



Llywodraeth Cymru
Welsh Government

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Call for Evidence – Summary Report

Increasing the representation of women and other under-represented groups on Public Sector Boards

January 2016

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Call for Evidence - Summary Report

Increasing the representation of women and other under-represented groups on Public Sector Boards

Introduction

On the 5th of October 2015, the Minister for Communities and Tackling Poverty launched a Call for Evidence on increasing the representation of women and other under-represented groups on Public Sector Boards.

The aim of the Call for Evidence was to increase our understanding of the challenges and barriers underlying the under-representation of certain groups on Public Sector Boards, and the measures to address this which have been successful in Wales and other countries. This will support Welsh Government to develop a Welsh response to the problem with a sound evidential basis to ensure it is a reasonable and proportionate response to inequality in the appointment process.

Background

Ministers are committed to increasing the diversity on our Public Sector Boards and to ensuring Public Sector Boards which are representative of the people they serve. Increased representation of women and other under-represented groups will serve to assure Ministers and the public there is a diversity of experience and views in decision-making.

Ministers have taken a proactive, determined approach in increasing diversity on Public Sector Boards in Wales and we know progress has been made. For example, female representation has increased from 35% in April 2012 to 38% in April 2015 on our Executive Welsh Government Sponsored Bodies (WGSBs). Although there is progress towards gender equality on our Boards, the pace of change is still slow, not consistent across all Public Bodies and increases in women's representation can fall back from year to year. Under-representation amongst other groups remains.

A data table outlining the representation of women, black and ethnic minority people and disabled people on Public Sector Boards as at April 2015 was included with the Call for Evidence (see Annex B).

Call for Evidence exercise

The Call for Evidence exercise was launched on the 5th of October 2015 and lasted for eight weeks, closing on the 27th of November 2015. A questionnaire (Annex A) was produced to help focus responses. However, respondents were not required to explicitly answer those questions and submissions in any format were welcomed. Invitations to respond were sent out to stakeholders and the introductory letter, questionnaire and accompanying data table were published on the Welsh Government website. All documentation was made available in English and Welsh. Twenty-one written responses were received.

Two round-table sessions were organised to invite expert women-focused organisations and organisations focussed on other under-represented groups to share their experience and evidence regarding diversity on Public Sector Boards. One session focussed specifically on gender equality and was attended by nine representatives of women-focussed organisations, board members and researchers. The second session focused on wider diversity and was attended by eight representatives of diversity-focused organisations and researchers.

Below is a list of all those who contributed to the Call for Evidence, by submitting a written response and/or by attending one of the round-table events.

Adele Baumgardt, Adele Baumgardt Consultancy and Sport Wales	Presiding Officer of the National Assembly for Wales
Amgueddfa Cymru	Sarah Woodall
Cardiff University	Race Council Cymru
Care Council for Wales	Stonewall Cymru
Chartered Institute of Housing Cymru	Tai Pawb
Chwarae Teg	University of South Wales
Design Commission for Wales	University of the West of England
Diverse Cymru	Welsh Entrepreneurship Hub
Equality and Human Right Commission	Welsh Government Officials
Federation of Small Businesses	Welsh Liberal Democrats
Lindsey Haveland	Welsh Local Government Association
Local Democracy and Boundary Commission	Women Count
Natural Resources Wales	Women Making a Difference
North Wales Public Sector Equality Group	Women's Equality Network Wales
Older People's Commissioner for Wales	Youth Cymru

Summary of responses

A full list of the evidence received is provided in the bibliography. Below is a summary of some of the key points of the evidence under the same headings used in the Call for Evidence questionnaire, providing an outline of the arguments set out by the evidence and highlighting the findings of individual reports.

Benefits

A large volume of evidence of the benefits of greater gender diversity on boards was received, reflecting the wealth of the literature available.

Lord Davies' review¹ into gender diversity on private boards, in which he argued a more diverse board leads to better decision-making, was referred to by a number of respondents. This view is corroborated by studies² which found more diverse groups were better at sharing information and considering different points of view than homogenous groups, concluding diversity promotes hard work and creativity. For example they found, when students were given murder mystery tasks in small groups

¹ Lord Davies of Abersoch (2011) *Women on boards*

² <http://www.scientificamerican.com/article/how-diversity-makes-us-smarter/> Last Accessed 08/12/2015

where each member was given important clues known only to themselves, racially diverse groups significantly outperformed racially homogeneous groups. Another experiment found academic papers written by ethnically diverse groups received more citations than those written by authors from the same ethnic group. The same held true for geographical diversity, measured by the number of author addresses, and intellectual diversity, measured by the number of references used.

