

PWYLLGOR CYFLE CYFARTAL EOC 03-03(p4)

Dyddiad: 20 Mawrth 2003
Amser: 9.15am
Lleoliad: Ystafelloedd Pwyllgora 3 & 4
Teitl: Penodiadau Cyhoeddus

Diben

1. Mae'r ddogfen hon yn rhoi'r wybodaeth ddiweddaraf i'r Pwyllgor ynghylch y camau a gymerwyd yn ddiweddar ym maes penodiadau cyhoeddus, ynghyd â'r llwyddiannau, yn enwedig o ran amrywiaeth. Mae hefyd yn amlinellu'r camau a gaiff eu cymryd yn y dyfodol.

Argymhelliad

2. Gwahoddir y Pwyllgor i nodi'r ddogfen.

COD YMARFER

3. Cymeradwywyd Cod Ymarfer diwygiedig y Cynulliad ar Benodiadau Gweinidogion i Gyrrff Cyhoeddus yn y cyfarfod llawn ar 25 Mehefin 2002. Mae'r Cod diwygiedig yn seiliedig ar God Ymarfer y Comisiynydd Penodiadau Cyhoeddus a manteisiwyd ar y cyfle i symleiddio'n dull penodi ac i weithredu ar sail un Cod trwy gyfuno Cod y Comisiynydd a Chod y Cynulliad. Dosbarthwyd copiâu o'r Cod diwygiedig i Aelodau'r Cynulliad ym mis Tachwedd 2002 ac mae ar gael ar y fewnwyd (<http://cynulliad/waegis/Assembly%20Guidance/codes-protocols/publicappointments-020920-w.pdf>) ac ar y rhyngwyd (<http://www.cymru.gov.uk/recruitment/rec-images/cop-w.pdf>)

4. Fel rhan o'r rhaglen i godi ymwybyddiaeth o faterion sy'n ymwneud â phenodiadau cyhoeddus, cynhaliwyd seminar ym mis Ionawr ar gyfer staff Llywodraeth Cynulliad Cymru. Roedd y seminar yng ngofal staff Swyddfa'r Comisiynydd Penodiadau Cyhoeddus ac roedd yn canolbwyntio ar y Cod a rôl y Comisiwn mewn penodiadau cyhoeddus. Croesawyd y seminar a bydd yr Uned Penodiadau Cyhoeddus yn awr yn mynd ati i drefnu seminar arall yn seiliedig ar God Ymarfer y Cynulliad. Bydd yn edrych yn fanylach ar ddarpariaethau penodol y Cynulliad.

PRIF FFRYDIO CYDRADDOLDEB MEWN PENODIADAU CYHOEDDUS

5. Yn ei gyfarfod ar 17 Hydref, rhoddwyd gwybod i'r Pwyllgor bod y cynllun gweithredu i brif ffrydio cydraddoldeb mewn penodiadau cyhoeddus wedi'i anfon at Brif Weinidog Cymru er mwyn iddo'i gymeradwyo'n ffurfiol. Cymeradwywyd y cynllun gweithredu ganddo ac rydym yn mynd ati i'w roi ar waith. Amgaeir copi o'r cynllun cymeradwy yn Atodiad 1.

Rhoi'r cynllun ar waith

6. I gychwyn, canolbwyntiwyd ar sefydlu'r llinell waelod er mwyn mesur hynt y cynllun. Bydd cronfa ddata ar waith erbyn dechrau'r flwyddyn ariannol newydd er mwyn cofnodi manylion pobl sydd wedi'u penodi i swyddi cyhoeddus, ynghyd â phobl y byddai modd eu penodi.

7. Un o brif gamau'r gwaith o sefydlu'r llinell waelod oedd comisiynu gwaith ymchwil i weld beth sy'n cymhell pobl i wneud cais am benodiad cyhoeddus ac i weld a yw'n amrywio yn ôl rhyw, cefndir ethnig neu anabledd. Ym mis Ionawr, gwahoddwyd tendrau i wneud y gwaith ymchwil ac maent yn cael eu

cloriannu ar hyn o bryd. Disgwylir i'r contract gael ei ddyfarnu erbyn diwedd mis Mawrth ac i'r gwaith ymchwil ddod i ben erbyn diwedd mis Gorffennaf.

