



Cabinet Office



# **CHAIR The Equality and Human Rights Commission**

## **CANDIDATE INFORMATION PACK**

**Closing date for this post is: 09 August 2020 at 23:59**

**Applications should be sent to:  
EHRC.publicappointments@cabinetoffice.gov.uk**

**If you require this information in an alternative format or in  
Welsh language please contact  
EHRC.publicappointments@cabinetoffice.gov.uk**

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## A Message from the Minister for Women and Equalities



Thank you for your interest in becoming the Chair of the Equality and Human Rights Commission (EHRC).

The EHRC is an independent body responsible for promoting and enforcing the laws that protect fairness, dignity and respect. It contributes to making and keeping Britain a fair society in which everyone, regardless of background, has an equal opportunity to fulfil their potential. The EHRC uses its unique

powers to challenge discrimination, promote equality of opportunity and protect human rights.

The following pages will tell you more about the purpose of the Commission and the nature of the Chair's role.

Applications are welcomed from as diverse a range of applicants and mix of backgrounds as possible. We seek candidates with a business perspective and practical mind-set, energy, insight and the ability to operate strategically. You should have a track record of driving progress on equality and the credibility to challenge others.

If you believe you have the experience and qualities we are seeking, we very much look forward to hearing from you.

**The Rt Hon Elizabeth Truss MP**

## Diversity and Equality of opportunity

Diversity of opportunity is something the Cabinet Office cares passionately about.

Applications are encouraged from all candidates regardless of ethnicity, religion or belief, sex, sexual orientation, age, disability, gender reassignment. We particularly welcome applications from women, those with a disability and those from a black or ethnic minority background.

We would also particularly welcome applications from those currently working in, or with experience of, the private sector, and those who have not previously held public appointments. We want to explore the widest possible pool of talent for these important appointments.

### Offering an Interview to Disabled People (GIS scheme)

As a Disability Confident employer, we will ensure that a fair and proportionate number of disabled applicants who **meet the minimum criteria for this position** will be offered an interview.

[The Equality Act 2010](#) defines a person as disabled if they have a physical or mental impairment and the impairment has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. If you wish to indicate that you are disabled or have a long-term health condition, please complete **the Disability Confident - Offering an Interview to Disabled People** declaration in the supporting documents and send it with your application.

### Reasonable Adjustments

If you have a disability and require reasonable adjustments to enable you to attend your interview, please advise us when you return your application or contact the EHRC Sponsorship Team [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk)- current members of the team are Shirin Bokhari and Evelyne Doh.

### Flexible working practices

The Equality and Human Rights Commission supports flexible working practices and as a national organisation has video conferencing available for communications between regional and central offices. However, its Board members need to be able to attend meetings and events, mostly held in London.

### Pre-appointment scrutiny

In line with proposals to increase Parliamentary scrutiny of appointments to key posts, the preferred candidate for the post of Chair of the Equality and Human Rights Commission will be required to appear before a Parliamentary Select Committee prior to appointment.

Pre-appointment scrutiny by select committees is an important part of the process for some of the most significant public appointments made by Ministers. It is designed to provide an added level of scrutiny to verify that the recruitment meets the principles set out in the Governance Code on Public Appointments. This scrutiny may involve the relevant select committee requesting and reviewing information from the Department

and the Minister's preferred candidate. The select committee may also choose to hold a pre-appointment hearing.

Pre-appointment hearings are held in public and involve the select committee taking evidence from the Minister's preferred candidate. These public hearings take place before an appointment is confirmed, but after the selection process has taken place.

Where a public appointment is subject to pre-appointment scrutiny, it is a matter for the relevant select committee to decide whether to undertake such scrutiny, including whether to hold a pre-appointment hearing. Following a review of the information provided by the Department, the select committee may decide that a pre-appointment scrutiny hearing is not required before it publishes its report, if it agrees with the Minister's choice of candidate.

## Background to the organisation

The EHRC is Great Britain's national equality body and has been awarded an 'A' status as a National Human Rights Institution (NHRI) by the United Nations. Its role is to help make Britain fairer and it achieves this by safeguarding and enforcing the laws that protect people's rights to fairness, dignity and respect.

As a statutory non-departmental public body established by the Equality Act 2006, the Commission operates independently. It has as a unique role in enforcing anti-discrimination law and helping individuals who are bringing claims of discrimination, harassment or victimisation under the Act. It aims to be a centre of excellence for evidence, analysis and equality and human rights law and an essential point of contact for policy makers, public bodies and business.

The EHRC uses its unique powers to challenge discrimination, promote equality of opportunity and protect human rights.

