



Board meeting 16 July

Agenda item 3

Title of paper: Shadow Board

Purpose of paper: To set out proposals for a new Shadow Board

Action required by the Board: The Board is asked to consider the following relating to the Shadow Board:

- Method of recruitment (paragraph 2.1)
- Time commitment (paragraph 2.2)
- Proposed membership (paragraph 2.3)
- The Board Secretariat to also be the Secretariat for the shadow Board.
- Allowing time at Board meetings to allow for consideration of shadow Board views at every item.
- Evaluation to learn lessons for other decision making fora.

Official presenting the paper: Andrew Jeffreys

Paper prepared by/ cleared by: Jo Glenn. Cleared by Andrew Jeffreys and Natalie Pearson

TUS engagement / viewpoint: TUS have been engaged during discussions at the Diversity and Inclusion Steering Group and have been supportive.

Date submitted to secretariat: 8 July 2021

1. Background

- 1.1 There were initial discussions on how a Shadow Board could work at Board on 26 March. Since then, a number of meetings have been held with current and previous Shadow Board members and at the Diversity Inclusion Steering Group (DISG). The proposals have also been shared with Exco.
- 1.2 There is a commitment in the Workforce Equality, Diversity and Inclusion Delivery Plan to 'pilot a shadow Board with membership from under-represented groups with the intention of learning lessons on how to improve the diversity of our decision making fora'. This places the aim of the shadow Board as improving the diversity of decision making rather than providing learning and development for under-represented groups.
- 1.3 The Board has had shadow members for a number of years, people who either as job share partners or individuals, attend the full Board meeting. This has provided advantages to those who have taken part including seeing how senior people operate, networking (for in-person meetings), raising their profile as well as general development. The diversity of those selected in the role has been limited. Continuing with shadow members would not be an effective way of increasing the diversity of decision making fora. The terms of reference for the shadow Board will set out that its function is to consider Board papers and provide diverse views which will inform main Board deliberations. It is intended to deepen the Board's understanding of diverse views and result in better decision making and ideas. It will also support the development of under- represented members of staff.

2. Issues for consideration

Selection of members

- 2.1 Previous Shadow Board members were asked to complete an Expression of Interest and were interviewed by Peter Kennedy and a former shadow Board member. A shortlisted group was then interviewed by the Permanent Secretary. The intention was for shadow members to be in place for 2 years. The current cohort have been in place for just over two years. This time it is proposed we take a different approach. Candidates will be asked to complete a written Expression of Interest or could send in a video in which they explain why they want to be on the shadow Board, what they hope to get from the experience and what diverse skills they would bring to it. These would be sifted and a shortlist would then be interviewed by a diverse staff panel. As part of the application, candidates would be asked which under represented groups (see paragraph 2.3) they represent.

Recruiting the shadow Board from networks only could limit the pool of potential people. The Chair and Deputy Chair will be agreed by shadow Board members.

Time commitment

- 2.2 This is likely to be one day every six weeks with an additional half day for the Chair who will be required to attend the main Board and the Deputy Chair who would attend Corporate Services and Finance Sub Committee. Candidates will be asked to notify their line manager in advance and discuss any issues which might arise from their attendance. Term of office for new shadow Board members would be two years.

Membership

- 2.3 The shadow Board will consist of around 12 people and we will recruit people who are Women, Black, Asian and Minority Ethnic staff, Disabled staff including people with physical impairments, mental health conditions and who are neurodiverse, LGBT staff, people who are recently from lower socio-economic backgrounds and younger people (under 30). We will aim for gender balance on the shadow Board but this will not restrict us as we also want to encourage applications from people who are non binary. People from Team Support to Grade 7 can apply. We will not set quotas e.g. we will not specify that a proportion of Board members are disabled but we will ensure that all groups are represented. We would invite TUS to nominate a TUS member of the Shadow Board.
- 2.4 Shadow Board members will be encouraged to bring their lived experience and views to the role but we would also expect them to represent other people's views. We will encourage successful candidates to work with the networks so they are aware of network concerns and issues.
- 2.5 Only the Chair will attend Board regularly but they will be able to bring one other member with them if an item for discussion would benefit from having a particular shadow Board member with them. The Permanent Secretary may wish to attend the shadow Board to have their perspectives in advance of Board.