There is also a significant volume of evidence suggesting a link between greater board-level gender diversity and corporate performance. One report generated as an aid to demonstrating the business case for diversity³ referred to seventy-one individual studies on the benefits of gender diversity to businesses.

There has been some research into whether women on corporate boards change board dynamics. In an interview for the Global Corporate Governance Forum study “Women on boards: A conversation with male directors”⁴, Jaspal Bindra, an Indian director who has served as part of a male minority in a female-dominated board, stated:

“Being in the minority, I feel more conscious about what I am going to say and how. I am probably more thoughtful and less forceful.”⁵

This suggests this trait, often associated with women on boards⁶, may, in fact, be more accurately attributed to members of minority groups on boards. An article in McKinsey Quarterly⁷ argued often perceived gender differences are in fact power differences. It referenced a study showing gender equality, measured by “a political-empowerment index and an index of women in the labour market”⁸, was linked to the difference in maths test scores between fifteen year-old male and female students, with this difference being eradicated in countries with the highest level of gender equality.

These examples demonstrate the need for caution when trying to assess the direct impact of women on boards and point to increased diversity having a stronger evidential basis as a driver of good governance, rather than any gendered traits in particular.

There is evidence, however, to suggest women in positions of political power represent women’s issues more effectively. Studies investigating both Westminster⁹ and the first National Assembly for Wales¹⁰ found a greater propensity for female representatives to raise what were identified as women’s issues, demonstrating “clear evidence of [the] link between women’s presence as elected politicians and the

³ Catalyst (2013) *Why Diversity Matters*

⁴ Global Corporate Governance Forum (2011) *Women on boards: A conversation with male directors*, Focus 9

⁵ *Ibid*

⁶ *Ibid*

⁷

http://www.mckinsey.com/insights/leading_in_the_21st_century/its_good_to_be_the_queen_but_its_easier_being_the_king Last accessed 08/12/2015

⁸ *Ibid*

⁹ Childs, Sarah; Lovenduski, Joni; Campbell, Rosie (2005) *Women at the top 2005: Changing number, changing politics?*

¹⁰ Chaney, Paul (2006) *Critical mass, deliberation and the substantive representation of women: Evidence from the UK’s devolution programme*

promotion of women's interests."¹¹ For Public Sector Boards, this highlights another benefit of increasing women's representation, potentially making boards more likely to consider the impacts their decisions may have on the women of Wales, especially where these may be different to the impacts on men.

Challenges/Barriers

The evidence we received relating to the challenges and barriers facing women in public appointments was predominantly empirical rather than academic.

In 2012, the Presiding Officer held a series of regional seminars around Wales for women in traditionally male-dominated sectors to share their experiences with women interested in public life. These seminars culminated in a conference focussing on the main barriers to public life and solutions to overcome them. The main barriers identified at the conference were:

- Lack of confidence,
- Lack of role models,
- Insufficient training and mentoring provision
- Lack of a centralised place to find information on public life

Cranfield School of Management's report "Increasing diversity on public and private sector boards: Part 1 – How diverse are boards and why?"¹² supported these findings. This report investigated the barriers facing women in being appointed to public and private boards. It also found a perceived lack of opportunity adjusted women's expectations and persistent gender stereotyping led to different assessments of the same skills and competencies in men and women. This lowering of expectations did not, however, correspond to a lack of aspiration or qualifications to sit on boards. Interpersonal barriers included the influential "male-dominated" networks into which it was difficult for under-represented groups to integrate and perceived male-oriented boardroom cultures creating an image of success with which it was difficult for under-represented groups to identify. Whilst the barriers identified in the recruitment process are mostly for private board appointments a study found, in the UK, a third of 659 respondents were not aware of public appointment opportunities and many identified the "excessively bureaucratic application process"¹³ as a discouraging factor.

This sentiment was echoed at our round-table sessions, where views were expressed highlighting the public appointment process as too long and off-putting. One written response noted online application forms had to be completed in a set time limit, precluding some from applying unless they had time to complete the form in one sitting.

