministers decided to remunerate the role to £386 a day a month after the competition was launched. Applications jumped from 14 to over 50.

But not all unpaid roles struggle to attract applicants each time. One department shared a case of a competition for a member requiring 10 days of work per year had 16 applications, but half of the shortlist removed themselves from the competition. However, a year later, a competition for the same body resulted in a large and diverse range of applications, making the impact of pay, separate to other factors, hard to judge. Some public appointments require technical or professional expertise, and the public appointment role is a way for a person to contribute that to a national body while otherwise employed elsewhere and boosting their career standing. In contrast to the example in the para above, another competition for members of a board with current professional experience for an unpaid role attracted over 50 applications. Others roles are high profile, so, for example, when an unpaid role for 8 days a year was advertised for a world-renowned institution, over 50 applications were received. Other roles requiring professional expertise elicit very different responses from potential applicants, suggesting not all potential applicants react in the same way. For example, one department received feedback from those who declined to apply for a member role paying around £15,000 a year for fewer than 20 days work, who noted their difficulty in balancing this role with other work commitments and 'lack of remuneration'. Nonetheless, the department did receive over 100 applications for the role.

Departments note when the wider objectives and purpose of a public body are being evaluated, this can provide an impetus to look at pay of its public appointees. For example, unpaid roles in our dataset have become paid roles since. Following wider discussions on a body's purpose and scope, the body's sponsor department re-evaluated the approach to pay, and assessed how members needed to bring skills to reflect new, wider priorities. The roles are now remunerated, and time will tell if this changes the applicant pool for future competitions, or changes the way members feel about their service or how the body functions.

OCPA encourages departments to review their candidate attraction in light of the evidence in this report, and take time to consider whether a change to pay and/or time commitment for their roles has the potential to unlock more talent. The requirement for government departments to undertake Tailored Reviews of all public bodies at least once in the lifetime of a Parliament should provide a regular review point for board members' remuneration and time commitment.<sup>22</sup> We encourage departments to share their learning and monitor the effects of any changes they implement, so more informed decisions can be made as to how members and chairs should be remunerated.

<sup>&</sup>lt;sup>22</sup> Cabinet Office (2019). *Tailored Reviews: Guidance on Reviews of Public Bodies*. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/802961/Tailored Review Guidance on public bodies -May-2019.pdf

## Question 1: Is there a consistent approach to paying public appointees for their time?

To answer this research question we have plotted the time commitment of paid roles against the equivalent salary offered. We have done this in several ways - looking at roles with higher and lower time commitment, looking at roles which are salaried, and looking at chair and member roles separately.

#### Time commitment and paid roles

Over two thirds of paid roles advertised in 2019-20 (100 of 143 paid roles) required less than 50 days work per year, and they exemplify the typical public appointment role on offer. Figure 3 below plots time commitment versus salary for these roles. From this, we can see most roles advertised in 2019-20 were clustered between 15 to 35 days a year, and a salary of between £5,000 and £20,000 per year. There is a positive correlation between days worked and overall annualised salary but many data points straying far from the trend line; the data shows that for £8,000 per year, an appointee may be required to work anywhere between 5 to 48 days per year. The disparity at the top end is even more stark, with roles requiring 48 days per year remunerated at between £8,000 and £50,000 per year.

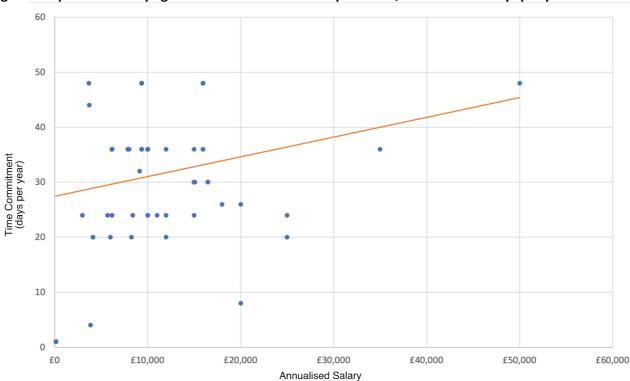


Figure 3: Equivalent salary against time commitment for paid roles, less 50 or less days per year

Looking at all paid roles to include those with any time commitment (the highest in our sample being 250 days), Figure 4 below shows a stronger positive correlation between time worked and money earned. Roles being paid less than £20,000 cluster close to the trend line, but at higher

salary levels, the roles start to stray and could all be considered outliers. This suggests not only is there a lack of consistency between time commitment and salary as seen in Figure 3, but the problem is more acute in higher paid appointments (Figure 4).

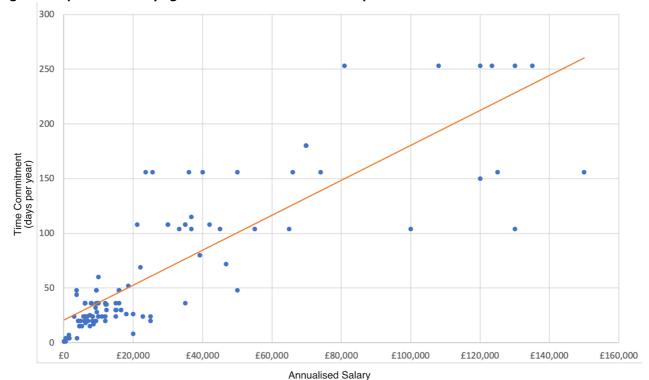


Figure 4: Equivalent salary against time commitment for all paid roles

Time commitment and salaried roles

Public appointment roles which are remunerated are either paid a salary or a day rate. We have considered the impact of the method of payment on the relationship between time commitment and earnings. Our analysis shows that those paid on a day rate work on average 41 days per year, compared to the time commitment of those who are salaried of 68 days per year. With a higher time commitment, and perhaps a more settled and routine approach to the job (rather than ad hoc attendance), we have considered these salaried roles alone to see if the relationship between payment and time is clearer.

Figure 5 shows that roles requiring 50 days of work per year for a set salary do not have a very consistent approach to remuneration for time commitment. There is huge variation - for example, roles requiring 24 days per year have been salaried anywhere between £3,000 and £25,000 per year.

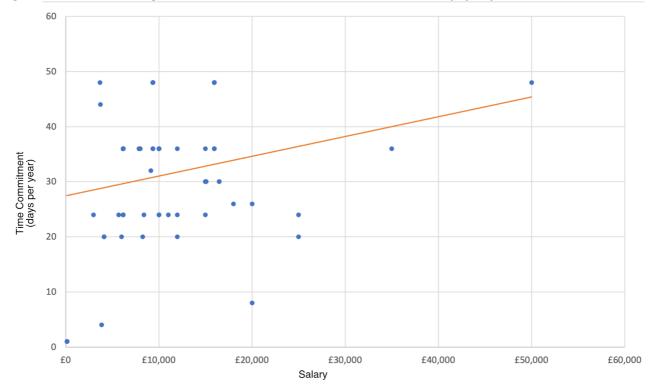


Figure 5: Salaried roles against time commitment for roles less than 50 days per year

However, in Figure 6 below shows the correlation between salaried roles and time commitment for roles with a higher time commitment is stronger than that seen above. Higher paid roles, while more strongly correlated with time commitment, are mostly outliers. This suggests that deviation in pay and time commitment, even for salaried roles, lies not only in roles with lower time commitments as seen in Figure 5 above, but also in those roles requiring higher time commitments in Figure 6 below.

