



Appointments to State Boards

PAS Submission to the Minister for Public Expenditure & Reform

April 2018



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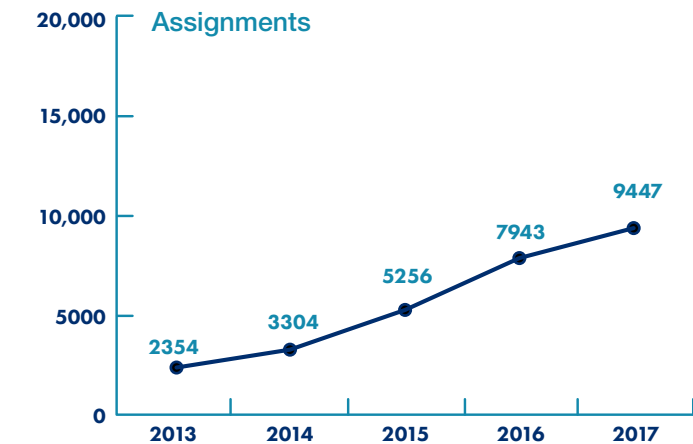
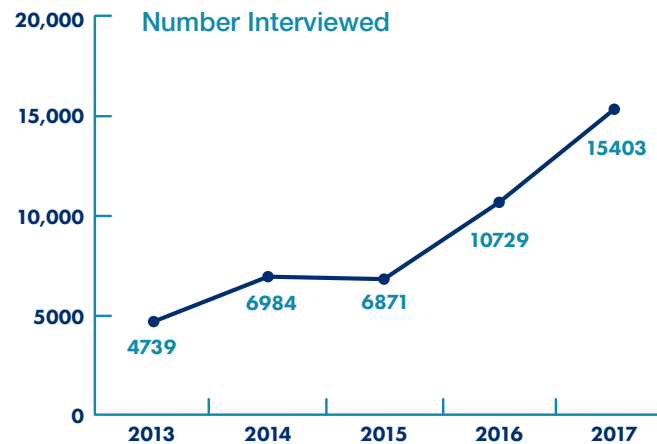
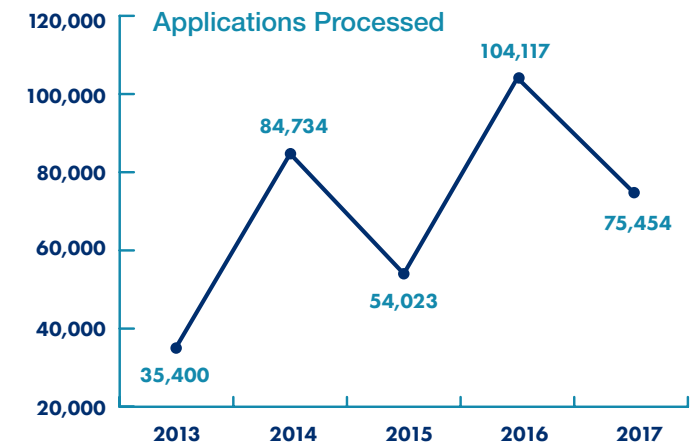
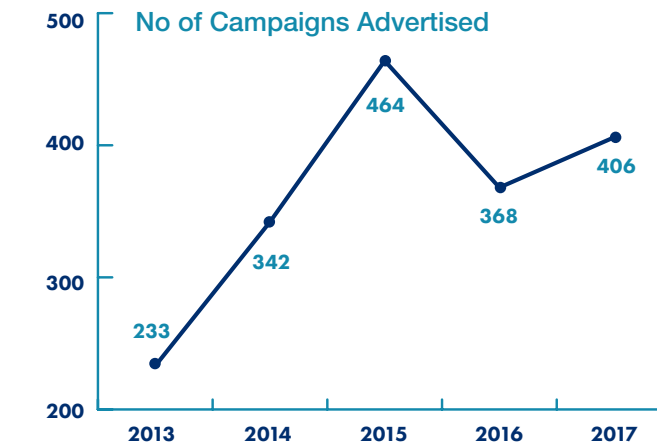
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1. Introduction

The Public Appointments Service (PAS) is the recruitment and resourcing shared service provider for client organisations in the civil and public service. PAS was established in 2004 under the Public Service Management (Recruitment and Appointments) Act as an independent office responsible for the sourcing, assessment and delivery of quality candidates to public service clients. PAS runs a wide range of openly advertised recruitment campaigns, interdepartmental promotion campaigns within the Civil Service and, on occasion, assists with some internal promotion campaigns for larger Departments and organisations in the public service. The activities of PAS are primarily focused on the sourcing of candidates for roles in the Civil Service; the most senior roles in Local Authorities; hospital consultant roles in the public health service; trainee Garda for An Garda Síochána; and a range of management, executive and specialist roles across the civil and public service.