8. Cam pwysig arall oedd canfod pa gyrff cyhoeddus sy'n darparu hyfforddiant cynefino, oriau addas ar gyfer teuluoedd, hyfforddiant 'tîm' ar gyfer y bwrdd, ynghyd â materion eraill sy'n effeithio ar amrywiaeth ac ar yr agenda foderneiddio. Yn y cynllun gweithredu, awgrymwyd y byddai modd cynnal archwiliad ymhlith cadeiryddion byrddau, ond efallai y byddai'n fwy effeithiol cynnull grwp ffocws o gadeiryddion i ystyried arferion gorau a meysydd gweithredu. Bydd y gwaith hwn yn cychwyn maes o law.

9. Ar 16 Rhagfyr, cynhaliwyd seminar ar benodiadau cyhoeddus yng Nghaerdydd ar gyfer pobl o gymunedau lleiafrifoedd ethnig. Diben y seminar oedd rhoi cipolwg o'r broses penodiadau cyhoeddus, y cyfleoedd sydd ar gael a'r sgiliau angenrheidiol. Ymhlith y siaradwyr yr oedd aelod o fwrdd Corff Cyhoeddus a Noddir gan y Cynulliad ac aseswr annibynnol. Yr oedd y ddau yn hanu o leiafrif ethnig. Daeth tua 40 o bobl i'r seminar ac roeddynt yn ei chroesawu. Roedd rhai o'r bobl a oedd yn bresennol yn awyddus i gael hyfforddiant ar sut i roi tystiolaeth o'u cymwyseddau ar eu ffurflenni cais. Rydym yn ystyried ffyrdd o wneud hynny.

10. Ar 7 Mawrth, cynhaliwyd seminar ar fenywod a phenodiadau cyhoeddus yn Aberhonddu. Trefnwyd y seminar ar y cyd gan Glymblaid Genedlaethol Menywod Cymru ac Uned Cydraddoldeb y GIG. Roedd yr Uned Penodiadau Cyhoeddus hefyd yn bresennol ac yn rhan o'r seminar.

11. Mae'r Pwyllgor wedi clywed syniadau'r Comisiynydd Penodiadau Cyhoeddus ynghylch ffyrdd o feithrin a chefnogi pobl o grwpiau nad ydynt yn cael eu cynrychioli'n ddigonol, a hynny trwy gynllun "prentisiaeth". Rydym yn datblygu'r syniad hwn fel cynllun peilot, law yn llaw ag Uned Penodiadau Cyhoeddus y GIG, ac os bydd yn llwyddo, bydd Cymru'n arwain y ffordd yn y DU.

12. Un o dasgau allweddol yr Uned Penodiadau Cyhoeddus yn ystod y misoedd nesaf fydd bwrw ymlaen â'r cynllun gweithredu.

ASESWYR ANNIBYNNOL

13. Tua diwedd y flwyddyn 2000, dywedodd y Pwyllgor y dylid llunio rhestr ddiwygiedig o aseswyr annibynnol a benodir yn unol ag egwyddorion Cod y Comisiynydd, ac y dylai'r rhestr honno ddisodli'r rhestr gyfredol. Amlinellir manylion y cynigion yn EOC 01-01(p4).

14. Mae'r broses recriwtio bellach wedi dod i ben ac mae 55 aseswr newydd wedi'u penodi. Yr oedd cynrychiolydd un o'r cyrff cydraddoldeb statudol ac aseswr annibynnol o Swyddfa'r Comisiynydd ar y paneli didoli a chyfweld. Er mai aelodau o fyrdau penodi'r Cynulliad fydd yr aseswyr annibynnol, fe'u penodwyd gan y Comisiynydd Penodiadau Cyhoeddus, a hynny er mwyn pwysleisio eu bod yn annibynnol ar Lywodraeth Cynulliad Cymru. Bwriedir cynnal hyfforddiant cynefino gorfodol, a drefnwyd ar y cyd gan Swyddfa'r Comisiynydd a'r Uned Penodiadau Cyhoeddus, ar 18 Mawrth a 24 Mawrth.

15. Mae 56% o'r 55 aseswr newydd yn fenywod, 18% ohonynt yn bobl o leiafrifoedd ethnig, 7.3% ohonynt yn bobl anabl a 22% ohonynt yn siaradwyr Cymraeg.

Cyswllt:

Howell Rees

Yr Uned Penodiadau Cyhoeddus

x6330

'Modernising Public Service in Wales'

The National Assembly for Wales' 'Mainstreaming Equality in Public Appointments' Action Plan.