¹¹ http://www.calrenet.eu/wp-content/uploads/2015/05/Paul_Chaney_Presentation_26_16_15.pdf Last accessed 08/12/2015

¹² Sealy, Ruth; Doldor, Elena; Vinnicombe, Susan (2009) *Increasing diversity on public and private sector boards: Part 1 – How diverse are boards and why*

¹³ *Ibid*

Developing the pipeline of potential board members

Cranfield School of Management's report "Increasing diversity on public and private sector boards: Part 2 – What is being done to improve diversity on boards and how effective is this?"¹⁴ suggested the most effective initiatives to help those from under-represented groups achieve board posts were the ones which tackled personal, interpersonal and appointment process barriers simultaneously, for example through well run mentoring schemes. Case studies highlighted the impacts of different initiatives in the UK and in other countries. The focus of these programmes ranged from building the right human capital and confidence to making sure women and people from under-represented groups developed the vital networks and relationships necessary to facilitate their access onto boards.

In January 2014, the Presiding Officer launched the Women in Public Life Development Scheme, delivered by Chwarae Teg and Cardiff Business School. The scheme has worked with fourteen women to prepare them for public posts. To date, ten of these women have applied for a public appointment; four have been successful; four have been unsuccessful and continue to search and apply for positions; three are awaiting the outcome of their appointments and one has achieved more than one appointment. Three of the mentees have applied for more than one public appointment. In addition to this scheme, the Presiding Officer ran a series of networking fairs with the aim of encouraging women with an interest in public life to talk to organisations with vacancies on their boards. Feedback suggests twelve appointments have been made as a result of women attending these events, however, the true number may well be higher as there is a heavy reliance on individuals to volunteer the information.

Some Public Sector Boards have already demonstrated the availability of board-qualified women in Wales. The Sport Wales case study, Natural Resources Wales' "Come on Board" events, the Care Council for Wales, Amgueddfa Cymru and the Local Democracy and Boundary Commission are amongst those demonstrating positive results, with the Design Commission for Wales hopeful for a greater gender balance following the effort invested to make their current recruitment round more accessible. Initiatives have included undertaking a skills audit to identify the areas of need on the board rather than using identical profiles for all board members, lay representation on Boards and outreach events to raise the profile of the board and recruitment process and attract candidates who may not have considered board membership.

A report on the corporate quota in Norway¹⁵ supports the idea suitable women are available for board appointments but are either not applying or not being appointed ; the report found whilst, on average, women on boards after the quota was applied were younger and better educated than their male colleagues, their skills profile was "more or less identical" to the men.

¹⁴ Sealy, Ruth; Doldor, Elena; Vinnicombe, Susan (2009) *Increasing diversity on public and private sector boards: Part 2 – What is being done to improve diversity on boards and how effective is this?*

¹⁵ Storvik, Aagoth; Teigen, Mari (2010) *Women on board: The Norwegian experience*

Legislation

There is evidence of successfully increasing board-level diversity with voluntary measures alone, however, it suggests this has relied on a continued spotlight being shone on those responsible for appointments and did not generate uniform sector-wide improvement to the desired level.

A key example of the success of voluntary measures in the UK is the Davies Review¹⁶, which has seen the FTSE 100 double the representation of women on its boards in the last 4 years without a legal imperative. A European Women's Lobby's report "Women on boards in Europe: From a snail's pace to a giant leap"¹⁷ pointed to targets, deadlines and monitoring as an important part of this success. Some Public Sector Boards in Wales have achieved gender balance¹⁸, showing voluntary initiatives from boards can deliver results. In most cases voluntary measures lead to excellent results with those who take the cause to heart, but little progress with those who don't. This is demonstrated by the spread of women's representation on the boards of both Welsh Public Bodies¹⁹ and FTSE 100 companies²⁰. Twelve companies still have only one woman on their board, with a percentage as low as 7.7%²¹.

Concerns were expressed at our round-table events regarding the slow pace and inconsistency of change. Ways in which the success demonstrated by some Welsh public boards could be applied to others were discussed. Suggestions included increasing the level and transparency of monitoring, including publishing a league table of board gender diversity; requiring boards to have a strategy to increase their diversity and assigning responsibility for board diversity by including it in a board or Chief Executive's remit letter.

Whilst some countries have imposed quotas in order to reach gender balance on their public boards, notably Sweden has not, instead preferring to rely on voluntary measures. These had, as of 2008, resulted in 48% representation of women on boards of government agencies and advisory councils²². One measure used in Sweden has been the requirement on their boards to report their gender balance alongside annual budget proposals "in order for the Riksdag to be able to follow the development of gender equality in this area"²³.