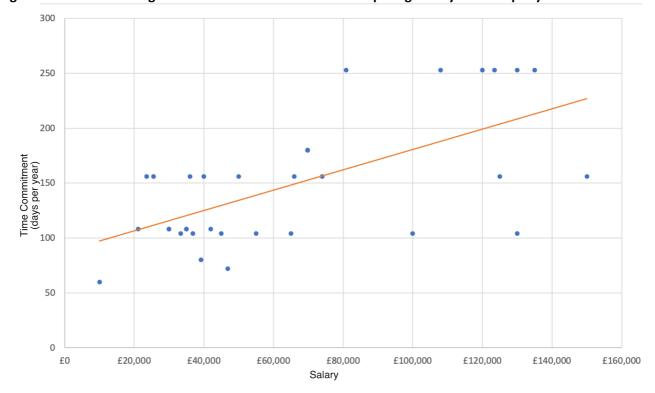


Figure 6: Salaried roles against time commitment for roles requiring 50 day or more per year

We have also looked at member roles and chair roles separately, to see if the consistency for payment is stronger for roles advertised at, broadly, at the 'same' level.

#### Time commitment and pay for chairs and members

#### **Chair roles**

Turning to chairs, there are 48 chair roles in our sample of roles advertised in 2019-20, with only 4 of these (8.3 percent) being unpaid. These 44 paid chairs roles are receiving an average salary of £55,081.48 a year, for an average of 119 days of work per year. Figure 7 below shows the relationship between time required and annualised salary is correlated, but with many outliers. This suggests that pay amongst public body chairs is variable for reasons outside of time commitment. For example, chair roles requiring just over 156 days a year (3 days a week), could be remunerated anywhere between £23,600 (NHS Trust) and £150,000 (Financial Reporting Council, BEIS) per year.

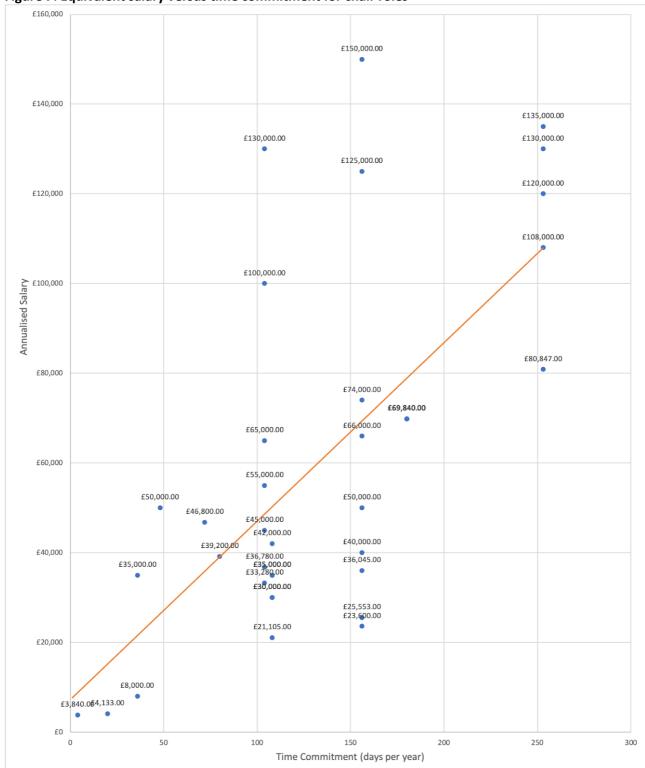


Figure 7: Equivalent salary versus time commitment for chair roles

#### Member roles

In our sample, 243 roles were advertised for members of public body boards last year, 59.3 percent of these were unpaid. A higher proportion of the roles are unpaid compared to chair roles (8.3 percent versus 59.3 per cent).

Amongst those members being paid, understandably, they are being paid on average less than paid chairs (£11,090.70 versus £55,081.48), and their time commitment is also less than paid chairs (37 days per year versus 119 days per year).

Figure 8 below shows that for paid member roles, requiring a higher time commitment (over 100 days) there appears to be a correlation between time commitment and payment.

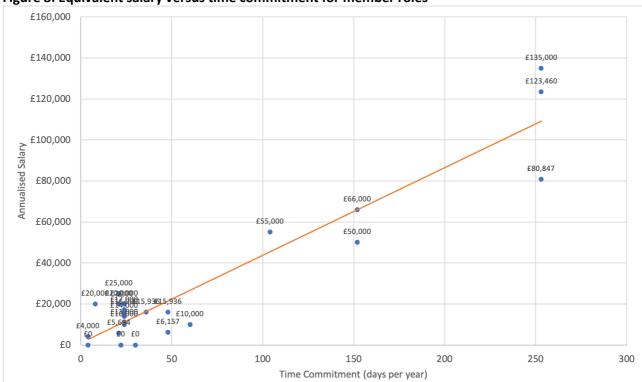


Figure 8: Equivalent salary versus time commitment for member roles

However, looking more closely at paid member roles requiring fewer than 50 days per year, the relationship between days worked and annualised salary has totally broken down (Figure 9 below). This suggests that factors beyond time commitment are at play in setting pay for these member roles.

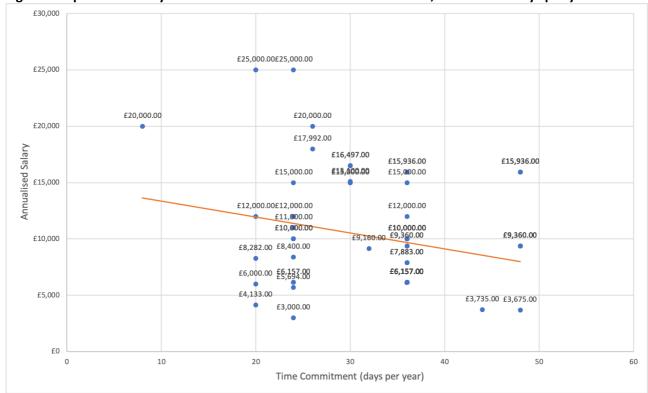


Figure 9: Equivalent salary versus time commitment for member roles, less than 50 days per year

To illustrate the pay disparity in these member roles, we have taken a snapshot of what salary could be expected of a yearly 24 day commitment for a member role (see Figure 10). Remuneration for this level of time commitment ranged between £3,000 and £25,000.

Figure 10: Snapshot of equivalent salary for members working 2 days per year



**Summary of Question 1: Evidence from our sample** finds that there is little consistency in the approach of payment for public appointments roles based on time commitment. This is true for member and chair roles, for roles that require less or more time commitment and for roles that are salaried or dayrated. For paid member roles for less than a 50 day time commitment, the link between time and pay has broken down. It is not clear whether these discrepancies have arisen from concerted efforts to benchmark remuneration or from an historical approach that has merely been allowed to continue. As our sample is only a snapshot of public appointments roles in total, more research is required to understand better whether these discrepancies are found across the whole system.

The next sections of this report go into more detail on the correlation between time commitment and remuneration on the applicants and eventual appointees to these roles.