For further information about the Commission, please visit its website at [www.equalityhumanrights.com](http://www.equalityhumanrights.com).

## Size and composition of the Board

The Board currently comprises 10 Members. Members of the Board are listed below and biographical information for each Board Member can be found on [the EHRC's website](http://www.equalityhumanrights.com).

- David Isaac CBE (outgoing Chair)
- Caroline Waters OBE (Deputy Chair)
- Suzanne Baxter
- Pavita Cooper
- Alasdair Henderson
- Rebecca Hilsenrath (Chief Executive)
- Susan Johnson OBE
- Helen Mahy CBE
- Mark McLane
- Dr Lesley Sawers OBE (Scotland Commissioner)

The Board has a strategic oversight role. It does not directly manage the Commission's operations, but delegates that role to the CEO and the Commission's staff. It holds the CEO and the staff to account by monitoring performance against the Commission's strategic priorities and ensuring that resources are being used to good effect.

Further information on the EHRC and its activities, including its most recent annual report, can be found on [the EHRC's website](http://www.equalityhumanrights.com).

## Location

The role will be based in London. Some travel will be/may be required.

## Role of the EHRC Chair

This is both a challenging and exciting time to join the Equality and Human Rights Commission. We are seeking a strong, strategic leader who will continue to develop the Equality and Human Rights Commission (EHRC) and set the Commission's overall direction to reflect its crucial role as an independent equality body and National Human Rights Institution. This appointment fulfils the requirement of the Equality Act 2006 that the Secretary of State should appoint a Chair to the Commission. Although the Commission is an independent organisation, the Chair is accountable to the above sponsoring Minister.

The Equality Act 2006 sets out the role of the Chair as follows:

- preside over meetings of the Board; and
- undertake functions set out in his/her terms of appointment and those assigned to him/her by the Board.

The roles and responsibilities the Chair are set out in the [Commission's Governance Manual](#).

The Chair has particular responsibility for ensuring the Board operates effectively, makes collegiate and inclusive decisions, and provides effective strategic leadership on matters such as:

- formulating the Board's strategy for discharging its statutory duties and delivering its functions, including consulting on its Strategic Plan;
- leading the Board and, in partnership with the Chief Executive, setting the overall direction, policy and plans for the Commission;
- encouraging high standards of propriety and promoting the efficient and effective use of resources throughout the organisation;
- representing the views of the Board to the general public;
- building and maintaining positive and effective working relationships with Ministers, Parliamentarians and other Senior Stakeholders, both nationally and internationally;
- representing the Commission as a visible national champion for equality and human rights;
- supporting Commissioners, including the Chief Executive, in undertaking their roles, including agreeing objectives, and undertaking annual appraisals; and
- establishing a relationship of trust with the Chief Executive, informing him/her of key developments in a timely manner and seeking advice and support as appropriate.

Working in partnership with the Chief Executive, and other members of the Board, the Chair will have responsibility for:

- strategic leadership of the Board in setting the overall direction, policy and plans for the Commission;
- encouraging high standards of propriety and supporting the Chief Executive to promote the efficient and effective use of staff and other resources in the context of financial constraints; improvement
- representing the EHRC in discussions with Ministers and forging strong relations with Whitehall, Parliament, and various strategic partners, domestically and internationally;
- supporting Commissioners, including the Chief Executive, in undertaking their roles, including agreeing objectives and undertaking annual appraisals;
- raising the external profile of the EHRC; including through high-profile enforcement involving inquiries and investigations;
- articulating a clear vision of how the EHRC can support fair and effective enforcement of the equality law in Great Britain, and working collaboratively with the Government Equalities Office to maximise the EHRC's impact.

In addition, as a member of the Board, the Chair shares corporate responsibility for:

- agreeing the Commission's strategic plan and business plan and priorities and ensuring delivery of its business plan;
- ensuring that the Commission has proper internal controls, systems and processes in place to safeguard the use of public funds and manage risk; and
- promoting and protecting the EHRC's position, values, mission, vision, integrity, image and reputation.

Whilst the Chair has overall responsibility for the performance of the Board, all members of the Board have an important individual and collective role in working with the Chair, the Chief Executive and the Senior Management Team to evolve the strategic direction of the body, to ensure delivery goals, and to ensure that it fulfils the governance, financial management, and efficiency standards required of it as a public body.

## Person specification and eligibility criteria

All candidates must demonstrate, in their CV and supporting letter, how they meet the selection criteria for the post, through their knowledge, skills and experience.

