



SPT Board Diversity Succession Plan

Date of meeting 22 June 2018

Date of report 12 June 2018

Report by Assistant Chief Executive

1. Object of report

To advise the Partnership of a recent letter from the Scottish Government concerning arrangements for the implementation of the Gender Representation on Public Boards (Scotland) Act 2018 (attached at Appendix1).

To seek Partnership approval for SPT's Board Diversity Succession Plan (attached at Appendix 2).

2. Background

The Scottish Government is committed to promoting diversity and ensuring that those who make decisions about public services are reflective of the community.

The Scottish Government has written to public bodies across Scotland including SPT advising on future arrangements for the Gender Representation on Public Boards (Scotland) Act 2018¹ which received Royal Assent on 9 March 2018. The Act aims to promote the gender balance of members appointed to the Boards of listed Scottish public authorities.

SPT is a listed authority under the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016² and as such has a range of legal obligations to support the promotion of diversity. This includes promoting the diversity of appointed members to SPT's Partnership Board.

SPT is committed, through its activities to advancing equality, tackling discrimination and promoting good relations between people who share protected characteristics. To support this process and help to meet our statutory obligations, SPT has prepared a draft Board Diversity Succession Plan. The Plan sets out a series of actions to promote gender balance among appointed members of SPT's Partnership Board.

3. Outline of proposals

Gender Representation on Public Boards (Scotland) Act 2018

The Gender Representation on Public Boards (Scotland) Act 2018 sets a "gender representation objective" whereby listed public boards, including Regional Transport

¹ <http://www.legislation.gov.uk/asp/2018/4/enacted>

² <http://www.legislation.gov.uk/ssi/2016/159/contents/made>

Partnership Boards, should aim to have 50% of non-executive members (appointed members) who are women.

The Scottish Government has written to relevant Scottish public bodies advising on future arrangements for the implementation of the Act. In particular the letter advises the following:

- Appointments must be made on merit but where there are two or more equally qualified candidates for an appointment, at least one of whom is a woman, the appointing person must appoint a candidate who is a woman if doing so will result in achieving or making progress towards the gender representation objective.
- In addition, public authorities and appointing persons must take such action as they consider appropriate to encourage applications from women. And, where the gender representation objective has not been achieved, must take such additional steps as they consider appropriate.
- Public authorities will also be required to report progress on what actions they are taking to meet the objective.

Only non-executive members appointed to Boards are covered by the Act. There are also exclusions that apply in relation non-executive members including:

- Members appointed only by virtue of being nominated for membership by a Health Board mentioned in section 6(1)(a)(ii) of that Act.
- A member appointed only by virtue of being nominated for membership by Scottish Enterprise.

Although the Act has received Royal Assent the new duties will not be in force until Spring 2019. In the meantime the Scottish Government will prepare and consult on draft guidance and regulations.

Board Diversity Plan

As the letter from the Scottish Government notes, public authorities may wish to take steps now with a view to achieving the Act's objective. In its Advancing Equality Report³ approved by the Partnership at its meeting in February 2018, SPT had already indicated its intention to prepare a Board Diversity Succession Plan to promote the diversity of appointed members and to promote wider consideration of diversity in its decision making process.

As such, SPT has prepared a draft Board Diversity Succession Plan which includes a series of actions to encourage more women and people from diverse backgrounds to consider joining SPT's Board as appointed members as opportunities arise.

Key actions include ensuring:

- Encourage and support Board Members to be visible and use their contacts or networks to promote Board positions and the work of the SPT Board.
- The Partnership will audit the skills, knowledge and experience needed for future Board appointments and identify/remove potential barriers to opportunities for greater diversity.
- Aim to publicise Non-Councillor Board vacancies through a wider range of sources including social media.

³ <http://www.spt.co.uk/corporate/wp-content/uploads/2017/04/advancing-equality-march-2017.pdf>

- Consider the appointment of non-voting observers to the Board, as a means of early mentoring prior to consideration of applying to be a member.
- Continue to engage with Equalities organisations to seek their advice on reaching out to further groups/organisations representing those with protected characteristics and addressing potential barriers to participation.
- Consideration will be given as to how to encourage members of the public and representatives of wider civic society to attend the meetings, particularly with a view to fostering future Board diversity.

4. Conclusion

The Scottish Government has written to public bodies across Scotland including SPT advising on future arrangements for the implementation of the Gender Representation on Public Boards (Scotland) Act 2018.

To help meet the requirements of the Act and to promote greater awareness of the needs of people with protected characteristics, SPT has prepared a draft Board Diversity Succession Plan.

Subject to Partnership approval, SPT will liaise further with the Board to take forward the actions contained in the Plan.

SPT will keep the Partnership updated on equality matters including the preparation of a response to forthcoming consultation by the Scottish Government's on the guidance associated with the Act.

5. Partnership action

The Partnership is asked to:

- Note the recent letter from the Scottish Government concerning arrangements for the implementation of the Gender Representation on Public Boards (Scotland) Act 2018 (attached at Appendix1); and
- Approve the SPT's draft Board Diversity Plan (attached at Appendix 2).

6. Consequences

Policy consequences	<i>Actions to promote Board diversity support SPT's Equality outcomes</i>
Legal consequences	<i>As a listed authority, SPT has a statutory obligation to meet the requirements of the Gender Representation on Public Boards (Scotland) Act 2018</i>
Financial consequences	<i>None directly</i>
Personnel consequences	<i>None</i>
Equalities consequences	<i>Promoting diversity helps to ensure the services and projects that SPT delivers reflect the needs of our communities</i>
Risk consequences	<i>Failure to reflect the diversity of people across the west of Scotland will result in poorer service and project delivery outcomes.</i>

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