

2020.02.04

**16 Deputy J.H. Perchard of the Chief Minister regarding diversity requirements for the membership of States boards: (OQ.25/2020)**

Given that the hospital citizens' panel selection methodology states that: "Panel membership must be representative, including 50 per cent men, 50 per cent women, a representative range of ages, someone who identifies as of Portuguese origin, someone who identifies as of Polish origin and a geographic weighting to reflect urbanisation" why have the Government not applied these requirements to the membership of States' Boards?

**Senator J.A.N. Le Fondré:**

The Connétable of St. Ouen is answering this question, Sir.

**Connétable R.A. Buchanan of St. Ouen (Assistant Chief Minister - *rapporteur*):**

I thank the Deputy for her question. There is a distinction between the citizens' panel and States boards. The hospital citizens' panel is a non-statutory body created for a particular purpose and of course is newly established. It has a remit that it requires a diverse membership and to reflect all walks of life in the Island. It should essentially be a microcosm of the public at large. The other States boards - having had a discussion with the Deputy, I am clear that she is referring to that - are arm's length and 100 per cent owned companies, which were established on a statutory footing with a smaller membership and which existed for many years. They are there to serve a specific and a specified purpose, requiring specific skillsets. However, we must ensure that the range of candidates we attract to any vacancies are as diverse as possible. As the Deputy is aware, we have already written almost a year ago to the Chair of these boards and similar organisations, reminding them of the importance of diversity in their board memberships. This will take time to achieve and will occur naturally as terms of office expire and replacements are appointed. In supplement to that, the Deputy is probably aware that Dame Janet [Paraskeva, Chair of the Jersey Appointments Commission] and I did a presentation to the members of the subsidiary boards about the importance of doing this and it was well-received. However, also you must remember that these boards have to deliver on their business plans and, ultimately, any appointment will be based on the merit of the individual candidate and their ability to fulfil the role that is set before them. This will always be a primary concern when selecting a candidate.

**4.16.1 Deputy J.H. Perchard:**

Given what the Assistant Minister has just said about the citizens' panel, is he saying that the work of the States boards and the ethos and culture which cascades from the top from these boards, through the organisations, does not need to take into account all walks of life on the Island?

**The Connétable of St. Ouen:**

No, he is not saying that. What he is saying is that we have to take those principles, which the Deputy rightly points out and apply them to an organisation which requires specific skillsets. The specific skillset itself will narrow the field. However, the underlying principle of diversity will always be at the forefront of our minds when making and putting together panels to select candidates.

**4.16.2 Deputy J.M. Maçon:**

With regard to the health board and noting the diversity there, but if we are talking about health needs, can I ask why members of the L.G.B.T. (lesbian, gay, bisexual, and transgender) community

have not been explicitly on this panel? If you look at trans needs, for example, they will be distinct and I cannot imagine why they have been left out.

**The Connétable of St. Ouen:**

I thank the Deputy for his question and say that I am not able to give him an answer, but I will undertake to get back to him and the wider Assembly with a direct response to that question.

**4.16.3 Deputy M. Tadier:**

Given the fact that there is a quota system for the hospital consultation, or the citizens' panel, does the Assistant Minister fear that we may not be getting the best people for the job for that citizens' panel, because half of them have to be women?

[11:15]

**The Bailiff:**

Contentious question now, but ...

**The Connétable of St. Ouen:**

I do thank the Deputy for his challenging question. I might even ask Deputy Perchard to answer it, but having avoided asking Deputy Perchard that question, diversity is an important part of the panel and we have to balance the groups of people in terms of their ethnic origin as well as if they are ladies, or men. It is, as always, a balance to ensure that we achieve a cross-section of the public and we would hope to achieve a 50:50 balance. I cannot give the Deputy an absolute assurance that that will happen, but I can assure you that we will be using our best endeavours to do that and I do thank him for his question.

**4.16.4 Deputy M. Tadier:**

The *sous entendre* of the question is clearly that the Assistant Minister is saying for statutory bodies we cannot have a quota system, we cannot ensure that half are men and half are women, for example, because that might mean we do not get the best people for the job. Is that a position that he genuinely holds? If that is the case, why would we employ such a quota system for the likes of a citizens' panel?

**The Connétable of St. Ouen:**

I did not understand the first French bit of his question, but I am sure he will enlighten me later. The object of the citizens' panel is to achieve a microcosm of Island life and that includes both gender, ethnic origin, sexual orientation, so that we get a balanced view. As always, when you have a number of people, a fixed quota, you are probably not going to cover everyone, but it is our intention to achieve that in the best way that we can.

**4.16.5 Deputy R.J. Ward:**

Can I ask the Assistant Minister whether he just recognises that we already have a quota system for these boards? Unfortunately, the quota system is for men, which has existed for years and if we are going to do that, we need to take affirmative action and have a quota system that would address those issues that have existed for so long.

**The Connétable of St. Ouen:**

I assume the Deputy is referring to the subsidiary boards when he talked about a quota system. All I can say is that our policy now is to have as wide a field as possible when we are recruiting for

candidates for those boards. There is not now a quota system of a proportion of men and women making up those boards. We will do our best to ensure that when we are recruiting, we are recruiting from as broad a range of candidates as we possibly can.

**4.16.6 Deputy R.J. Ward:**

Is the problem not that we fail to recognise the value of unpaid labour on this Island and across the world and therefore fail to see the value of people? The vast majority of that unpaid labour is from women and so we are not looking at this through an equality perspective. That is the failing of these boards.

**The Bailiff:**

A final supplementary, Deputy Perchard. I beg your pardon. Sorry, he did not answer that, did he? I apologise, slightly getting ahead of myself.

**The Connétable of St. Ouen:**

I was all ready to answer that question. Yes, I accept entirely what the Deputy is saying and I can assure you the States is working very hard to improve its approach to diversity and he is quite right. Some of the issues that he outlines are social issues and, as an employer, we can only do our best to improve those social issues by making employment for women and the terms and conditions that we employ women easier, so that they are able to balance all the families, they are able to balance their childcare requirements with their work responsibilities. It is a project that will take some time to achieve, but I can assure the Deputy that the States Employment Board are totally committed to it and are taking a number of steps to achieve that. The start of the process has been that we have engaged with both the Chamber of Commerce this week and the Institute of Directors to try to look at ways that we can balance gender diversity on our boards and indeed in our wider employees.

**4.16.6 Deputy J.H. Perchard:**

Earlier, in one of his responses, the Assistant Minister stated that a search for a particular skillset will naturally narrow the field. Is he saying that given the vast majority of board members are of a certain age, ethnicity and gender that we are, in fact, searching for a skillset that is widely attributed to a certain group, so you inevitably are going to recruit mostly from that group?

**The Connétable of St. Ouen:**

Yes, the Deputy makes a good point and it is one that we are considering. As she knows, we are having - the Deputy, myself and Dame Janet [Paraskeva] - a debate about this very point. I do not have a specific answer to that, but I am aware that it is an issue and it is an issue, as an Employment Board and indeed the subsidiary boards, we are going to have to address going forward.