Candidates should be able to demonstrate the following essential selection criteria:

- a strong understanding of and demonstrable commitment to equality and human rights which is credible;
- a commitment to exercising impartial and independent judgement, drawing sound conclusions that differentiate and weigh up competing arguments that are capable of justification under close scrutiny;
- the ability to lead a major high-profile organisation, including ability to chair the board and provide effective challenge and support to the organisation;
- outstanding relationship building skills, with the ability to command respect, build networks quickly and work with and through others to achieve objectives;
- An understanding of a political landscape in Great Britain and an ability to develop a strong and credible relationship with Ministers and senior Whitehall officials;
- excellent communication skills, including the ability to operate effectively and comfortably as an ambassador for the organisation;
- the ability to lead and develop the Commission with a diverse membership that represents often competing priorities;
- the ability to understand and interpret financial information and to provide effective challenge to the Chief Executive on the regularity and propriety of the EHRC's spend and business activities;
- high standards of integrity, commitment to public service values, and an understanding of the principles and practices of corporate governance.

**Applicants will be assessed against these criteria in their application and any subsequent interview.**

For this post, a person cannot be appointed as a Board Member if he or she is employed in the Civil Service of the state, has unspent criminal convictions, is subject to bankruptcy, or disqualification as a company director. There must be no employment restrictions, or limit on your permitted stay in the UK.

## Conditions of appointment

### Remuneration, allowances and abatement

- The time commitment for Commissioners is approximately **1-2 days a week** (up to 100 days per year).
- The per diem allowance paid to the Commissioner is **£500/ day**.
- Remuneration is taxable under Schedule E of the Income and Corporation Taxes Act 1988 (as amended) and subject to Class I National Insurance contributions.
- Legitimate expenses, including travel and subsistence costs, will be paid.
- The post is not pensionable.

### Appointment and tenure of office

Board Members are appointed by the Minister for Women and Equalities. Appointments are for between 2 and 5 years, (the Tailored Review recommended at least 3 years) with the possibility of re-appointment for a further term, at the discretion of Ministers. Any re-appointment is subject to satisfactory annual appraisals of performance during the first term in the post. If re-appointed, the total time served in post will not exceed more than two terms or serve in any one post for more than ten years.

It will be important that a Chair's other commitments do not cast any doubt on their ability to act independently and impartially in discharging the role; any potential conflict of interest must be declared.

All Board Members are required to adhere to:

- [The Cabinet Office Code of Conduct for Board Members of Public Bodies](#)
- [The Seven Principles of Public Life](#)

### Performance appraisal

The Chair will be assessed against their performance for each year of their appointment, which will be carried out by the Senior Sponsor – Director of the Government Equalities Office, on behalf of the Minister for Women and Equalities.

### Commitment

The Chair will be expected to commit 1-2 days per week, (up to 100 days per year) to:

- Attend meetings which will normally be held in London;
- Travel to attend meetings and visits in other offices across the country;
- Read and consider papers outside meetings.

## Indicative timetable and how to apply

### Timetable for recruitment (Dates may be subject to change)

Closing date: **09 August 2020**

Shortlisting: **The week commencing 17 August 2020**

Interviews held: **The week commencing 7 September 2020**

Joint Committee hearing: **October 2020**

Provisional appointment start date: **December 2020 or January 2021**

In the present circumstances interviews will be conducted remotely.

In order for us to progress your application please submit the following completed documentation:

1. A **Curriculum Vitae** (maximum three sides of A4) outlining your education, professional qualifications and full employment history.
2. An accompanying **Supporting Letter** (maximum two sides of A4) – setting out your suitability for the role and how you meet the essential and desirable skills set out in the person specification - please ensure your full name is clearly noted at the top of your letter.
3. **Diversity monitoring form (Google)- you do not need to have a Google account to complete the form (the link to the form can be found [here](#))**– any information you provide in Section A will not be used as part of the selection process and will not be seen by the interview panel. The form now includes questions about disability. Information to help answer these questions can be found on the [Public Appointments website](#). If you experience problems accessing the monitoring form please contact [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk)
4. **Disability Confident** – Offering an interview to disabled people declaration (if applicable). The Cabinet Office operates a Disability Confident Scheme for disabled people. The Equality Act 2010 defines a person as disabled if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Under the Disability Confident Scheme a disabled candidate will be selected for interview if they meet the minimum criteria for the role which is decided by the selection panel at sift. To ensure fairness, the panel will not be informed of who has applied under the Disability Confident Scheme until they have set the minimum criteria at the start of the sift meeting. If you wish to be considered under the scheme, please complete the Disability Confident Scheme form and send it with your application.
5. **Names and contact details of two referees who will be contacted if you are shortlisted for interview.**

Please send all the above required application documents to [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk). In the present circumstances of

remote working, emailing the application is strongly advised, however if you are unable to email your application, you can send it in the post to:

EHRC Sponsorship Team (for: EHRC Public Appointments)  
Government Equalities Office  
Sanctuary Buildings  
Great Smith St  
Westminster  
London SW1P 3BT.