Statutory quotas

Whilst the majority of evidence provided relates to electoral or corporate gender quotas, there is evidence to demonstrate statutory quotas, when well supported by sanctions, have been an effective way of ensuring gender balance. For example in Norway, once public companies were threatened with dissolution should they fail to comply with a 40% quota for women on their boards, women's representation increased from 6% in 2003 to 40% by 2009. In addition, the Company Register in

¹⁶ Lord Davies of Abersoch (2015) *Women on boards: Davies review annual report 2015*

¹⁷ The European Women's Lobby (2012) *Women on boards in Europe: From a snail's pace to a giant leap*

¹⁸ Jarboe, Norma, OBE (2015) *A woman's place in public appointments*

¹⁹ *Ibid*

²⁰ Lord Davies of Abersoch (2015) *Women on boards: Davies review annual report 2015*

²¹ *Ibid*

²² Niskanen, Kristi (2011) *Gender and power in the Nordic countries*

²³ *Ibid*

Norway would refuse to register a company board if its composition did not meet the statutory requirements²⁴.

Both round-table sessions put forward the case for the need for sanctions in achieving better representation on boards and stressed the need for boards to have diversity included in their remit letters. Sanctions suggested included fines, naming and shaming, firing the Chair/board and imposing an inequality tax. However, no evidence was provided of such sanctions being applied in practice at the time.

Evidence has been submitted showing quotas exist for public bodies in Norway, Finland, Belgium and Iceland. In each of those cases when laws were first introduced they gave lesser requirements than a numerical quota for each gender, such as requiring one man and one woman to be considered for each post or requiring “gender-balanced representation” without stipulating a minimum representation²⁵. The Belgian quotas are notable for imposing a maximum rather than a minimum percentage representation for any one gender and whilst, due to Belgium’s federal nature, there has been some variation between regions, in general, the Belgian quotas stipulate a maximum 67%²⁶ rather than the minimum 40% seen in Norway²⁷, Finland²⁸ and Iceland²⁹.

The European Women’s Lobby report³⁰ argued self-regulation has been followed by quotas in several cases due to its inefficacy and quotas must be backed by sanctions to be effective. Another report³¹ argued where quotas for public bodies in Finland and Norway had not been subject to some kind of sanctions in case of non-compliance, they had not been well observed. Where sanctions have been applied in Finland they were not legislatively stipulated but have manifested in decisions by the Office of the Chancellor of Justice to reject unlawful nominations from Cabinet and by Administrative Courts and the Supreme Court of Administrative Justice. In practice the courts’ decisions have required bodies to be dissolved and re-selected in accordance with the law³². The report went on to note voluntary quotas for political parties had been better observed, without sanctions, than quotas on public bodies and hypothesised the visibility of these quotas acts in practice as a form of sanction and monitoring. However, the European Women’s Lobby’s report³³ acknowledged quotas on French political parties had not been uniformly observed, with some parties preferring to pay a fine rather than include equal numbers of men and women on their electoral lists.

The CIPD undertook a survey³⁴ of their members and argued voluntary measures “encourage organisations to develop an appropriate and sustainable range of

²⁴ Storvik, Aagoth; Teigen, Mari (2010) *Women on board: The Norwegian experience*

²⁵ Niskanen, Kristi (2011) *Gender and power in the Nordic countries*

²⁶ Meier, Petra (2015) Gender quotas in Belgium: A never ending story of compartmentalized citizenship?

²⁷ Holli, Anne Maria; Teigen, Mari (2012) *Quotas for public bodies? A comparative study of the effectiveness of gender quotas for public boards and committees in Finland and Norway*, Unpublished, retrieved from http://paperroom.ipsa.org/app/webroot/papers/paper_14007.pdf

²⁸ *Ibid*

²⁹ Niskanen, Kristi (2011) *Gender and power in the Nordic countries*

³⁰ The European Women’s Lobby (2012) *Women on boards in Europe: From a snail’s pace to a giant leap*

³¹ Holli, Anne Maria; Teigen, Mari (2012) *Quotas for public bodies? A comparative study of the effectiveness of gender quotas for public boards and committees in Finland and Norway*, Unpublished, retrieved from http://paperroom.ipsa.org/app/webroot/papers/paper_14007.pdf