The scale and complexity of the operation of PAS is demonstrated by the range of activity conducted by the office, which employs one hundred and sixty seven civil servants and has a budget of €11m.

Table 1. PAS Operational Activity



In 2017 PAS processed over 75,000 applications, conducted over 15,000 interviews and made over 9,000 appointments to a range of complex roles across a diverse range of client organisations.

2. State Board Appointments

In 2011 the Government introduced new arrangements for appointments to State Boards whereby Departments were required to invite expressions of interest for most vacancies on State Boards from the general public by advertising vacancies on their own websites or through the Public Appointments Service.

Following a Government decision in 2014, further substantial reforms to the appointments system were introduced. Guidelines on Appointments to State Boards were published for the enhanced process, which required all Departments to adhere to a new system under which all appointments should:

- a. be advertised openly on the State Boards portal www.stateboards.ie operated by the Public Appointments Service (PAS) unless they met certain limited exemptions;
- b. meet specific and detailed criteria determined by the relevant Minister as necessary for the effective performance of the relevant role(s); and
- c. be processed by way of a transparent assessment system designed and implemented by the independent Public Appointments Service to support the relevant Minister in making appointments to State Boards under his/her remit.

The Guidelines have been in operation since November 2014. An outline of the appointments process where PAS is utilised is available at Appendix 1.

PAS operates a dedicated website www.stateboards.ie to meet the Government request for greater transparency. A database of all of the Boards and the members of those Boards is available on the website. A review of the database confirms that appointments to over 200 bodies with over 2,000 members are governed by the Guidelines. These include commercial State bodies, non-commercial State bodies, and a wide range of State agencies, oversight agencies, regulatory authorities etc. As mentioned, not all appointments are made using the PAS process, where exemptions in the guidelines are instead utilised by Ministers.

Despite early concerns that the process would not attract candidates of appropriate calibre, the experience of the Public Appointments Service (PAS) in operating under the Guidelines has been generally positive and the process is working well. PAS has delivered on the Government commitment to ensure there is open access to potential participation on State Boards, on ensuring that the numbers registered for State Board alerts have been progressively increasing, and that there has been a steady and generally satisfactory level of interest in individual campaigns.

PAS has also been successful in developing a diverse and highly experienced pool of people who are willing to contribute to the assessment process as members of Assessment Panels. Informal feedback from Departments and Chairpersons of State Boards suggests that the process is delivering capable and competent people for consideration by Ministers for appointment to vacancies on State Boards.



3. PAS Activity on State Boards

3.1 Activity Levels

Before the new process began, it was difficult to estimate the level of activity that would arise. Following the introduction of the Guidelines PAS has overseen campaigns for 191 State Boards seeking to fill 582 vacancies.

On average, there are, each year:



Table 2. The following table provides a summary of activity by PAS on State Board appointments:

	2015	2016	2017	Total
Campaigns Advertised	70	50	71	191
Vacancies Advertised	304	163	245	712
Applications Received	4699	2598	2745	10,042
Submitted to Minister for consideration	916	639	596	2,151
Board Members Appointed	206	173	203	582

Since the introduction of the new guidelines there have been eight vacancies which have not been filled. These vacancies have generally been narrow and technically specific roles where more time was required for the search process or where suitable candidates have not been identified for consideration by Ministers within the time available. PAS has been more successful where, in co-operation with Departments and State Boards, PAS receives sufficient advance notice to commence targeted search work early.

In addition to running campaigns for State Board appointments PAS has also been requested to fill vacancies on Bodies/Commissions that do not come within the scope of the Guidelines for Appointments to State Boards, and to create panels of experts for quasi-judicial functions. PAS has endeavoured to provide support and assist where possible, and on occasion has only been able to provide advisory support. PAS proposes, within resource constraints, to seek to develop a more robust approach to meeting the complex needs of public service bodies for such panels of experts.