We are happy to accept applications in Welsh language.

Please contact [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk) if you require this advert in an alternative form, explaining what you need and why you require an alternative format. Please note that all documents can be provided in Welsh language upon request.

Please note that due diligence will be carried out during the application process, including searches of previous public statements and social media, blogs or any other publicly available information. Further details on the use of personal information is provided below.

Please note also that applications may be passed, in confidence, to the Commissioner for Public Appointments (CPA) and the Commissioner's auditors for the purposes of complaints investigation and audit (4.4 of the Government's Governance Code of Public Appointments refers).

## How we will handle your application

The process is one of fair and open competitions, in keeping with [the Government's Governance Code for Public Appointments](#).

**We will deal with your application as quickly as possible and will keep you informed at key stages:**

- After the closing date we will acknowledge receipt of your application (by email if you have provided this).
- Your application will be assessed against the candidate profile and your experience relevant to the post. **Please ensure that your application includes a supporting letter (as set out above), providing evidence that demonstrates how you meet the criteria. Submitting a Curriculum Vitae alone will not be sufficient.**
- At the short-listing meeting the selection panel will decide which candidates will be invited for interview, taking account of the evidence provided by the candidates. **You will be advised of the outcome of your application (by email) as soon as possible. If successful, you will be invited to an interview.**
- The responsible Minister may wish to meet the candidates who are deemed appointable by the selection panel. You will be advised after the interview if this is the case and a mutually suitable time will be arranged as soon as possible.
- If your application is unsuccessful and you would like feedback, please write to the email or postal address to which you sent your application. We regret that we are only able to offer detailed feedback to candidates who have been unsuccessful at interview stage.
- If you have a complaint about the way your application has been handled at any stage of the process, please see the section on “How to complain” below.

### Security Clearance

The successful candidate will be required to undertake Security Clearance in line with the Civil Service guidelines, which we envisage at baseline level.

## Complaints Process

If you are not completely satisfied – please contact in the first instance [ehrc.publicappointments@cabinetoffice.gov.uk](mailto:ehrc.publicappointments@cabinetoffice.gov.uk)

We will reply to your complaint within 20 days. If, after receiving our response you are still not satisfied, you may contact the Commissioner for Public Appointments:

The Commissioner for Public Appointments  
Room G/8, Ground Floor  
1 Horse Guards Road  
London  
SW1A 2HQ  
Tel: 0207 271 0849

The Commissioner for Public Appointments regulates and monitors appointments to public bodies to ensure procedures are fair. More information about the role of the Commissioner and the Government's Governance Code on Public Appointments are available from [the Commissioner for Public Appointments' website](#).

Your response will be anonymous and will inform the Commissioner's on-going work with Government Departments to improve the public appointments process.

## Standards in public life, political activity, disqualification from appointment and conflicts of interests

### Standards in public life

Members of the EHRC will need to confirm that they understand the standards of probity required of public appointees outlined in the “[Seven Principles of Public Life](#)” drawn up by the Committee on Standards in Public Life.

### Political Activity

Members of the EHRC will need to show political impartiality during their time on the EHRC Board and must declare any party political activity they undertake in the period of their appointment.

Due to the nature of the EHRC it is not appropriate for members of the EHRC to occupy paid party political posts or hold sensitive, senior or prominent positions in any political organisation. Nomination for election to political office, for example, the House of Commons, the Northern Ireland Assembly, Scottish Parliament, the European Parliament, is not considered compatible with membership of the EHRC.

Subject to the above, Board members are free to engage in political activities, provided that they are conscious of their general responsibilities and standards for public life and exercise proper discretion.

You are required to fill out a Political Activity Declaration as part of your application, which will be kept separate from your application and will only be seen by the selection panel prior to interview. However, it is appreciated that such activities may have given you relevant skills, including experience gained from committee work, collective decision-making, resolving conflict and public speaking. If, therefore, you have had such experience and you consider it relevant to your application for this post, you should include it separately in the main body of your application.

If you are successfully appointed to the post, details of your response to the Political Activity Declaration will be included in any announcement of your appointment.

### Disqualification from appointment

Anyone in the categories listed below will not be considered for appointment as Board Member of the EHRC (also see ‘Political Activity’ above):

- Employed in the civil service of the state
- Unspent criminal convictions
- Bankruptcy
- Disqualification as a company director.