³² *Ibid*

³³ The European Women’s Lobby (2012) *Women on boards in Europe: From a snail’s pace to a giant leap*

³⁴ CIPD (2015) *Quotas and targets: How do they affect diversity progress?*

responses in how they develop female talent and foster cultural change³⁵ whilst “a quota imposition could be counterproductive and lead to a potential backlash towards those appointed as a result of what is often perceived as positive discrimination”³⁶. Similar concerns have been mooted in countries when gender quotas have been proposed, as seen recently in Germany³⁷. Whilst corporate gender quotas are too recent to be fully assessed against these allegations they were not borne out in Germany’s experience of political quotas³⁸. In fact party leaders reported high levels of competition amongst female candidates and many concurred with reported “situations when men are happy that there’s a gender quota because ... there are more women available as potential candidates than men”³⁹.

Socio-economic diversity and community engagement

No data is currently available regarding the socio-economic status or background of those awarded public appointments in Wales. In general those respondents who commented on this area felt there is little socio-economic diversity in public appointments. Many respondents expected socio-economic as well as gender diversity would benefit from measures to engage better with communities and value a broader range of skills. Examples of such initiatives include the Sport Wales case study, the “Come on Board” events hosted by Natural Resources Wales and the current Design Commission for Wales recruitment process.

Next steps

Findings from this Call for Evidence will support the work of the Welsh Government’s Public Appointments Unit and Fairer Futures Division, which aim to increase the diversity of Public Sector Boards in Wales through a range of activities.

The Minister for Communities and Tackling Poverty will be considering options in light of the evidence summarised in this report in 2016.

³⁵ *Ibid*

³⁶ *Ibid*

³⁷ <https://iasgp.wordpress.com/2015/01/26/what-germanys-gender-quotas-for-candidate-can-teach-us-about-its-gender-quotas-for-corporate-boards/> Last accessed 08/12/2015

³⁸ *Ibid*

³⁹ *Ibid*

Bibliography

Bertrand, Marianne; Black, Sandra E.; Jensen, Sissel; Lleras-Muney, Adriana (2014) *Breaking the glass ceiling? The effect of board quotas on female labor market outcomes in Norway*

Besley, Timothy J.; Folke, Olle; Persson, Torsten; Rickne, Johanna (2013) *Gender quotas and the crisis of the mediocre man: Theory and evidence from Sweden*

Boatman, Jazmine; Wellins, Rich; Neal, Stephanie (2011) *Women work: The business benefits of closing the gender gap*

Catalyst (2004) *The bottom line: Connecting corporate performance and gender diversity*

Catalyst (2008) *Advancing women leaders: The connection between women board directors and women corporate officers*

Catalyst (2011) *The bottom line: Corporate performance and women's representation on boards*

Catalyst (2013) *Why Diversity Matters*

Chaney, Paul (2006) *Critical mass, deliberation and the substantive representation of women: Evidence from the UK's devolution programme*

Charles, Nickie (2009) *Working in local and devolved government: Doing gender and practising politics*

Childs, Sarah; Lovenduski, Joni; Campbell, Rosie (2005) *Women at the top 2005: Changing number, changing politics?*

Chwarae Teg (2015) *A Woman's Place in Lesotho*

CIPD (2015) *Quotas and targets: How do they affect diversity progress?*

Credit Suisse (2012) *Gender diversity and corporate performance*

Dow Jones (2012) *Women at the wheel: Do female executives drive start-up success*

European Commission's Network to Promote Women in Decision-making in Politics and the Economy (2011) *The quota-instrument: Different approaches across Europe*

EY (2014) *Women on boards: Global approaches to advancing diversity*

EY (2015) *Board effectiveness – continuing the journey*

Global Corporate Governance Forum (2011) *Women on boards: A conversation with male directors, Focus 9*

Grosvold, Joanne; Brammer, Stephen (2011) *National institutional systems as antecedents of female board representation: An empirical study*

Holli, Anne Maria; Teigen, Mari (2012) *Quotas for public bodies? A comparative study of the effectiveness of gender quotas for public boards and committees in Finland and Norway*, Unpublished, retrieved from http://paperroom.ipso.org/app/webroot/papers/paper_14007.pdf

International Labour Organization – Bureau for Employers' Activities (2015) *Women in business and management: Gaining momentum*