..encouraging diversity among applicants, modernising boards and enhancing diversity in service delivery.

Introduction

The Equality of Opportunity Committee has been working for some time towards increasing diversity in public appointments. The Committee's own 'Report for the National Assembly for Wales Equal Opportunities Committee on Public Appointments to Assembly Sponsored Public Bodies' and the subsequent consultation on that report raised a range of issues which needed to be taken forward. The recent study commissioned on motivation pointed the way towards further steps.

Last July, the Chair of the Committee assured the Assembly in Plenary that all this work would be brought together into a Diversity Action Plan, under the supervision of Professor Teresa Rees.

Although we have preparatory work to draw on, the task ahead is not to be under-estimated. We are aiming to challenge perceptions and to change a culture, as well as customs and practice surrounding the appointments process: we need to aspire to progressive change and should not necessarily expect immediate results.

Remit

"A programme of action designed to achieve applications for public appointments which are broadly representative of the Welsh population, particularly in respect of race, gender and disability; and which enable appointments to be made so that public bodies reflect the communities they serve".

Approach

The plan is entitled 'Modernising Public Service in Wales' in order to pick up this challenge in a forward thinking way. We need to ensure that the diversity of candidates coming forward for public service matches that of the communities served by public bodies. However, we also need to ensure that when they are appointed, members and Chairs are able to take up their roles in modern, progressive boards which embrace equality and diversity in all aspects of their work.

This agenda is not just about diversity but about a wider goal of modernising public service. The challenge isn't simply to get a more diverse range of people into public appointments, but to enable Assembly Sponsored Public Bodies to deliver appropriate services to the diverse population we have in Wales. Modernising their approach will help boards to work together better, to be more open and to improve decision making. We need to build the capacity of all boards and promote the evolution of a modern public service in Wales.

We are engaged in a long-term strategic approach to cultural and procedural change. The Plan aims to lay foundations and build capacity. It would be easy to throw money at what appear to be quick wins and achieve nothing. For example, we could feel we have made great progress if we manage to corral a group of suitable candidates from the disabled community onto boards of Assembly Sponsored Public Bodies (ASPBs), but the Assembly's commitment to equality goes further than this. If the culture itself is unwelcoming and does not genuinely provide equal opportunities for those on the board and promote equal opportunities in its work, the long term effect could be counter-productive.

We need to take a strategic approach, not re-inventing the wheel but using the best advice available and ensuring we are putting our energies and resources to best effect. While Public Appointments Unit will be taking the lead in many activities, we will also crucially be acting as a catalyst, asking others to work with us in partnership. These parties have not been approached in advance of the agreement of this plan, but we are confident that they will support this agenda.

The plan extends the remit in its definition of 'diversity'. Again, planning for the future, it takes into account the implications of the recent European anti-discrimination legislation¹ and considers diversity in terms of sex, race and ethnic origin, disability, age, sexual orientation and religious and political beliefs. We also need to consider diversity in terms of urban and rural and Welsh speaking communities.

The plan also emphasises the modern resource of the internet. This is an increasingly important communication tool and one in which a modern public service needs to invest and from which it should learn to benefit.

Action Plan for 2002-2003

In the first year of this plan we need to move forward three key action points:

1. We need to establish the **baseline**, to be clear about where we are now,
2. We need to **build capacity**, to engage partners who are committed to the same equality agenda (from equality organisations, the voluntary sector, the local government sector, trade union sector etc.) to work alongside us.
3. We need to build in **evaluation** and monitoring tools to measure our progress.

In taking forward these actions, we will focus on:

- a. **Assembly** – the resources available to the Assembly in this task, including officials, Independent Assessors, external contacts, a candidate database, website and key documents.
- b. **Boards** – recognising that current chairs and members of boards have a stake and a vital role to play in this work.
- c. **Candidates** – These are the people we aim to reach. We need to attract a diverse range of suitable candidates and to offer them a rewarding and challenging experience working with us as public appointees, as well as supporting them with information, awareness and training.

A programme of action for 2003-2004 will be drawn up early in 2003 in the light of what we have learned. Details of the Action Plan for 2002-2003, expressed in terms of the above action points and areas of focus, are set out in the attached table.

Funding

Subject to agreement of the detail of this Plan, funding of £80,000 has provisionally been made available for its implementation in 2002-2003. It is anticipated that this level of funding will be a baseline for future years.

