



Item No: 12

Meeting Date: Wednesday 26th April 2017

Glasgow City Integration Joint Board

Report By: David Williams, Chief Officer
Contact: Allison Eccles, Head of Business Development
Tel: 0141 287 6724

SCOTTISH GOVERNMENT – GENDER BALANCE ON PUBLIC BOARDS CONSULTATION

Purpose of Report:	To advise the Integration Joint Board of a response submitted to the Scottish Government on behalf of the Glasgow City Integration Joint Board, on proposed legislation intended to redress gender imbalances on the boards of public bodies.
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Recommendations:	The Integration Joint Board is asked to: a) note this report and appended consultation response.
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Relevance to Integration Joint Board Strategic Plan:

None – consultation relates to matters of governance

Implications for Health and Social Care Partnership:

Reference to National Health & Wellbeing Outcome:	None – consultation relates to matters of governance
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Personnel:	None
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Carers:	None
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Provider Organisations:	None
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Equalities:	The proposed legislation is intended to redress gender imbalances on the boards of public bodies. It will not however address imbalances with regards to other 'Protected Characteristics', and this is noted in the IJB's response.	
Financial:	None	
Legal:	The proposed legislation will not, in its current form, apply any new legal duties upon the Integration Joint Board	
Economic Impact:	None	
Sustainability:	None	
Sustainable Procurement and Article 19:	None	
Risk Implications:	None	
Implications for Glasgow City Council:	Glasgow City Council may be subject to the legislation when making appointments to any of the bodies specified in the final version of the Act passed by Parliament.	
Implications for NHS Greater Glasgow & Clyde:	NHS Greater Glasgow and Clyde may be subject to the legislation when making appointments to any of the bodies specified in the final version of the Act passed by Parliament.	
Direction Required to Council, Health Board or Both	Direction to:	
	1. No Direction Required	✓
	2. Glasgow City Council	
	3. NHS Greater Glasgow & Clyde	
	4. Glasgow City Council and NHS Greater Glasgow & Clyde	

1. Purpose

- 1.1 The purpose of this paper is to advise the Integration Joint Board of a response submitted to the Scottish Government on behalf of the Glasgow City Integration Joint Board, on proposed legislation intended to redress gender imbalances on the boards of public bodies.

2. Background

- 2.1 On Thursday 5 January, the Scottish Government published the Draft Gender Representation on Public Boards (Scotland) Bill for consultation, with a closing date of Friday 17 March.

- 2.2 The consultation sought views on the practical application of the Bill and invited consultees to provide views on how it might be strengthened. The purpose of the Bill is to redress gender imbalances on the boards of public bodies, and the Bill seeks to achieve this by setting a gender representation objective for the non-executive member component of public boards and requiring certain action to be taken in the appointing of non-executive members. A range of bodies are identified which are proposed to be covered by the legislation.

3. Consultation Response

- 3.1 The response which has been sent to the Scottish Government on behalf of the IJB is appended to this report. This response notes that, through its Equality Outcomes approved in March 2016, it is the stated aim of the IJB to achieve gender balance among voting members, along with taking further action as necessary to increase diversity amongst IJB membership.
- 3.2 Given the deadline for responses, and as it is considered that the IJB's response does not develop any new policy positions, the response was approved by the Chief Officer acting under delegated authority, and is now presented to the IJB for noting.

4. Recommendations

- 4.1 The Integration Joint Board is asked to:
- a) note this report and appended consultation response.



A SCOTTISH GOVERNMENT CONSULTATION ON THE DRAFT GENDER REPRESENTATION ON PUBLIC BOARDS (SCOTLAND) BILL

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Glasgow City Integration Joint Board

Phone number

0141 287 8933

Address

Commonwealth House, 32 Albion Street, Glasgow

Postcode

G1 1LH

Email

glasgowcityijb@glasgow.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

Consultation Questionnaire

Question 1

What, if any, comments would you make in relation to section 1 [Gender representation objective] of the draft Bill?