Jarboe, Norma, OBE (2012) *Women count: Charity leaders in Wales 2012*

Jarboe, Norma, OBE (2015) *A woman's place in public appointments*

Lord Davies of Abersoch (2011) *Women on boards*

Lord Davies of Abersoch (2013) *Women on boards: April 2013*

Lord Davies of Abersoch (2015) *Women on boards: Davies review annual report 2015*

LSE Commission on Gender, Inequality and Power (2015) *Confronting gender inequality: Findings from the LSE commission on gender, inequality and power*

Maytree (2015) *Diverse cities onBoard toolkit*

McKinsey and Company (2007) *Women matter: Gender diversity, a corporate performance driver*

Meier, Petra (2015) *Gender quotas in Belgium: A never ending story of compartmentalized citizenship?*

Niskanen, Kristi (2011) *Gender and power in the Nordic countries*

Pini, Barbara (Ed.) (2013) *Women and representation in local government: International case studies*

Scottish Government (2014) *Women on board – Quality through diversity*

Sealy, Ruth; Doldor, Elena; Vinnicombe, Susan (2009) *Increasing diversity on public and private sector boards: Part 1 – How diverse are boards and why?*

Sealy, Ruth; Doldor, Elena; Vinnicombe, Susan (2009) *Increasing diversity on public and private sector boards: Part 2 – What is being done to improve diversity on boards and how effective is this?*

Storvik, Aagoth; Teigen, Mari (2010) *Women on board: The Norwegian experience*

Sweigart, Anne (2012) *Women on board for change: The Norway model of boardroom quotas as a tool for success in the United States and Canada*

The Centre for Women & Democracy (2015) *Sex and power: Who runs Britain 2015?*

The Commissioner for Public Appointments Northern Ireland (2014) *Under-representation and lack of diversity in public appointments in Northern Ireland*

The Equality and Human Rights Commission (2014) *Who runs Wales? 2014*

The European Women's Lobby (2012) *Women on boards in Europe: From a snail's pace to a giant leap*

The Lehmann Brothers Centre for Women in Business, London Business School (2007) *Innovation potential: Men and women in teams*

Tinker, Irene (2004) *Quotas for women in elected legislatures: Do they really empower women?*

Vinnicombe, Susan, OBE; Doldor, Elena; Turner, Caroline (2014) *The female FTSE board report 2014*

Websites:

<http://facultyhiring.uoregon.edu/files/2011/05/Isaac-Lee-Carnes-2009-26cqtlj.pdf> Last accessed 08/12/2015

http://www.calreinet.eu/wp-content/uploads/2015/05/Paul_Chaney_Presentation_26_16_15.pdf Last accessed 08/12/2015

http://www.mckinsey.com/insights/leading_in_the_21st_century/its_good_to_be_the_queen_but_its_easier_being_the_king Last accessed 08/12/2015

http://www.newleftproject.org/index.php/site/article_comments/gender_and_politics_in_the_devolved_assemblies Last accessed 08/12/2015

<http://www.scientificamerican.com/article/how-diversity-makes-us-smarter/> Last accessed 08/12/2015

<https://iasgp.wordpress.com/2015/01/26/what-germanys-gender-quotas-for-candidate-can-teach-us-about-its-gender-quotas-for-corporate-boards/> Last accessed 08/12/2015

Annex A: Call for Evidence questionnaire

Call for Evidence: Increasing the representation of women and other under-represented groups on Public Sector Boards.

Can you provide your views on the following questions and supporting evidence where available such as research into this issue or evidence of effectiveness in other countries.

Benefits

1. What are the benefits of a gender balanced and diverse Board which reflects the community it serves?

Is there evidence more diverse Boards make better decisions, and/or evidence of any other benefits?

Challenges/Barriers

The Welsh Government wants all women in their diversity to be represented on the boards of public bodies.

2. What are the key challenges/barriers facing women and under-represented groups in relation to achieving a public appointment in Wales, and what evidence can you provide on this?
3. What are the current barriers which particularly face women and other under-represented groups in applying for and being appointed to Public Sector Boards?
4. How can the barriers identified be tackled/removed?

Developing the pipeline of potential Board members

5. Are there any initiatives which demonstrate a positive outcome in encouraging more women and diverse groups to apply for a public appointment, and be successful in doing so? Please give details of what they are and why they are successful.