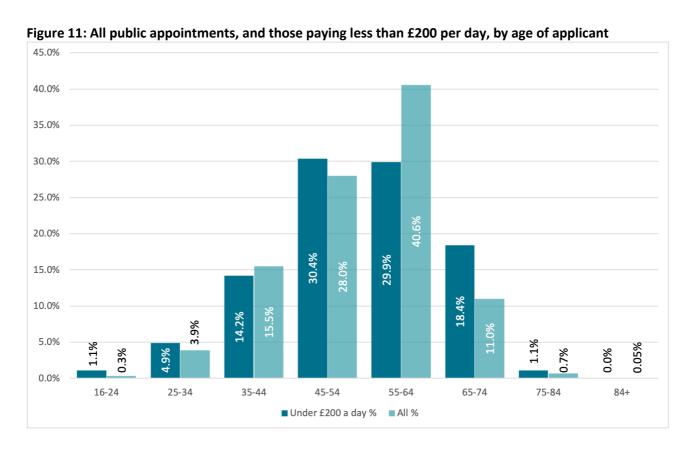
# Question 2: Do public appointments which do not provide substantial financial support shut out younger people and those from minority groups?

This question is based on the stereotype of public appointees. We have tested the idea that public appointment roles which are unpaid or pay less than £200 a day will attract an applicant field which is on average, older, than those paying more than £200 a day (and older than the average of the entire 19-20 applicant cohort). We have then gone on to consider any patterns in applications from other groups based on the remuneration or time commitment advertised.

#### Remuneration and applications from different protected groups

#### Age

Figure 11 below shows roles that while those aged 55 to 64 make up 40.6 percent of all the applicants in our sample, they make up only 18 percent of applicants to roles paying less than £200 a day. Conversely, those aged between 64 and 75 make up 18 percent of applicants to low paid roles, compared to only 11 percent of all roles. This shows the impact, perhaps, of retirement income or other financial security on attraction to unpaid roles. However, those aged under 34 are overrepresented in applying to unpaid roles too, suggesting perhaps lower paid roles are perceived as more 'entry level'.



#### **Ethnic background**

Of the applicants to all roles in our sample, 15.6 percent were from ethnic minority backgrounds. Figure 12 compares this with the applicant profile for only the roles which paid less than £200 or were unremunerated. Roles paying less than £200 a day or that are not remunerated attract applicants from different ethnic backgrounds proportionately. This suggests that remuneration is not impacting the attraction of people from different ethnic backgrounds in the way our question assumes.

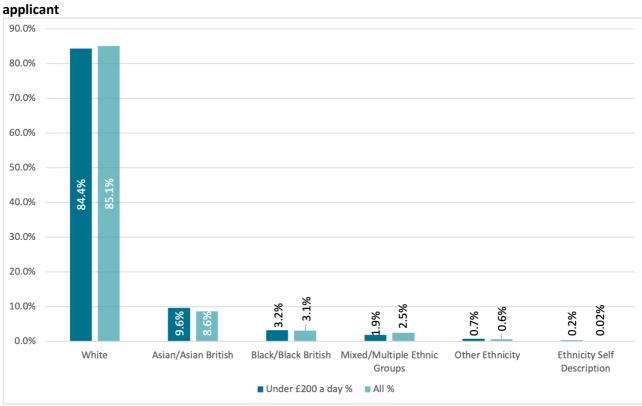


Figure 12: All public appointments, and those paying less than £200 per day, by ethnic background of applicant

#### **Disability**

The Lord Holmes Review, taking evidence from appointees and application with disabilities, recommended that the Government consider the interaction between remuneration and benefits payments for potential public appointees, and draw up guidance to help public appointees to negotiate this process. There were concerns that inconsistent remuneration across public appointments may exclude some people with disabilities from applying, with 'working for free' described as a privileged few had, especially when attempting to manage their condition and negotiate multiple barriers in day-to-day life.<sup>23</sup>

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<sup>&</sup>lt;sup>23</sup> Lord Holmes Review, 2018.

Evidence from our sample suggests that the proportion of applicants declaring disabilities who applied to roles remunerated at under £200 a day did not differ from the proportion who applied to any role more generally (see Figure 13 below). However, with the small number of applicants declaring disabilities (fewer than 10 percent of applicants overall), it may be this group is selfselecting, not putting themselves forward for any roles.

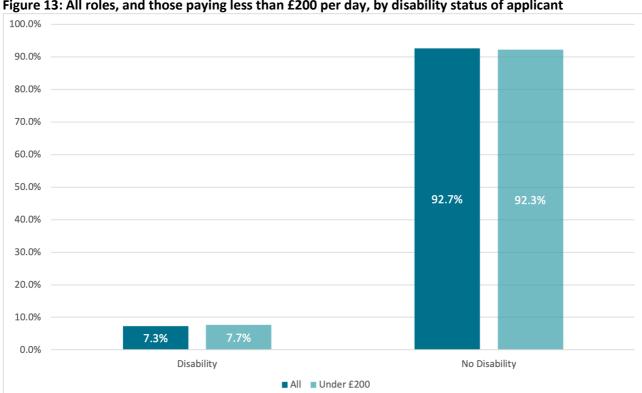


Figure 13: All roles, and those paying less than £200 per day, by disability status of applicant

The Lord Holmes Review noted government should do more to 'combat the perception that public appointments are "not for people like them"<sup>24</sup>. Other recommendations in the Lord Holmes Review were that the Government should remove barriers which restrict disabled peoples' participation in public appointments, including making changes to application systems and selection and assessment methods.

#### Gender

There is disparity between the application rates of those declaring female and male by remuneration. Women made up a slightly higher proportion of applicants to unpaid roles than to roles overall, and for men, this trend was reserved (Figure 14). This may be explained from the trend in applications to chair roles detailed in OCPA's 2019-20 Annual Report, where men outnumbered women at the application stage of chair roles<sup>25</sup>, and this analysis shows how these chair roles are much more likely to be remunerated.

<sup>&</sup>lt;sup>24</sup> Lord Holmes Review, 2018.

<sup>&</sup>lt;sup>25</sup> Commissioner for Public Appointments, *Annual Report 2019-20*, Table 22, p. 81.

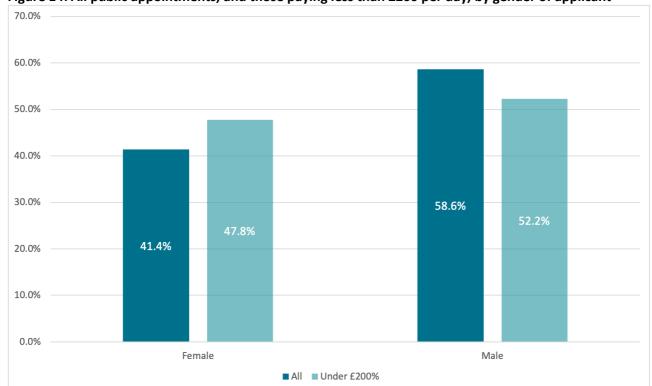


Figure 14: All public appointments, and those paying less than £200 per day, by gender of applicant

#### Time commitment and applications from women and minority groups

#### Age

Those aged over 45 outnumbered those under 45 across applications to all roles by four to one. When looking at time commitment of roles against age of applicant (Figure 15 below), people aged 45 and under applied in higher proportions for roles with fewer hours, and then again with those asking for more. There was a slight 'hollowing out' of young people applying for roles in the mid-range of time commitment.

