

21/11/97

NIWC contribution on motion: "take note of QUANGOS CONSULTATION PAPER."

We welcome the Government's consultation paper, "Opening up Quangos." Like most people, we would like to see more openness and accountability in quangos. However, we believe it is important not to throw the baby out with the bathwater. Quango-bashing *is a has become* a favourite pastime. But the way to make public bodies more effective and legitimate is to take a careful look at what is actually going on, to determine what is worth preserving, what needs to be reformed and what should just be eliminated altogether.

Part of the problem is that the same traits are values for some and shortcomings for others:

- Do quangos foster civic participation and make good use of expertise or are they undemocratic and unrepresentative bodies that encourage patronage and corruption?
- Is their relative autonomy a matter of prudent 'hands off' management and protection from the winds of partisanship? Or is it an opportunity for political and financial unaccountability and influence peddling?

Certainly, it is important to look at the overall organisation of public bodies. But we are not going to find a magic formula that solves all our problems. Overall, we would suggest an approach focusing on the values informing the work of government -- not just the *structures of government*.

We would stress the following values: EQUALITY, INCLUSION, PLURALISM & REPRESENTATIVENESS, ACCOUNTABILITY, TRANSPARENCY, SUBSIDIARITY, and, EFFICIENCY.

These values should be nurtured whatever the specific structure of quangos and whatever the division of administration between elected bodies and quangos. Of course, we believe these values should also underpin elected bodies, and we look forward to the day when increasing control over local affairs is handed over to elected bodies.

These core values should apply to the internal operation of quangos and to service delivery as well as at the level of appointments. There are certain obvious safeguards that should be implemented to encourage these values:

Starting with **appointments**: we are pleased that the Secretary of State, in her memorandum on the consultation paper, flagged up the need to attract more applications from under-represented groups, such as women and young people. There is a significant degree of awareness here about the need to ensure a fair representation of 'the two communities'. We endorse that principle. But we would like to see the commitment to diversity multiplied to include groups who identify in other ways, for example, by sexual orientation, as members of other religious or ethnic groups, or as people with disabilities.

We also feel that quangos can benefit from those who will not just reproduce the status quo, but who will take a constructively critical approach to their work on quangos. Publication of all those whose names are submitted -- not just the list of those actually selected -- might help ensure that applicants are not rejected because they might 'rock the boat'.

We believe it should be a goal of quangos to foster REPRESENTATIVENESS to ensure a true balance of interests across society:

Partnership Boards.

On the surface, quangos appear undemocratic because they receive no direct mandate from the ballot box. However, in an unevenly divided society, they do offer opportunities to ensure a fairer representation of the population in ~~positions of power than is currently achieved using straightforward 'democratic' means.~~ At the same time, there is no reason why many more public bodies couldn't combine an elected element with an appointed one, as is the case with the Partnership Boards. Elected and appointed bodies are not polar opposites. We would like to see more experimentation with different formulae.

Potential to include in public life

Quangos have the potential to include in public life people who might not otherwise get there.

Society as a whole will benefit, as it is a means of tapping into a large reserve of energy, ideas, expertise and skills that might otherwise be neglected. A more diverse representation on quangos will also mean wider awareness of ^{how they work} their workings among different sectors of the public. Both effectiveness and accountability will be enhanced, then, as more people will be able not just to exploit their services, but also to assess their performance.

We would note in particular that women are far better represented on quangos in Northern Ireland than they are in electoral politics. EOC-NI figures from March of this year show that women make up about one third of representatives on public bodies in Northern Ireland.

However, there is still some way to go before we have reached a situation of effective equality. For instance, 22 of 144 bodies have no female representatives. Somewhat surprisingly, 10 of these are in Education and Health and Social Services -- fields in which women have typically been relatively well represented. Women make up only 17% of appointments to Agriculture quangos. ~~Only~~ ^{fully 0} one third of the Agriculture quangos have no female representation.

Remuneration

Moreover, women hold only 27 Chair and ~~16 Deputy Chair~~ positions on these 144 bodies. None of the 24 Next Step Agencies is headed by a woman. The rate of improvement is also slow, with only 1.21% of new appointments being women in the most recent annual period.

*** We need clear targets to ensure real improvement.

Targets.

(1985 = 10% policy - minimum 40% today 30% →

In the Republic of Ireland, for example, despite the government's repeated verbal commitment to improve the gender balance on public bodies, only minimal changes were occurring. Six years ago, the Irish government established a policy of a minimum 40% gender balance for appointments to State Boards. Now, almost 30% of representatives on these boards are women. The significance of this change is clear when we consider that in 1985 the level was just over 10%.

Clearly, targets work. It is important to note, however, that we are not talking about appointing people simply 'because they are women,' of a particular religious or ethnic background, age, etc. There will be a threshold that all appointees have to meet and the Nolan Procedures stress merit for the job as the overriding principle in selection. (point 6).

But there should be a regular membership audit. If it is radically imbalanced compared to the population, something is wrong. Steps should be taken to redress any 'chill factor' that may be discouraging certain groups from applying. For example, there is a Central Public Appointments Unit. Anyone can fill out a form to get his or her name on a central data-base that is consulted by bodies making appointments [although we'd like to know how extensively it is actually used.]. However, some women may be hesitant to put themselves forward for appointment. More proactive means of encouraging them to submit their names might be needed.

Moreover, the application form itself can be off-putting to some. For example, women who have taken time out of the labour market to raise their children may feel they have little to offer. A more welcoming format might give them confidence in the valuable skills and insights they could bring to public life. Similarly, the wording in advertisements can have a significant impact on who will feel comfortable applying. So, while we're glad that the 'tap on the shoulder' has been replaced with greater openness in the appointments process, that openness must be supported with a sensitivity to the factors influencing self-nomination.

Public bodies are an important source of influence. They are also a training ground for public office. They can enhance and complement electoral democracy. In the long run, we will all benefit from increasing the diversity on public bodies. Initiatives like the Policy Appraisal and Fair Treatment guidelines suggest the possibility of introducing sophisticated normative elements into the workings of government. These can help build the equitable and inclusive society that we all want. With time, greater diversity in public appointments might help to produce greater diversity in electoral politics. We look forward to the day when equality of opportunity is realised and there will be no need for such measures to achieve it.

ACCOUNTABILITY & TRANSPARENCY should apply to accounts, operating procedures and the appointments process. A Freedom of Information Act will help here, but quangos should be open about all operations, so that the public won't feel the need to take recourse to such legislation. Minutes should be published, and the public should have access to meetings. We endorse the suggestion that all public bodies should produce and make available Annual Reports. We would note, for example, that, while 86% of NIO public bodies published Annual Accounts in 1996, only 58% published Annual Reports.

Timetables of tasks should be published, with provisions to wind up within a certain period. The duties and remit of quangos should be explicit and well defined, not discretionary. Clear performance indicators and monitoring procedures should be established. More mechanisms need to be established to allow citizens to hold quangos accountable. These can include: judicial power to rule on cases taken by citizens and a written bill of rights, as well as public consultations by quangos themselves.

We support the move to introduce codes of conduct in quangos.

We welcome the government's consultation document on quangos. Even where quangos are working well, criticism deprives them of legitimacy. They must be *seen* to be working well. Northern Ireland has an advantage in our vibrant civil society. The role and operation of quangos can play their part in fostering participatory democracy if the will is there to see it happen.