### Conflict of Interests

Public bodies are expected to maintain a register of members’ interests to avoid any danger of the Board Member being influenced - or appearing to be influenced – by their private interests in the exercise of their public duties. Candidates invited to interview will be questioned about any real or perceived conflicts of interest. These do not constitute an automatic bar to appointment, but they must be manageable.

## Privacy notice

This notice sets out how we will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the General Data Protection Regulation (GDPR).

### Your data

#### ***Purpose***

The purposes for which we are processing your personal data are:

- Considering applications for vacant roles for Commissioners of the Equality and Human Rights Commission, including the Chair, Deputy Chair, Scotland and Wales Commissioners and standard Commissioners. Our recruitment campaigns are compliant with the Governance Code for Public Appointments, and are regulated by the Commissioner for Public Appointments.
- Assessing and vetting appointable candidates including obtaining data from supporting letters and referees.
- Monitoring the diversity of our applicants and appointees.

#### ***The data***

We will process the following personal data: Names and addresses, phone numbers, email addresses, CVs, educational background, potential conflicts of interest and political activity, supporting letters or statements about your suitability for the post. We will also process images if these are volunteered, although we do not request these unless you are successfully appointed. We use this data to process applications and to assess candidates. We will also use it to appoint successful candidates and attribute the appropriate level of fees. (Fee and expenses are paid by the EHRC).

For appointable candidates we will process data provided by referees, and we will carry out due diligence on you using public data sources including your social media profiles.

We will process the data of referees and those providing supporting statements, which will generally include names, contact details and opinions.

We collect diversity data on a separate form. This data is not used to make appointment decisions, but is only used for equality monitoring purposes. We collect sex, racial or ethnic origin, religious belief, sexual orientation, age, disability, and marriage or civil partnership.

#### ***Legal basis of processing***

The legal basis for processing your personal data is:

- It is necessary to comply with a legal obligation placed on us as the data controller: for the Minister for Women and Equalities to appoint between 10-15 Commissioners to the Board of the Equality and Human Rights Commission, pursuant of the Equality Act 2006.
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. In this case that is the Government Equality Office's public function to sponsor the Equality and Human Rights Commission.

- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. In this case that is the Government Equality Office's public function to sponsor the Equality and Human Rights Commission.
- Sensitive personal data is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
- The legal basis for processing your sensitive personal data, and any data about criminal convictions relating to recruitment and vetting is: Processing is necessary for reasons of substantial public interest for the exercise of a function of the Crown, a Minister of the Crown, or a government department; or the exercise of a function conferred on a person by an enactment.
- The legal basis for processing your sensitive personal data relating to diversity monitoring is: Processing is of data concerning ethnicity, religious or philosophical belief, health including disability or sexual orientation, it is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people with a view to enabling such equality to be promoted or maintained

### ***Recipients***

Your personal data will be shared by us with:

- A sift panel made up on Cabinet Office and EHRC officials;
- The Advisory Assessment (selection) Panel, who select candidates for roles;
- As your personal data will be stored on our IT infrastructure it will also be shared with our data processors who provide email, and document management and storage services.

### ***Retention***

Your personal data will be kept by us for two years in line with the Governance Code for Public Appointments.

### ***Where personal data have not been obtained from you***

Your personal data was obtained by us from public data sources.

### **Your rights**

- You have the right to request information about how your personal data are processed, and to request a copy of that personal data.
- You have the right to request that any inaccuracies in your personal data are rectified without delay.
- You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.
- You may have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

- You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.
- You have the right to object to the processing of your personal data.

### **International data transfers**

As your personal data is stored on our IT infrastructure, and shared with our data processors, it may be transferred and stored securely outside the European Union. Where that is the case it will be subject to equivalent legal protection through the use of Model Contract Clauses.

### **Contact details**

The data controller for your personal data is the Cabinet Office. The contact details for the data controller are: Cabinet Office, 70 Whitehall, London, SW1A 2AS, or 0207 276 1234, or [publiccorrespondence@cabinetoffice.gov.uk](mailto:publiccorrespondence@cabinetoffice.gov.uk).

The contact details for the data controller's Data Protection Officer are: Stephen Jones, Data Protection Officer, Cabinet Office, Room 405, 70 Whitehall, London, SW1A 2AS, or [dpo@cabinetoffice.gov.uk](mailto:dpo@cabinetoffice.gov.uk).

The Data Protection Officer provides independent advice and monitoring of Cabinet Office's use of personal information.

### **Complaints about use of personal data**

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, or 0303 123 1113, or [casework@ico.org.uk](mailto:casework@ico.org.uk). Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.