3.2 Sectoral participation

An analysis of a selection (50) of recent campaigns shows that 48% of names submitted to Ministers in 2017 were from private sector candidates, 50% were public sector and 2% were from non-profit/charity organisations. Some feedback has suggested that many lists contain many former senior civil servants; a review of our records indicates that there have only been three campaigns in 2017 that attracted applications from former senior civil servants (Secretary General and Assistant Secretary General). Given that a significant proportion of the vacancies to be filled are on oversight/regulatory bodies, the level of applications from the public sector is not surprising.

3.3 Gender participation

In keeping with Government policy on gender balance on State Boards (a minimum of 40% of each gender), PAS consistently monitors the gender balance throughout the appointments process.



Table 3. The position to date on gender participation is as follows:

Sex	Applications %		Assessed as Suitable %		Appointed %	
	M	F	M	F	M	F
2015	70	30	65	35	55	45
2016	67	33	62	38	52	48
2017	65	35	62	38	48	52

Since the introduction of the new Guidelines the proportion of applications from female candidates has increased and accounted for 35% of applications in 2017. There has also been significant improvement in the appointment of female candidates increasing from 45% in 2015 to 52% in 2017. Around 40% of all the membership on the State board database is now female but some sectors and boards have performed better than others with regard to gender balance.

4. Assessment Process

The Guidelines are very clear in specifying that applications for appointments are to be assessed against agreed criteria for the relevant Board position.

Detailed arrangements are in place for the development of a role specification for each State Board vacancy to be filled by the process, involving engagement between the Department, the relevant Board, and PAS. The specification of the roles have improved over the period, particularly in line with the Code of Practice on the Governance of State Bodies, which elaborated on the role of the Chairperson of a Board and the role of the chairperson of the Audit Committee. Experience has shown that the greater engagement and detailed consultation that goes into the preparation of the specification, the better the outcome of the process in terms of a diverse pool of candidates for consideration by Ministers for appointment.

A network of State Board liaison officers is facilitated by PAS to enable information sharing and encourage continuous improvement and shared learning with a view to improving the process and contributing to better governance.

Once the campaign for a vacancy is advertised online on stateboards.ie, alerts will issue by email or text to individuals who have registered an interest in being considered for an appointment.

PAS and the Department also engage in a number of activities to alert potential candidates:

- circulating to stakeholder organisations;
- posts on social media;
- awareness-raising via networks;
- advertising on relevant websites, and on occasion
- press advertising, if appropriate.

The application stage is generally open for a three-week period. All applications are made online and usually comprise a letter of application, a detailed CV, and a statement of specific expertise, knowledge and suitability where skills that are more specific are required.

PAS convenes an expert panel to review the applications and identify a shortlist of candidates who are suitable for submission for consideration by the Minister. The panel is made up of an external Chairperson to oversee the process, a representative of the Department, the Chairperson of the relevant Board, and an external expert (in governance, finance, HR, communications etc. depending on the vacancy to be filled).

Since 2017, as resources permitted, PAS has enhanced the process for appointments to the board of commercial State bodies by including a meeting with the shortlisted candidates to provide additional reassurance of their suitability. This additional assessment has also been adopted on occasion when required due to particular features of a State Board.

It has also been practice for many years for some Ministers to meet with potential appointees to assess their suitability for appointment, particularly to the position of Chairperson of a Board, and this practice continues. In keeping with the intention of the Guidelines (paragraph 5) regarding wide access and participation by the public in the appointments process, PAS has engaged with a wide range of people from the public, private and voluntary sectors to assist on assessment panels. Assessment panels to date have involved people from a diverse range of backgrounds and experience. Confidentiality around each process has been maintained.

The PAS experience is of a positive and widespread welcome for the new process and a clear willingness from these people, many of whom already have other demanding commitments, to assist in the process.

PAS is confident that by engaging a wide pool of participants on assessment panels, the basis for enhancing public confidence in the transparency and the validity of the process has increased, as well as achieving the core outcome of strengthening the performance of State Boards through the appointment of people with relevant experience and demonstrable competence.