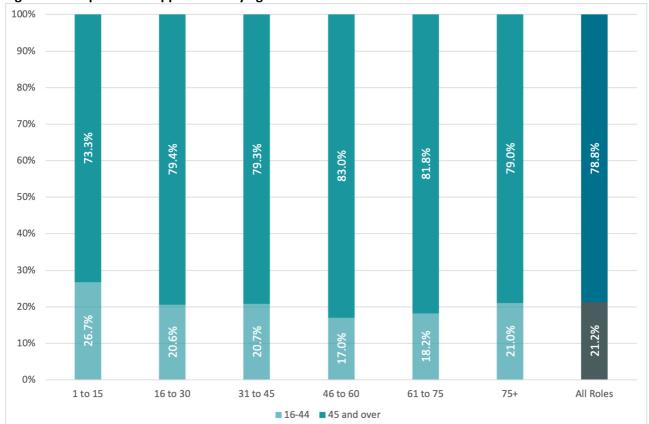


Figure 15: Proportion of applications by age to roles with different time commitments

#### **Ethnic background**

The pattern seen above is slightly muted when looking at the ethnic background of applicants to roles with different time commitments (Figure 16 below). Roles at between one and two days a week (46 to 60 days per year) were less attractive to those from minority ethnic backgrounds compared to other time commitments and the application rate overall. But across other time commitments, the proportion of applicants from ethnic backgrounds did not differ much.

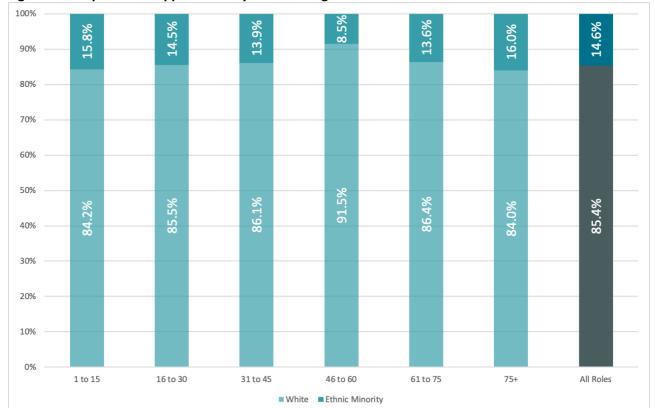


Figure 16: Proportion of applications by ethnic background to roles with different time commitments

#### **Disability**

Looking at those declaring disability (Figure 17 below), we can see that the roles requiring two or more days a week (between 46 and 75 days per year) were slightly more attractive to applicants with disabilities, than those roles which required less time. But there were virtually no applicants with disabilities to roles requiring 75 days of more. The Lord Holmes Review found evidence that remunerated posts interacted adversely with the benefits system. <sup>26</sup> It may be that roles requiring more time are less likely to have this adverse effect and are more attractive to disabled people in receipt of benefits. With the small numbers of applicants in this sample, it is not possible to make strong inferences from this data and more research is required.

<sup>26</sup> Lord Holmes Review (2018). *Opening up public appointments to disabled people*.

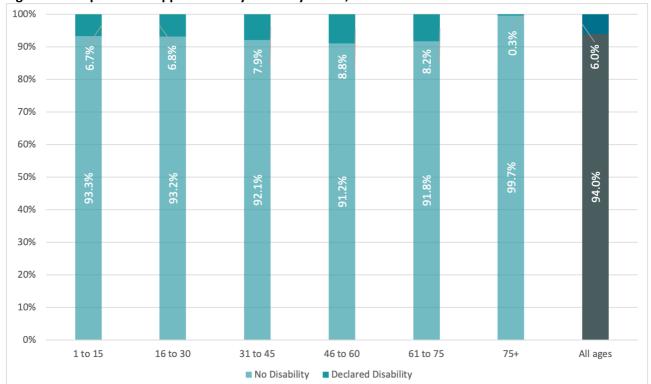


Figure 17: Proportion of applications by disability status, to roles with different time commitments

#### Gender

Men applied in greater numbers than women overall for public appointment roles in our sample and Figure 18 below shows this is true regardless of the time commitment specified for the role. However, we can see this disparity increase for roles that were advertised with a higher time commitment, 61 or more days per year. These roles attracted the smallest proportion of female applicants by some margin.

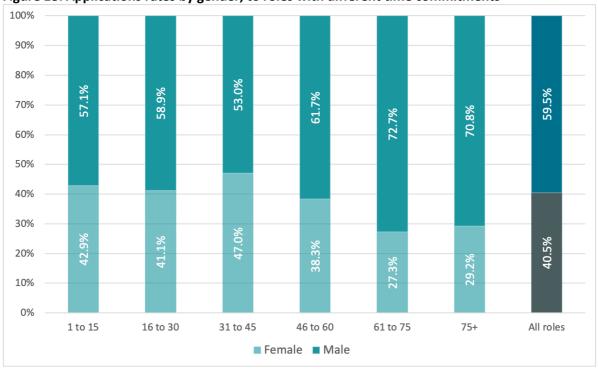


Figure 18: Applications rates by gender, to roles with different time commitments

Summary of Question 2: The impact of remuneration and time commitment on application rates is not even across all protected groups, suggesting that a uniform approach to pay or time commitment will not uniformly increase applications from these groups. In particular, there is limited evidence for time commitment or remuneration impacting the rates of applications from those of ethnic minority backgrounds or people with disabilities in any significant way. However, there is some evidence that some particular interventions may be of interest to departments looking to target particular groups. For example, when it comes to younger applicants, our question is answered as 'yes' more clearly - those over the age of 64 were overrepresented in applications to unpaid roles. However, when looking at gender the evidence shows that unpaid roles were more attractive to female applicants (not less). However, roles that were advertised with a higher time commitment attracted the smallest proportion of female applicants, suggesting that time may be a more important consideration for women than pay. Further research with a larger sample may uncover stronger patterns with protected groups and remuneration and time commitment.

# Question 3: Is there a pay difference between the average for all appointments and those held by women and those from minority groups?

In the UK in general, there are discrepancies in the pay received by workers correlated with their protected characteristics, such as sex, ethnic background and disability status. Recent efforts have been made to highlight these disparities, such in mandatory reporting of the gender pay gap in organisations with 250 employees or more.<sup>27</sup> There is no evidence that the pay offered for a public appointment role changes depending on the eventual appointee. What the question is seeking to find out is whether similar discrepancies exist in public appointments roles as seen in general employment, where lower paid roles are more likely to be filled by those who are from a minority ethnic background, or declaring as female or with disabilities. The graphic below shows the average equivalent day rates and the average time commitment, for paid roles only. The average paid public appointment role is for 60 days per year, at £388.78.

# Average pay and time commitment by protected characteristics



<sup>&</sup>lt;sup>27</sup> Government Equalities Office (2020). Gender pay gap reporting. https://www.gov.uk/government/collections/gender-pay-gap-reporting

For women, this day rate is marginally higher (£1.17), but for those from ethnic minority backgrounds, the average pay per day falls by £32.63 compared to the average. For those declaring disabilities, the difference in average daily rate is stark, being over 28 per cent less than the average, a discrepancy of over £111 pounds per day.