Legislation

6. In some circumstances, legislation may be an appropriate option. Such legislation could take a number of different forms, ultimately any legislative proposals will be subject to the Assembly's powers. In an ideal world, what form do you think this legislation should take?
7. **Option 1** - to require Boards to have a strategy for improving their gender balance and diversity. Do you think legislation should follow this approach?
8. **Option 2** - to impose an aspirational quota (i.e. voluntary targets). Do you think legislation should follow this approach?

9. Is there evidence to show voluntary targets are effective?
10. If so, is there a realistic timescale for voluntary measures to be allowed to work?
11. What difficulties and/or negative impacts could there be in introducing (aspirational) targets for women?
12. What difficulties and/or negative impacts could there be in introducing (aspirational) targets for all under-represented groups?

Statutory quotas

13. **Option 3** - to amend, if it is possible, the Equality Act to impose an absolute requirement in respect of gender (i.e. a statutory quota).
14. **Option 4** - to amend, if it is possible, the Equality Act to allow positive discrimination of female candidates over equally qualified male candidates.
15. Is there evidence statutory quotas can achieve the following:
 - Ensure Boards are more representative of the population they serve?
 - Provide opportunities for women to have a fair chance of an appointment to Public Sector Boards?
 - Ensure better governance in terms of ensuring a range of views and experience is reflected in decision making?
 - Translate into better services for service users because the Board is more representative of the population served?
 - Any other benefits?
16. What difficulties and/or negative impacts could there be in introducing gender diversity quotas for Public Boards?
17. Do you have evidence where sanctions have been imposed on Public Boards where there is non compliance? How effective have these been?
18. **Option 5** - are there any other options? (and if so please give details of how this would work)
19. Are there any additional issues not addressed in your other responses which you think should be considered in relation to improving diversity on Public Sector Boards?

Socio-economic diversity and community engagement

20. Do you have any suggestions for how we might ensure socio-economic diversity on Public Sector Boards? Do you have any evidence to show where action to address this has been successful and the impact this has had?

Annex B: Data table

Regulated Public Sector Boards⁴⁰

The following data relates to bodies which are within the remit of the Commissioner for Public Appointments. Appointments must be made in accordance with the Commissioner's Code and bodies can be audited by the Commissioner.

1 April 2012

	Male %	Female %	Ethnic %	Disabled %
Executive	65	35	2	7
Advisory	68	32	0	0
National Parks	55	45	0	0
Local Health Boards	60	40	4	3
NHS Trusts	82	18	5	5
CHCs	43.5	56.5	3.5	20

1 April 2013

	Male %	Female %	Ethnic %	Disabled %
Executive	67	33	2	7
Advisory	62	38	0	2
National Parks	53	47	0	0
Local Health Boards	62	38	7	3
NHS Trusts	85	15	5	5
CHCs	45.5	54.5	2	22

1 April 2014

	Male %	Female %	Ethnic %	Disabled %
Executive	67	33	2	4
Advisory	59	41	0	2
National Parks	55	45	0	0
Local Health Boards	61	39	7	3
NHS Trusts	81	18	4	11
CHCs	46	54	2	15

⁴⁰ These Public Sector Boards include Sport Wales, the Arts Council for Wales, the Advisory Panel on Substance Misuse, National Parks, Health Boards and Trusts and Community Health Councils (CHCs).

1 April 2015

	Male %	Female %	Ethnic %	Disabled %
Executive	62	38	4	4
Advisory	53	47	0	2
National Parks	55	45	0	0
Local Health Boards	61	39	7	3
NHS Trusts	82	18	4	7
CHCs	49	51	2	15

Unregulated Public Sector Boards⁴¹

Unregulated appointments (bodies outside the Commissioner's remit) follow the same process as regulated bodies. Unregulated appointments are not regulated by the Commissioner for Public Appointments but are recruited to in line with the Nolan principles and the principles of merit, fairness and openness.

1 April 2012

	Male %	Female %	Ethnic %	Disabled %
Unregulated	71	29	3	2

1 April 2013

	Male %	Female %	Ethnic %	Disabled %
Unregulated	70	30	3	3

1 April 2014

	Male %	Female %	Ethnic %	Disabled %
Unregulated	69	31	2	3

1 April 2015

	Male %	Female %	Ethnic %	Disabled %
Unregulated	57	43	3	7

⁴¹ These Public Sector Boards include the Design Commission for Wales, the Building Regulations Advisory Committee for Wales and the Food and Drink Industry Board.