

Board Diversity Succession Plan

1. INTRODUCTION

- 1.1 The purpose of this report is to present to the Partnership the Board Diversity Succession Plan for noting.
- 1.2 The Board Diversity Succession Plan was approved by the Succession Planning Committee at its meeting on 8 November 2019 (**Item A1(b)**).

2. BACKGROUND

- 2.1 SEStran is a listed authority under the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016¹ and as such has a range of legal obligations to support the promotion of diversity. This includes promoting the diversity of appointed members to SEStran's Partnership Board
- 2.1 The Board first approved the Board Diversity Succession Plan at its meeting in March 2017, supporting the organisation's commitments to take action to advance equality, tackle discrimination and promote good relations between people who share protected characteristics, which are core objectives set out in our Equalities Outcomes and mainstreaming activities.
- 2.2 The Gender Representation on Public Boards (Scotland) Act 2018² received royal assent on 9 March 2019. The purpose of the Act is to promote gender balance of members appointed to the Boards of listed public authorities. The requirements of the Act have been considered and implemented within the organisation, although the duties of the Act will not come into force until guidelines and reporting arrangements have been issued by Scottish Ministers.

3. BOARD DIVERSITY SUCCESSION PLAN

- 3.1 The Board Diversity Succession Plan³ has been updated to include the specifics of the Gender Representation on Public Boards (Scotland) Act 2018, to report on the actions undertaken by the organisation since the plan was last published and a general revision to the layout.
- 3.2 The Gender Representation on Public Boards (Scotland) Act 2018 sets a "gender representation objective" whereby listed public boards should aim to have 50% of non-executive (appointed) member who are women.

¹ <https://www.legislation.gov.uk/sdsi/2016/9780111030752>

² <https://www.gov.scot/publications/scottish-government-consultation-implementation-gender-representation-public-boards-scotland-act-2018/pages/3/>

³ <https://www.sestran.gov.uk/wp-content/uploads/2017/04/Board-Diversity-Succession-Plan-2.pdf>

3.3 In summary, the Act states that:

- 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. Where the gender representation has not been achieved, must take such additional steps as considered appropriate.
- Public authorities will be required to report progress on what actions they are taking to meet the objectives.

Only non-executive members are covered by the Act.

3.4 The Board Diversity Succession Plan has been developed in line with SG guidance, to better achieve our Public Sector Equality Duties. In doing so, the Plan has sought to balance two distinct but related concepts of Diversity:

- Member's Skills, experience, knowledge and other relevant attributes such as personal values; and
- Diversity of members in relation to their protected characteristics as defined by the Equality Act 2010: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief; sex and sexual orientation

3.5 The skills audit questionnaire, appended to the Plan, was created to address the member's skills requirement and Officers will undertake an exercise to invite members to participate in a skills audit survey.

3.6 The regulations set out that the Scottish Ministers are required from time to time, to gather information about members' protected characteristics and that the Ministers will forward those to the public bodies covered by the duties for inclusion in their mainstreaming reports.

3.7 Officers will liaise with SG to ensure that data is provided to enable SEStran to fulfil its duties under the Act.

4. RECOMMENDATIONS

- 4.1 The Board is asked to:
- 4.2 Note the Board Diversity Succession Plan; and
- 4.3 Note that Officers will liaise with Scottish Government colleagues to receive information on Members diversity, in relation to their protected characteristics; and
- 4.4 Note that Officers will undertake an exercise to conduct a skills audit of the current Board members.

Angela Chambers
Business Manager
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Policy Implications	As outlined in the report
Financial Implications	None
Equalities Implications	As outlined in the report
Climate Change Implications	None