When taking into account the time commitment over a year, these day rates extrapolate out into significantly different annual salaries. The average salary for a paid public appointment role is £24,851.61, but this falls to less than £19,000 for those roles held by women, by virtue of women taking roles that have a lesser time commitment. For those from ethnic minority backgrounds, taking roles with a greater time commitment brings their average equivalent salary to almost £3,000 above the average. For those with disabilities, the lower average day rate coupled with the highest time commitment, leaves the average equivalent salary below the average, but above that of women.

Summary of Question 3: Our evidence on day rates of paid roles suggests there is a pay gap only in part, with significant differences in the day rates of appointees declaring disabilities in particular. It may be here we can see some evidence of the phenomenon described in others' research where reaching a payment threshold for work interferes with receipt of benefits. Extrapolating these day rates into annual equivalent salaries, taking into account the time commitment of the role, women appointees' remuneration falls to less than the average, because of the trend towards the appointments held by women requiring a smaller time commitment. The reverse is true for those from ethnic minorities, who by being in roles with higher time commitment, earn a higher average annual salary. And despite working on average the most hours, public appointees with disabilities are in roles receiving less than the average salary. These findings should be noted with caution as our sample is only a snapshot of all public appointment roles, and we suggest further in-depth research to understand any pay gaps more clearly.

#### Recognition and reward – the public appointees who are volunteers

Thousands of Ministry of Justice public appointments are unremunerated, being considered volunteering roles with a strong public service ethos. The scale of these recruitment exercises dwarfs the rest of the public appointments world. For example, in a normal year up to 100 competitions will be run to recruit over 200 new Independent Monitoring Board (IMB) members. Members of IMBs, as unpaid public appointees, collectively complete around quarter a million unpaid hours of work a year. Dame Anne Owers and the team at the IMB Secretariat note that over 20 per cent leave in the first year, and the deficit in membership, looking across all 127 boards, has been stuck at around 300 members for a number of years. Over 48 per cent of IMB members are over 65. In reality, each board needs to consider running a competition each year to remain quorate. There is no budget for advertising, although new approaches are being piloted, and IMB chairs are working hard to reach out to communities to advertise the role and broaden their membership, linking up with local networks and community groups. An IMB member's strength is being grounded in the local community, and being able to connect, empathise and make sound judgments. Diversity is critical to an IMB's success.

IMB roles are challenging: visiting prisons, making high-pressure professional judgments and sometimes witnessing trauma. Alongside monitoring, Chairs and Board officers have additional responsibilities such as supporting and appraising members, drafting annual reports and meeting GDPR requirements. Boards can accommodate those who are working, but there is a limit to how much weekend work is possible, because most monitored activity and all meetings take place between 9am and 5pm. Both those who are IMB members, and those who support them, think the challenge of recruitment and retention for IMBs would not necessarily be solved by remunerating all IMB roles, not least because of the impact on the public purse; however the scale and importance of the task does require appropriate resource to support, train and retain members.

Similarly, lay members of Advisory Committees of Justices of the Peace (ACJP England and Wales) are unpaid Ministry of Justice Public appointment roles, with several hundred appointees in place in committees across England and Wales. These members have a nine year term, and feedback from regional leaders in the North West suggests that while enough applicants apply to successfully recruit, they are mostly over 55. Members get expenses and a reasonable loss of income stipend. Lay magistrate members speak of the culture and ethos of the role steeped in a long history, which lends itself to unpaid public service. But the role is not widely known or understood in the community and they are making efforts to reach out and think carefully about assessment methods to capture the breadth of skills they require. Lay members noted the ongoing training and flexibility of the role was important to attract and retain talent, and how employers should recognise the benefits of their employees gaining skills from being a lay ACJP public appointee, just as volunteering generally is considered to be beneficial to one's career.

From the perspective of both ACJP and IMB members, remuneration 'doesn't feel right' for these public appointments. Speaking with OCPA, they noted their own personal motivations to give back, to learn new skills and contribute to their community. Volunteers noted the time in their life – with space away from work or caring pressures – allowed them the freedom to give

back in this way, and this no doubt had an impact on the different people who were able to do the roles.

Both the ACJP committees and the IMBs are interested in new ways to attract and reward their volunteers, including more recognition from ministers for the work, national awards or badges to recognise length of service. For IMBs in particular, access to workplace support such as mental health counselling for those who witness trauma is critical to retaining talent. Crucially, payment might be used to recognise the work and standing of IMB chairs or those with national roles in particular, and may give IMB members a 'career pathway', mirroring an approach taken by other third sector organisations with their volunteers.

Evidence in this report from a snapshot of public appointments shows that there is no clear system to setting pay and time commitment, and the experiences of ACJP and IMB volunteers suggest a blanket approach to all public appointees is not feasible or even wanted. A bespoke system – which recognises the spirit of volunteering, and thinks more widely and strategically about rewarding progression – should be considered to open up these important roles to more people, hold on to talent, and retain the 'giving back' ethos that drives these thousands of public appointees.

# Question 4: Do public appointments based in London pay more than those roles based out of London?

Both UK Government and Welsh Government have stated policy positions to rebalance their respective economies, and the distribution of power, outside of London and Cardiff respectively. All applicants to regulated public appointments are asked to state in which region or nation their primary residence is (Scotland, Wales and Northern Ireland are not broken down further). Looking at all appointments made by UK Government ministers only, the largest proportion of appointees in 2019-20 stated they lived in the South East - 19.6 percent - and a further 18.0 percent in London. Of all current UK Government appointees as at 31 March 2019, 37 per cent stated they were living in London and the South East.

Anecdotally, the suspicion has been that public appointments have not been distributed evenly across the country, and that for those wanting to give public service through an appointment, there is an advantage to being able, through residency, to take up a post in London. Using the location given on the advertisement for each role in our dataset, we can track remuneration against location, and see whether roles based outside of London and the South East pay less, mirroring the general pattern in the economy seen in pay across England.<sup>30</sup>

During the course of undertaking this research, the COVID-19 pandemic has ushered in an unprecedented change to working patterns. Public appointments competitions over the last 12 months have moved to online assessment, and the work of boards of public bodies has moved to online meetings; at the time of publication of this report, attendance in person has not been routinely possible in almost a year. This has made the region where appointees are based almost irrelevant, and has the potential to open up London-based roles to those based anywhere (particularly advantageous to those for whom travel is more difficult). It also could prompt government to think differently about the location of new public bodies, and challenge our assumptions about how 'the centre of government' is defined.

#### Remuneration across the regions

Looking at our sample of roles advertised in 2019-20, there is great variation in the pay for roles depending on where they are based, with a differential between the roles with the highest and lowest average equivalent salaries of over £60,000 (Figure 19).

 $\frac{https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/bulletins/annualsurveyofhoursandearnings/2020$ 

<sup>&</sup>lt;sup>28</sup> Commissioner for Public Appointments Annual Report 2019-20, Table 33, p.84

<sup>&</sup>lt;sup>29</sup> Cabinet Office (2020). *Public Appointments Data Report 2018/19.* 

<sup>&</sup>lt;sup>30</sup> 'In April 2020, London topped the regional list for median earnings for all employees by place of work, at £640 per week. The median here is £141 more per week than the next highest, the South East (£498), and £161 more than the median for the whole of the UK (£479).' See Office for National Statistics (2020). *Employee earnings in the UK: 2020 Measures of employee earnings, using data from the Annual Survey for Hours and Earnings (ASHE)*.