Public Appointments Unit

¹ Whereas the UK Government already has legislation covering discrimination on the grounds of sex, race and disability, the new European Race and Employment Directives cover discrimination in employment on the new grounds of age, religion and sexual orientation, which commits EU member states to introduce legislation. The UK Government will introduce legislation relating to discrimination on the grounds of religion, belief and sexual orientation by December 2003 and on age by December 2006.

	Baseline	Capacity Building	Evaluation
Assembly	Public Appointments Unit (PAU) will draw up a brief outline of relevant staff resources, main documents and regular contacts. This will include number of hits to 'Public Appointments' website.	PAU will benchmark against other government departments and devolved administrations. In collaboration with the Office of the Commissioner for Public Appointments (OCPA), Assembly officials will host a seminar, bringing together these parties to establish understanding and experience of specific issues (eg process, appointments literature, use of media) and identify best practice.	PAU will assess progress against baselines and against the benchmark of other government departments and devolved administrations.
	PAU will augment the Action Plan itself with quantitative measures and timescales once the work on establishing a baseline is completed.	PAU will develop links and bring on board the commitment of the voluntary sector. Seminars will be held for voluntary organisations to debate how they can help the Assembly to get more applications from suitable people in under-represented groups and address any training needs they may have. At least one seminar will be held in North Wales.	PAU will regularly (initially every 6 months) review and revise our appointments literature. Revised versions will be sent to main voluntary sector contacts and equality agencies and follow-up phone interviews will seek comments and suggestions for further amendments.

	Baseline	Capacity Building	Evaluation

PAU will link with and learn from community outreach work Sanjiv Vedi is undertaking on widening diversity in Assembly staff recruitment.

Investment will be made into developing the Public Appointments homepage on the Assembly website and linking it to other sites and vice versa.

We will be able to measure the use of our website (monthly) and review comments received.

Boards	A researcher will undertake an audit, by interviewing Chairs of boards, of the current position of boards in relation to specific issues that affect diversity and a modernising agenda eg. equal opportunities and diversity training, mainstreaming equality and in-service delivery. A sample of different boards will be surveyed mainly from Upper Tier ASPBs.	Representatives of ASPB sponsor divisions will meet to agree minimum standards and training guidance for induction for new members and Chairs. These must promote equality training and team building. The aim is not only to ensure that new members, particularly from under-represented groups, are given the opportunity to contribute their views and take on serious responsibilities but also to assist boards in mainstreaming equality into their business and that of the bodies they serve.	Researchers will be asked to revisit boards and re-interview Chairs on the same issues after 18 months.
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Baseline	Capacity Building	Evaluation
PAU to commission researchers to set up and facilitate focus groups of current public appointees to identify key prompts and motivations and discuss expectations, training needs, conduct of business and barriers to effective participation.	Minimum and best practice standards for performance appraisal of boards will also be agreed.	

Existing boards will be encouraged to build capacity amongst their members, for example, by taking forward, with guidance from the voluntary sector, an apprenticeship pilot focused on widening diversity.

Reports of apprenticeships will be funded by the Assembly enabling us to assess if individuals have been able to benefit from the scheme and how effective the exercise has been. Lessons can be taken forward to involve other boards in the exercise.

Candidates

PAU will undertake an analysis of applicants to current appointments exercises. A new database (due for completion by October 2002) will be set up to present these diversity statistics. The format of statistics will be based on OCPA requirements. This will enable them to be benchmarked against those of other government departments and devolved administrations.

We also need to build the capacity of the population in respect of public appointments. We will broaden awareness of appointments through the website, use of an omnibus survey and linking in with the Assembly's community outreach work. We will assist boards themselves in offering apprenticeship opportunities and invite Independent Assessors to undertake outreach work.

Statistics will be reviewed annually in line with OCPA requirements. In addition diversity statistics on individual appointments exercises will be produced quarterly.

Baseline

PAU to commission researchers to carry out a structured questionnaire survey, asking existing public appointees about their motivations and prompts for making their initial applications.

Capacity Building

PAU will undertake exercises to encourage progression – eg approaching Chairs of school governors to ask them to pass on information to retiring members/ members about public appointments.

Evaluation

Use key events run by partners to deliver public appointments diversity message. Invite the Commissioner for public appointments to speak on our behalf at appropriate gatherings and provide supporting literature.