Meetings

- 2.6 Terms of reference will set out that the shadow Board will meet every 6 weeks, on Wednesday mornings. Papers will be circulated on Fridays and the shadow Board will be minuted and have a secretariat provided by the Permanent Secretary's office. There will be bullet point comments on each item for the Chair to take to Board. It is proposed

that meetings of the Board will include views from the shadow Board Chair, on behalf of the shadow Board, on every item.

Training

- 2.7 Training will be provided in advance of the first shadow Board meeting. This will include a meeting with the Permanent Secretary, training on how the Board works and its relationship with Exco and training on Assembly finances. It is proposed to buddy shadow Board members with a Board member for a mutual mentoring relationship. While this will not be over-prescribed, the aim will be for an exchange of views on Board papers to increase the understanding of both parties to diverse views, for the Board member to gain an understanding of the lived experience perspectives of the shadow Board member and for the Board member to mentor or coach the shadow Board member.

Involvement of the Third Sector

- 2.8 We also considered an option where, in addition to the earlier proposals, we invite applications from third sector organisations for 4 seats on the shadow Board, two for disabled people and two for Black, Asian and minority ethnic people as the equivalent to the non-executive director roles on the Board. This would meet the commitment in the Strategy to help develop a pipeline. There's also a commitment to 'We will introduce non-executive roles on our leadership and decision making boards and open them to staff and stakeholders to ensure greater diversity in our decision making processes.' However given the additional time this would take to put in place and potential complications in terms of giving access to Board papers, this option is on hold but could be explored further for future use.

Evaluation

- 2.9 As the purpose of the Shadow Board is to improve overall diversity on decision making fora, the shadow Board will be evaluated by the Equality in the Workplace Team following advice from KAS.

3. Resource implications

Financial Implications

- 3.1 There are no additional financial implications arising from the proposals in this paper. The training referred to in paragraph 2.7 would be delivered in house.

Implications for staff

- 3.2 There are positive implications for staff as people who are currently under-represented will benefit from their involvement with the shadow Board. There has been no formal consultation with trade unions but they were involved in earlier discussions as members of DISG.

4. Risks

4.1 There is a risk that the shadow Board could be seen as tokenistic so it will be important that additional time is allowed at Board to consider views from the shadow Board. The shadow Board will want to know what happens as a result of their input. The Chair and others who attend Board need to feel confident that there will be no repercussions from 'speaking truth to power'. There is a risk that individuals could feel that they are not skilled enough to share their views (imposter syndrome) so training and ongoing support/ mentoring from Board members will be needed to build confidence. There is a risk that the shadow Board could be seen as an end in itself whereas it is intended to be a pilot for lessons to be learned to improve diversity of decision making. It will therefore be important that the shadow Board is evaluated and the Board and Exco consider how further diversity in decision making is rolled out. Finally, the setting up of the shadow Board is a project in its own right and there is a risk that time spent on this could delay other work on the Delivery Plan given the size of the Equality in the Workplace team.

5. Communication

5.1 An intranet article about the shadow Board will be posted before recess and information shared with the unions and networks. Recruitment processes will begin in September.

6. General Compliance Issues

6.1 The proposal for a shadow Board is an action in the Delivery Plan which itself operationalises obligations in particular under the Equality Act 2010 but also in respect of our obligations to have due regard for equality of opportunity (Section 77 of the Government of Wales Act 2006).

Recommendation(s)

- 7.1 The Board is asked to consider the following aspects of the Shadow Board:
- Method of recruitment (paragraph 2.1)
 - Time commitment (paragraph 2.2)
 - Proposed membership (paragraph 2.3)
 - The Board Secretariat to also be the Secretariat for the shadow Board.
 - Allowing time at Board meetings for consideration of shadow Board views at every item.
 - Evaluation to learn lessons for other decision making fora.

Publication

This paper should be published in full as none of the exemptions in the Code of Practice on Public Access to Information apply.