We support this objective, and would note that it is consistent with our own Equality Outcomes in which we aim to achieve gender-balance on our Board - <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=32946&p=0>

Question 2

What, if any, comments would you make in relation to section 2 [Key definitions] of the draft Bill?

None

Question 3

What, if any, comments would you make in relation to section 3 [Duty when appointing non-executive members] of the draft Bill?

As noted in response to question 1, Glasgow City IJB's Equality Outcomes include a commitment to achieving gender balance among our membership. However, we are limited in our ability to achieve this, as the appointment of voting members to the IJB is a matter for Glasgow City Council and NHS Greater Glasgow and Clyde (8 per organisation). At time of writing we do have gender balance on the IJB. The Council have adopted a policy position to appoint a gender-balanced cohort of members. The NHS have of late appointed a gender-balanced cohort and following an upcoming retiral of a male NHS non-executive director on 31 March 2017, who is due to be replaced by a female from 1st April 2017, we will shortly have a majority of female non-executive directors on the IJB (5-3).

We understand that the proposed legislation does not include a requirement for Councils and Health Boards to appoint a gender-balanced cohort to Integration Joint Boards, and would suggest that it would support the aims of the legislation were such a provision to be included.

Question 4

What, if any, comments would you make in relation to section 4 [Consideration of candidates] of the draft Bill?

We support the principle that the best-qualified candidate should always be appointed. While consideration of gender balance as a form of “tie breaker” between two equally qualified candidates will support the aims of the proposed legislation, we would caution that such a provision may aggrieve the unsuccessful candidates(s) and dissuade them from applying or seeking nomination to other boards in the future.

The wording of the proposed legislation also gives no guidance as to what should happen if there are 3 or more equally qualified candidates and the appointment of 2 or more of these candidates would achieve gender balance on the board in question. How should a decision be made between 2 equally qualified candidates of the same gender?

Question 5

What, if any, comments would you make in relation to section 5 [Encouragement of applications] of the draft Bill?

We support the principle that applications should be encouraged from under-represented groups.

Question 6

What if any, comments would you make in relation to Schedule 2 (introduced by section 7) [Application of Act to Certain Listed Authorities] of the draft Bill?

None

Question 7

What, if any, comments would you make in relation to Schedule 1 (introduced by section 2) [Listed Authorities] of the draft Bill?

As per response to question 3. We understand that the proposed legislation does not include a requirement for Councils and Health Boards to appoint a gender-balanced cohort to Integration Joint Boards, and would suggest that it would support the aims of the legislation were such a provision to be included

Question 8

The draft Bill does not specify any requirement for reporting. Do you have any comments on reporting arrangements under the legislation, including timescales, location and content of reports?

We do not believe that additional or bespoke reporting is necessary, however issues of gender balance could be incorporated into annual performance or governance reports which each organisation will invariably be required to produce.

Question 9

Do you have any comments on the draft Bill, not already expressed in response to previous questions, including on how the Bill could be strengthened to deliver Minister's stated objective of gender balanced public boards?

As per previous responses, appointments to Integration Joint Boards should be included.

Question 10

To help with the development our Equality Impact Assessment, please provide any comments on the impact of the draft Bill on people who share certain 'protected characteristics': age, disability, sex, gender reassignment, sexual orientation, race and religion or belief, or any further information you think is relevant.

The bill is clearly intended by design to have a positive impact of matters of sex and gender, however this is but one characteristic and there is still scope for significant imbalance on public boards in relation to other protected characteristics. Boards which do not, for example, have any BME representation, members from the LGBT community, followers of all religious beliefs, or members spanning a range of age groups are unrepresentative of wider society in the same way that a non gender balanced board would be. Further action may be required in this regard, although it is accepted that these matters may be less straightforward to address.

Question 11

To help with the development our Business Regulatory Impact Assessment, please provide any comments on the costs and benefits of the draft Bill, or any further information you think is relevant.

No comments.