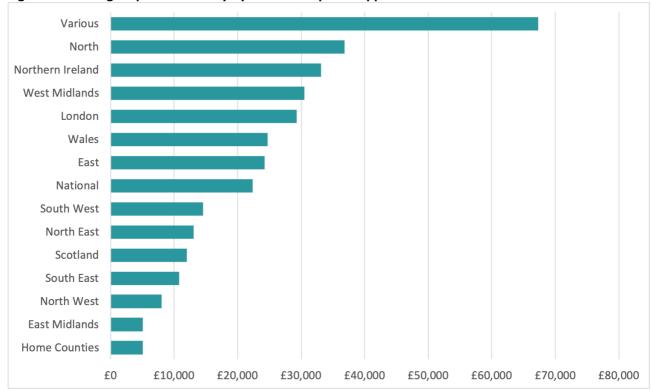


Figure 19: Average equivalent salary by location of public appointment role

Roles described as having a 'Various' location were on average remunerated at almost £70,000 per year, yet those described as 'National' less than half that, which suggests that there is not a consistent way role location is being described in advertisements. Time will tell whether roles requiring a lot of travel will still offer higher pay as more work of public bodies moves online, and the need for travel decreases. London and South-East based roles were not remunerated the highest, and Home Counties roles, arguably easy for London-based appointees to get to, had the lowest average salary.

#### Where roles are based vs where appointees are based

We can also look at the region where appointees state their primary residence is, and where their appointment was listed as being based. This can tell us more about whether the location of a role is going to discourage or encourage attempts to open up appointments to people residing all over the country. We have excluded appointments to Welsh Government roles because our diversity dataset does not include regions in Wales, and focussed on UK government roles only. Some UK public bodies have members to specifically represent the different UK nations, and some roles will be specifically recruiting for local knowledge or connections to ensure a diversity of views.

Figure 20 below shows that London-based appointments are not the preserve of Londoners, with over two thirds of them being held from those residing outside London. However, roles in other regions are also held by 'outsiders' - around two thirds of appointments based in the West Midlands, the North East and the East are held by people residing outside of those regions. Thus it

is not automatic that placing public bodies in those regions will result in a board comprised mostly of 'local 'people, an important caveat when looking at how to advance the 'levelling up' agenda. Roles based in the North West, and to a lesser extent in the South and South West, are the most likely to be held by those residing there, perhaps a reflection of transport options. Whilst all the appointees who stated their residence was in Northern Ireland are working for appointments based in Northern Ireland, the reverse is true of appointees who reside in Scotland, whose appointments are all based in England.

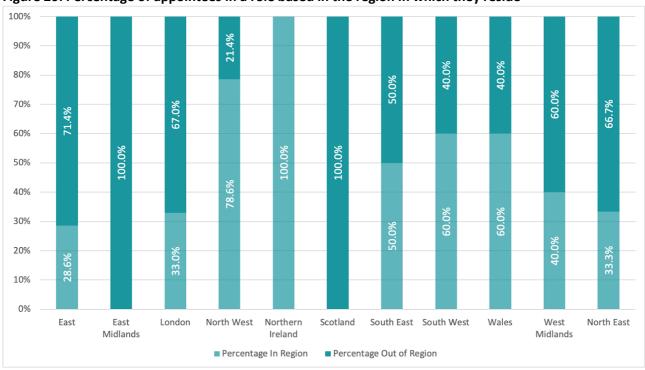


Figure 20: Percentage of appointees in a role based in the region in which they reside

Summary of Question 4: The evidence from our sample suggests that it is incorrect to assume that public appointments roles based in London and the South East have the highest remuneration. Those wanting to take up a public appointment near or not far to where they live are not necessarily disadvantaged, in terms of pay, by taking a role outside of London and the South East. Even more pertinent in 2021, is that the roles in these higher paying regions are arguably more open to those living somewhere different, with the move to remote working ushered in by the pandemic. We can also see that roles based in the regions do attract those from outside of those regions as well as those inside, suggesting that the location of a public bodies' work will not lead it to appoint only those people from that region. Further research will be useful to better understand whether the levelling up agenda can be furthered by a change to the level of payment offered.

#### Question 5: Is payment for public appointments sector-led?

Benchmarking and discussion on public appointments pay at the higher level - £150,000 or over - uses assessments of the overall market value for the skills required. Departments have noted some public bodies in the fields associated with high pay - such as finance or infrastructure, for example - will need to remunerate their public appointees accordingly. Perhaps then, pay at lower levels reflects some of the value of skills in the relevant sector too. To answer this question, we have attempted to use average pay in different sectors of the economy to explain pay levels in public appointments associated with that sector.

Roles advertised on the public appointments website list a sector that the public body operates in. These descriptions are not standardised, and there is some overlap in these descriptions (roles defined as 'Prison, policing and transport', and 'prison and policing', for example). Figure 21 below shows the distribution of roles in our sample by these sector descriptions, and the average equivalent day rate for those roles. The differential between the highest and lowest average equivalent day rate is £889.50. Unsurprisingly, appointments in the Business, Finance and Skills (£1,014.50), and Energy sectors (£666.30) are paid the highest average day rates, with Culture, Media and Sport, Health and 'cross sector' roles being remunerated the least.

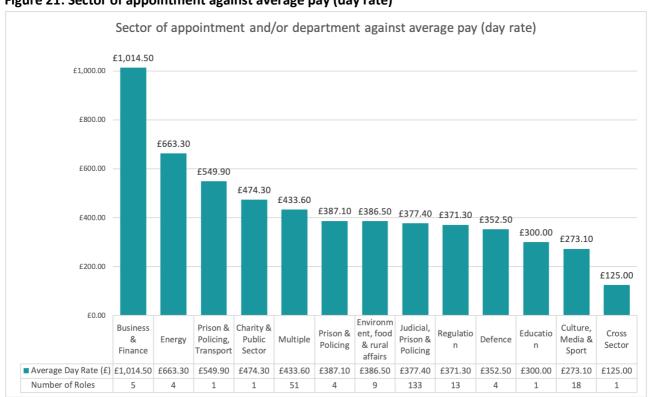


Figure 21: Sector of appointment against average pay (day rate)

To try to answer this research question, we checked whether the disparity in pay rates seen in Figure 21 above can be explained by a corresponding disparity in average pay across different

sectors, as reported by the Office for National Statistics (ONS). Day rates for public appointments have been multiplied by five to give a weekly rate, which then compares to weekly pay rates reported by the ONS. By comparing the difference in public body weekly pay with ONS average pay, it is possible to see what level of influence average pay is having, and whether this 'pull' is more prevalent in some sectors than others. Roles that have been advertised as being from 'multiple' sectors or described as 'cross sector' have been removed from this analysis with no direct ONS comparison available.

Table 8 below shows that all public appointments have higher weekly earnings than average pay in their corresponding sector. The differential between highest and lowest average pay reported by the ONS is much smaller than those of public appointments, at only £370.32. The argument that the value of these public appointment roles on national governance, regulatory or delivery bodies deserves more than the average worker in the sector is reflected in this data. But the data also shows that the sector influence on public appointment pay - how much higher public appointments should be paid from the average worker - is not uniform. The difference between average pay and public appointments pay varies from 200 to over 700 percent (Table 8).