4.1 Process Development

As mentioned earlier, before the new process began, it was difficult to estimate the level of activity that would arise. However, with the benefit of experience PAS has made a number of refinements to the process within the parameters set out in the Guidelines. Among these improvements are:

- Improvements to the format and content of the Information Booklets which are published in connection with each vacancy;
- Ongoing revisions to the wording of role specifications, based on experience coming from assessment panels, to ensure the identification of those applicants most suitable for consideration for appointment by virtue of their having relevant experience in more than just a single specified areas of expertise;
- Improved communications with applicants and appointees;
- Informing Assessment Panel members when the appointments are announced;
- The increased participation of Assessment Panels in meetings with applicants to inform decision making during the assessment process, particularly for commercial State bodies;
- The wider use of background checks for applicants for commercial State boards and where required for other State boards.



5. Public Engagement and Increasing Access to Opportunities

In order to raise awareness and encourage interest, over the past few years PAS has undertaken a wide-ranging public engagement programme with external stakeholders. Early concerns that certain high-calibre potential candidates would not engage with the application process has proved to be unfounded and PAS have attracted a wide pool of highly suitable and eminently appointable candidates.

PAS commissioned a brand awareness survey in December 2016 and the results show a very low level of awareness of stateboards.ie and the process for appointments to State Boards among the general public. This emphasised the need for greater effort in raising awareness of the process and the available opportunities to engage with the process and PAS has responded with targeted information campaigns, national radio advertising and proactive promotion of individual campaigns on social media, as well as participations at networking and conference opportunities.

Engagement activity has included meeting and presenting to groups such as:

PAS has also participated at a number of events run by these bodies, and has taken stands at some of their annual conferences, etc. In addition, advertisements and information have been placed in some member publications and email newsletters, which have a wide circulation within their individual sectors.

The response from all of these groups has been supportive of encouraging participation from across society and positive towards the objective of delivering an appointments process which is demonstrably adhering to the stated principles of openness, objectivity and transparency.

These activities resulted in a significant increase in traffic to the State Boards website and an increase in the numbers of people registered with PAS to receive email alerts on State Board vacancies. In October 2014 stateboards.ie had 2,096 registered users and today there are currently 6,429 registered for alerts on new campaigns.

PAS has also utilised Executive Search services to identify and attract potential candidates. Executive Search is particularly useful when a board is seeking a member with specialist skills/experience or when seeking a Chair for a high-profile State body. Both the internal executive search function and, where used, external search services, have proved to be successful in attracting into the process high-calibre candidates who have not previously engaged with the State Board appointments process.



6. Stakeholder Feedback

The Institute of Directors published a research report in 2015 on State Boards in Ireland. The research was carried out only a year after the introduction of the new Guidelines and already the IOD members surveyed reported a positive improvement in the perception of fairness and transparency in the appointments process. The research shows a 'seismic shift in attitudes' since 2012 when 26% reported satisfaction with the fairness and transparency of the process compared to 2015 where the report showed 70% satisfaction. In 2016 PAS sought the views of all those registered on stateboards.ie to receive alerts on advertised campaigns. The feedback was largely positive regarding the process and a very high proportion of respondents reported that they would apply again for a future position.

Merc Partners Survey of Executive Expectations 2016 reported that when respondents were asked if they would be willing to serve as a non-executive director on the board of a state agency, over 3 in 4 (79%) were open to the idea, with 54% being very willing. These findings almost exactly replicate the findings of previous years. Among those who would be willing to serve on a board, there was equal favourability towards making a personal application through www.stateboards.ie (79%) and being directly appointed by Government (84%). The primary motivator for not being prepared to serve on a State Board would be a concern about political interference (44%) and negative publicity surrounding the post (29%).



Positive feedback has also been received on the efficiency and effectiveness of the specification and assessment process from Government Departments. In particular, there is widespread general satisfaction with the quality and calibre of the names proffered by PAS for consideration for appointment.

Commentary in the media is no longer focused on the appointments process and has moved to more detailed discussions on governance.

PAS has received informal feedback from some Chairpersons of State Boards and stakeholder groups who have expressed a high level of satisfaction with the quality of appointments made through this process.

7. Key Considerations



7.1 Candidate dissatisfaction with length of time process takes

While the changes in 2014 to the State Boards appointments process have been largely very positive and well received, there is an ongoing issue regarding the length of time candidates are waiting for a response to their applications. Feedback from candidates indicates there is a level of dissatisfaction with the delay in being informed of the outcome of the campaign which has called into question the transparency of the process.

An analysis of 69 campaigns which were fully completed from September 2016 to date shows on average a waiting period of over eight weeks between when lists are submitted to Departments for consideration and the issue of results to candidates. Under the Guidelines PAS notifies all candidates of the outcome of the process when the Minister has decided who is to be appointed. Ministers and Departments could bear this in mind and seek to make appointments as early as possible. This would support a more favourable perception of the process thus keeping potential candidates interested in the appointments process for future opportunities and ensure vacancies are filled in a timely manner.

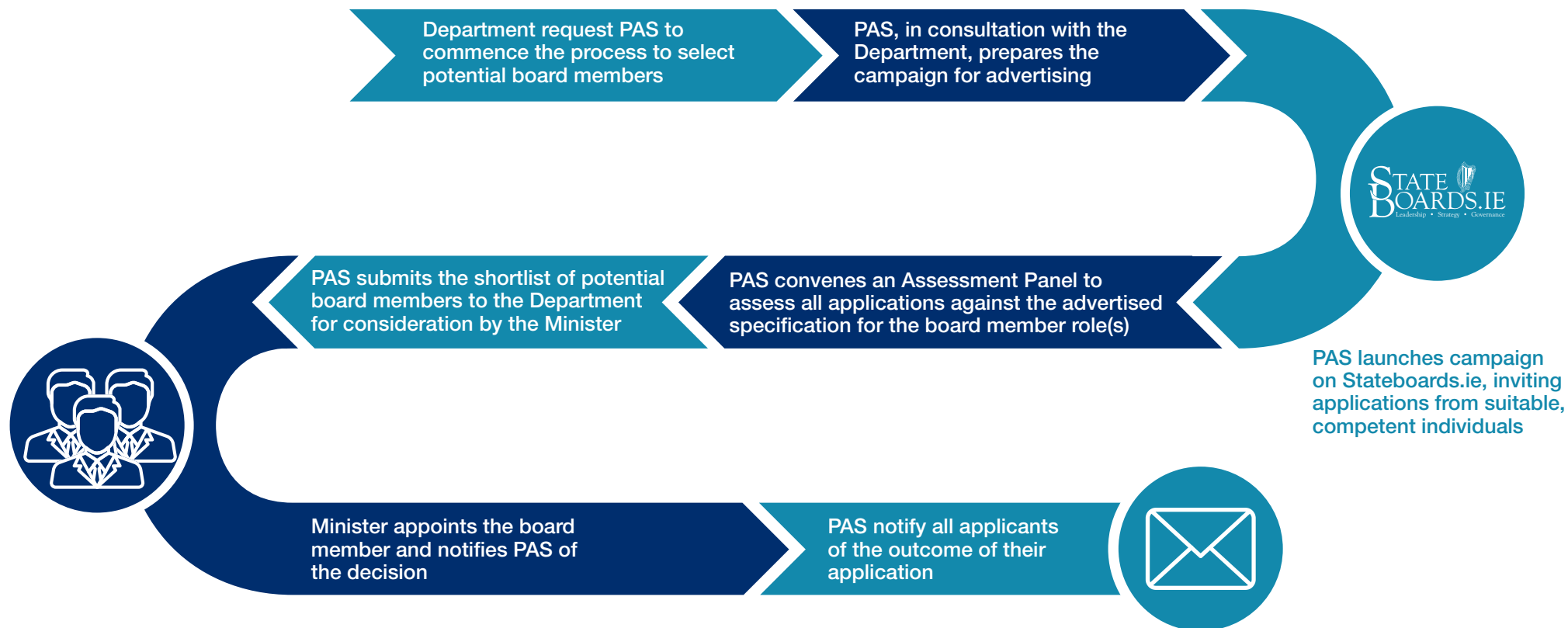
7.2 Making use of exemption on re-appointments

The Guidelines allow for a number of exemptions when making appointments, however, some Ministers have not availed of the exemption concerning re-appointment (see paragraph 9.1.5 of the Guidelines).

Where a new selection process is decided upon, the issue of the criteria for the vacancy should be closely considered as it is possible that effective existing members will not be on the list of names submitted to Ministers due to specific criteria (e.g. a particular expertise) being included. Such occurrences may, potentially, militate against attracting further high-calibre candidates. PAS is of the view that it would be preferable if the exemptions were fully utilised and recommend that where the Minister is satisfied that an existing member is seen as contributing value to the Board and is willing to serve, that re-appointment be considered rather than a new open competition.

Appendix 1.

State Boards Appointments Process





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