Table 8: Appointments sector average weekly pay against ONS sector average weekly pay

Public	Average Day	Converted to	ONS Sector	ONS Weekly	Difference
Appointments	Rate (paid	Weekly (£)	name	Rate (£)	(%)
Sector	roles £)	, , ,		, ,	` ,
Jector	Toles Ly				
Regulation	371.3	1,856.50	Regulatory	887.69	209%
Culture, Media &	273.1	1,365.50	Media	615.38	222%
Sport					
Defence	352.5	1,762.50	Defence	738.6	239%
Education	300	1,500	Education	576.92	260%
Environment, food	386.5	1,932.50	Agriculture	640.21	302%
& rural affairs		·			
Judicial, Prison &	377.4	1,887	Policing	517.37	365%
Policing			_		
Prison & Policing	387.1	1,935.50	Policing	517.37	374%
Transport	549.9	2,749.50	Transport	716.67	384%
Energy	663.3	3,316.50	Energy	817.3	406%
Charity & Public	474.3	2,371.50	Charity	525.25	451%
Sector					
Business & Finance	1,014.50	5,072.50	Finance	691.06	734%

Looking at those public appointments roles with the lowest average daily rate, the pull towards average pay rates is strongest, with a differential of 200 to 300 percent. At the other end, pay for public appointments roles in the Finance and Business Sector - the highest amongst paid appointees - is also the most divorced from average pay in that sector measured by the ONS, being over 700 percent higher. Pay for public appointments in the 'Charity and Public Sector' is an outlier here, being remunerated at a lower average pay rate but also highly divorced from ONS pay.

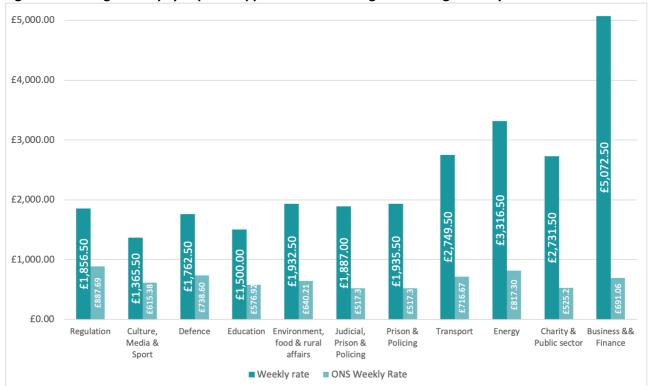


Figure 21: Average week pay in public appointment sector against average weekly rate in ONS sector

Summary of question 5: This question is only partly answered by our data, and more research is required to answer it more clearly. There is a pattern to appointment pay by sector, but there is an inconsistent relationship between the average pay in a sector and the public appointments pay in that sector. We are unable to see any clear evidence that average pay in a sector is a key determinant of public appointment pay, especially pay set at the higher level. Our data shows lower paid roles tend to track closer to the sector's average pay, and higher paid roles less so, despite the emphasis on the justification for higher pay set by the CST guidance. Therefore the reasoning for why public appointment is set the way it is not explained in wider sector pay levels as measured by the ONS.

#### Recommendations

One of the Commissioner's functions is to contribute to the understanding of, and improvement in, public appointments processes. For the first time, this thematic review has mapped the landscape of public appointments remuneration and the time commitment for a snapshot of roles successfully filled in one 12 month period. This sample, whilst representative of roles advertised and filled in 2019-20, is only a small proportion of the overall public appointment roles in service currently. Our findings therefore do not provide definitive answers but should give government pause for thought and highlight the need for more data and more detailed consideration.

Our research has found that there is widespread inconsistency in payment for public appointments. There are good reasons for differences in pay, in that public appointments roles are varied and some unpaid roles are considered proportionate and appropriate for the needs and ethos of the body. However, our research has found that the relationship between time commitment and pay is weak or has broken down completely, and there are patterns in the applications and successful appointees to roles, depending on pay and time commitment, across different groups. While these effects are not uniform, they warrant attention in light of the overall government ambitions for diversity in public appointments. We hope this research will prompt government to fulfil their commitments in their respective diversity strategies to take a closer look at remuneration and time commitment for roles, and to think more carefully about wider ways to reward and recognise appointees. We recommend departments undertake benchmarking and gather feedback from applicants and appointees to take our findings further and implement any necessary changes. Further, we encourage robust and routine collection of pay and time commitment data to make further research easier for all departments to undertake.

It is also important to recognise there may be costs or potential perverse results from implementing a payment system, as the Lord Holmes' Review noted about the impact of public appointments remuneration upon the receipt of benefits. Urgent attention should be given to this issue to ensure there are no unintended barriers at work, where this research has shown lower remuneration for those roles held by people with disabilities. Talking to stakeholders, it must also be recognised that introducing remuneration inevitably adds an administrative burden, as well as a financial one. It could change the nature, and perhaps the effectiveness, of the work of public bodies, unintentionally leading to fewer meetings to keep costs down. Some public appointees choose not to take, or to give away their remuneration, pointing to a culture where working without payment continues despite a policy to the contrary. (Evidence from Scotland shows this effect can be seen in appointees' reluctance to claim expenses too). This again supports our recommendation for a bespoke approach to pay to account for these potential consequences, alongside the opportunities remuneration may bring.

Diversity in public appointments has improved in recent years across some groups but not all, and progress on diversity in chairs roles has stalled. We should consider all avenues in encouraging and supporting candidates, on a practical level, to put themselves forward for roles so they can make this important contribution to public life.

#### Appendix 1: About our data

Each public appointment competition (both UK and Welsh Government) is advertised on the Cabinet Office's Public Appointment website.<sup>31</sup> OCPA found the competitions which had an 'announced' date between 1 April 2019 and 31 March 2020. These announcements relate to roles, where one or more appointees have been successful in the competition.

While each advertisement can be for one or more roles (for example, when a competition is held to find two new board members), we have taken each advertisement to represent one 'role', with the advertised pay, time commitments and other variables set, regardless of whether one, two or more appointees were eventually recruited from that competition. This also is in keeping with the data we have on applicants, which is tied to them applying to competitions, not the individual roles within those competitions. Thus one advertisement to recruit two members of a body is counted as an advertisement for one role in our dataset. 'Chairs' are defined as those leading the board, or holding a standalone position (the Information Commissioner, or Victims' Commissioner, for example), and members are those who are not classed as chairs (meaning any 'deputy chairs' are classed as members).

We then extracted the metadata from these successful competitions to find each role's remuneration and time commitment. To validate this sample, we cross-referenced it with the anonymised diversity dataset from announced competitions in 2019-20 (the basis of the Commissioner's diversity reporting in his 2019-20 annual report). The diversity dataset goes through quality assurance checks by the Cabinet Office Public Appointment Policy Team team to ensure each competition has confirmed dates and anonymised diversity data supplied by applicants. We were able to validate each competition we had seen advertised and listed as 'announced' on the website, with its matching diversity data at each stage and confirmed metadata on its launch and announcement dates.

Due to anomalies in the data held on the website, such as missing metadata or incorrect dates, we were able to ascertain we had gathered pay and time commitment metadata, and linked diversity data, for 76 per cent of appointments announced by UK Government and Welsh Government in 2019-20. This means our sample totals 291 public appointments roles that were announced in the 2019-20 year. These roles were on 162 public bodies, across 17 departments and Welsh Government. 48 were chair roles and 243 were for member roles. There were 10,451 applicants to these roles and 731 successful appointees.

We also ensured that we had metadata for at least 60 percent of each department's appointments announced in 2019-20, and that each department was not grossly over or underrepresented in our sample. All departments are either over or underrepresented in our dataset by less than 2

<sup>&</sup>lt;sup>31</sup> See HM Government Appointments. <a href="https://publicappointments.cabinetoffice.gov.uk/">https://publicappointments.cabinetoffice.gov.uk/</a>

percent, apart from NHSI/E (underrepresented by 2.8 percent) and MOJ (overrepresented by 3.5 percent).

As with the diversity data reported in our 2019-20, and previous, Annual Reports, diversity data comes from what applicants choose to declare in response to set questions (such as 'Please choose one of the following options that most accurately describes your ethnic group or background'). Applicants are free to answer any or all of those questions, state they prefer not to say, and some choose to not fill out the form at all. OCPA encourages all applicants to feel confident that the data collected allows us to track progress. We recognise that terminology used to describe groups of people in this report, as in our dataset, such as 'ethnic minority' and 'declared disability' may not be the most insightful way to understand diversity. Every person represented in this report 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 we can ensure public appointments 'reflect the diversity of the society in which we live' (Governance Code, Code Principle F).

# Appendix 2: Average time commitment and day rate by role type for each department/Welsh Government

Our sample of roles advertised in 2019-20 totals 291, 76 per cent of all public appointments that were advertised as being completed (a successful appointment was made) between 1 April 2019 and 31 March 2020. These roles were in 162 public bodies from 17 departments and Welsh Government. 48 were chair roles and 243 were for member roles.

Department and role type	Number of roles	Average o time commitme (days per year)	equivalent	Average of equivalent salary	
BEIS	11	70	£865.60	£53,890.15	
Chair	5	1:	£745.98	£101,098.34	
Member	6		L8 £965.28	£14,550.00	
Cabinet Office	6	23	£336.29	£7,397.08	
Chair	2	:	28 £231.11	£6,400.00	
Member	4		£388.88	£7,895.63	
DCMS	21	12	£129.20	£1,096.19	
BEIS	11		70 £865.60	£53,890.15	
Chair	5	1	£745.98	£101,098.34	
DEFRA	6	69	£291.31	£23,291.67	
Chair	4		£334.71	£31,870.00	
Member	2		£204.50	£6,135.00	
DFE	6	18	£310.68	£6,797.00	
Member	6	:	£310.68	£6,797.00	
DFT	5	47	£868.29	£47,158.80	
Chair	2		76 £1,145.83	£90,000.00	
Member	3		£683.27	£18,598.00	
DHSC	8	72	£342.19	£27,912.00	
Chair	5	9	97 £399.92	£40,606.00	
Member	3		£245.98	£6,755.33	
DWP	4	23	£459.33	£12,165.00	
Member	4		£459.33	£12,165.00	
FCO <sup>32</sup>	1	27	£0.00	£0.00	
Member	1		£0.00	£0.00	
HMT	2	31	£592.95	£17,500.00	
Member	2		£592.95	£17,500.00	
Home Office	6	65	£351.55	£34,526.67	
Chair	2	1	63 £611.54	£93,000.00	
Member	4		£221.56	£5,290.00	
MHCLG	5	83	£358.98	£40,338.80	

-

<sup>&</sup>lt;sup>32</sup> Note: the Foreign and Commonwealth Office is now known as the Foreign and Commonwealth Development Office after its merger with the Department for International Development in September 2020.

	Chair	2	179	£549.65	£92,500.00	
	Member	3	19	£231.86	£5,564.67	
MOD		3	9	£155.00	£3,100.00	
	Chair	2	12	£232.50	£4,650.00	
	Member	1	4	£0.00	£0.00	
MOJ		139	38	£34.47	£3,580.99	
	Chair	3	180	£436.82	£85,083.33	
	Member	136	35	£25.60	£1,783.14	
NHSI/E		38	57	£243.37	£13,804.08	
	Chair	10	120	£326.33	£32,525.80	
	Member	28	34	£213.74	£7,117.75	
NIO		3	110	£330.57	£33,146.83	
	Chair	1	253	£319.55	£80,847.00	
	Member	2	39	£336.08	£9,296.75	
Welsh		21	75	£301.90	£24,713.86	
Governm	ent					
	Chair	6	158	£405.51	£60,367.50	
	Member	15	41	£260.45	£10,452.40	
Grand To	tal	286	45	£187.79	£12,036.27	

### **Appendix 3: Average salaries and time commitment**

Table 9: Average equivalent salary for roles requiring a particular time commitment

Time commitment of roles advertised, per year	Average of Equivalent Salary for roles at each
(days)	time commitment
1	£200.74
4	£1,779.20
7	£1,526.00
8	£20,000.00
15	£5,458.13
17	£8,593.50
18	£6,300.00
20	£8,664.80
24	£10,624.57
25	£7,500.00
26	£18,996.00
28	£9,464.00
30	£15,060.67
32	£9,160.00
35	£12,162.50
36	£8,828.52
44	£3,735.00
48	£15,435.89
52	£18,616.00
60	£10,000.00
69	£22,080.00
72	£46,800.00
80	£39,200.00
104	£66,437.14
108	£32,184.17
115	£36,800.00
150	£120,000.00
156	£65,577.56
180	£69,840.00
253	£116,217.83

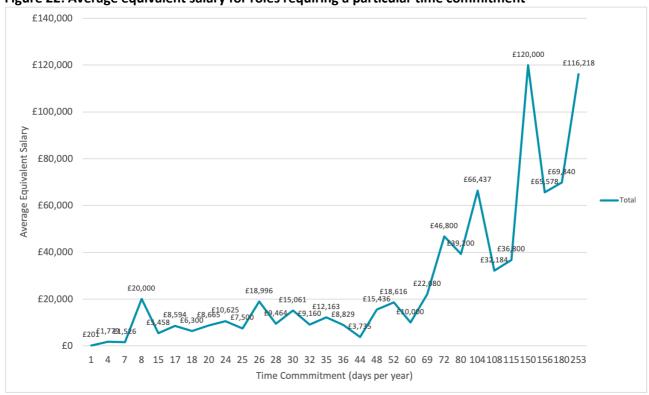


Figure 22: Average equivalent salary for roles requiring a particular time commitment

## **Glossary**

BEIS	Department for Business, Energy and Industrial Strategy
DCMS	Department for Culture, Media and Sport
DEFRA	Department for Environment, Food and Rural Affairs
DFE	Department for Education
DFT	Department for Transport
DHSC	Department of Health and Social Care
DWP	Department for Work and Pensions
FCO	Foreign and Commonwealth Office, now known as Foreign and Commonwealth Development Office
НМТ	Her Majesty's Treasury
IMB	Independent Monitoring Board
MHCLG	Ministry for Housing, Communities and Local Government
MOD	Ministry of Defence
MOJ	Ministry for Justice
NCVO	The National Council for Voluntary Organisations
NHSI/E	NHS Improvement/England (formerly NHS Improvement)
NIO	Northern Ireland Office
OCPA	Office of the Commissioner for Public Appointments
ONS	Office for National Statistics

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