

## COMMISSIONER

### Equality and Human Rights Commission

#### CANDIDATE INFORMATION PACK

2021

**Closing date for this post is: 3 September 2021 at 17:00 hrs**

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

**If you require this information in an alternative format please  
contact [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk)**

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<http://publicappointments.cabinetoffice.gov.uk>



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Thank you for your interest in becoming a Commissioner 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 and the Commission and the nature of a Commissioner's role.

Applications are welcomed from as diverse a range of applicants and a mix of backgrounds as possible. We are currently particularly seeking candidates with a strong legal background and/or academic expertise of equality and human rights law and policy. You should have a good track record of driving progress on equalities 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**  
**Minister for Women and Equalities**

## 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 of belief, gender, sexual orientation, age, disability, or gender identity.

For this competition, we particularly welcome applications from those with a strong legal background and/or academic expertise of equality and human rights law and policy.

We want to explore the widest possible pool of talent for these important appointments.

### Offering an Interview to Disabled People (Disability Confident)

As a Disability Confident Leader, we will ensure that a fair and proportionate number of disabled applicants who **meet the minimum criteria for the roles** are 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.

It is important to note that upon receiving a high volume of applications, we would be expected to offer a proportionate number of interviews to disabled applicants that meet the minimum criteria for the job.

### Reasonable Adjustments

If you are disabled 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 at [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk) or Pina Sadar, Head of the Equality Hub ALB Team, at [pina.sadar@cabinetoffice.gov.uk](mailto:pina.sadar@cabinetoffice.gov.uk).

### 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.

## 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 aims to be an expert and authoritative organisation that is a centre of excellence for evidence, analysis and equality and human rights law. The EHRC also aspires to be 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 of Commissioners is the highest level decision-making body in the organisation, responsible for the strategic oversight of the Commission.

The Board currently comprises 13 Members. Members of the Board are listed below and biographical information for each Board Member can be found on [the EHRC's website](#).

- Kishwer, Baroness Falkner of Margravine (Chair)
- Caroline Waters OBE (Deputy Chair)
- Suzanne Baxter
- Jessica Butcher MBE
- Pavita Cooper
- David Goodhart
- Alasdair Henderson
- Susan Johnson OBE
- Helen Mahy CBE
- Mark McLane
- Bernard, Baron Ribeiro of Achimota (Ghana) and Ovington (Hants) CBE; FRCS
- Dr Lesley Sawers OBE (Scotland Commissioner)
- Su-Mei Thompson

The Board has a strategic oversight role. It does not directly manage the Commission's operations, but delegates that role to the Chief Executive Officer (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](#).

## Role of the EHRC Commissioners

The Secretary of State for International Trade and Minister for Women and Equalities wishes to appoint a Commissioner to the Equality and Human Rights Commission (EHRC). This appointment fulfils the requirement of the Equality Act 2006 that the EHRC should have not less than 10 or more than 15 Commissioners.

Appointments to the EHRC are for between 2 and 5 years. Following the Tailored Review of the EHRC in July 2018, Commissioners' terms are likely to be a minimum of 3 years.

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

Commissioners are responsible for:

- working with the Chair and Chief Executive to set the strategic direction of the EHRC;
- scrutinising the EHRC's performance, and supporting the Chair in holding the Chief Executive to account; and
- complying at all times with the Cabinet Office's [Code of Conduct for Board Members of Public Bodies](#) (2011) and the EHRC's Code of Conduct and conflicts of interest guidance (Part 4 of the EHRC's *Governance Manual*).

It is envisaged that the successful candidate will take up the role in December 2021.

## Person specification and eligibility criteria

### Essential 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 must be able to demonstrate:

- Senior level leadership experience and the ability to work collaboratively and chair at Board level, including the credibility to effectively challenge others;
- The ability to build constructive relationships and influence at the highest level, and to act as an ambassador for the Commission, working with key stakeholders and promoting the organisation's role and aims to the public and a wide range of partners;
- The ability to provide strategic, knowledgeable, impartial and balanced perspectives on a range of sensitive and complex issues and to contribute to the development of strategic priorities, weighing up competing arguments capable of justification under close scrutiny;
- A commitment to and knowledge or experience of equality and human rights;
- High standards of integrity, commitment to public service values, and an understanding of the principles and practices of corporate governance.

### Desirable criteria

The following skills and knowledge will enhance the successful candidate's capacity to perform within this role:

- Strong legal background and/or academic expertise of equality and human rights law and policy.
- Knowledge and experience of issues facing ethnic minorities across Great Britain.

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

## Conditions of appointment

### Remuneration, allowances and abatement

- The per diem allowance paid to Commissioners is **£400 / 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.
- Reasonable standard travel expenses will be payable.
- The posts are not pensionable.

### Appointment and tenure of office

Board Members are appointed by the Minister for Women and Equalities. Appointments to the EHRC are for between 2 and 5 years. Following recommendations of the Tailored Review of the EHRC in July 2018, Commissioners' terms are likely to be a minimum of 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.

It will be important that a Member'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

Board members will be assessed at least once a year against their performance for each year of their appointment, which will be carried out by the Chair of the EHRC.

### Commitment

Board Members will be expected to commit approximately 1-2 days per month (up to 25 days per year) to:

- Attend meetings, which are normally held in one of the EHRC main offices;
- 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

Closing date: **3 September 2021**

Shortlisting: **21 September 2021**

Interviews held: **14 October 2021**

Provisional appointment start date: **1 December 2021**

Interviews will be conducted remotely via the videoconferencing platform Google Meet.

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 roles 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. **Completion of the online Monitoring Form**, which 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. Information to help answer these questions can be found on the Public Appointments website. If you experience any problems accessing the monitoring form please contact [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk).
4. If applicable, please complete the **Disability Confident Scheme for disabled people**, which is attached to the advertisement.
5. **Names and contact details of two referees** who will be contacted if you are shortlisted for an interview.

Please send all the above required application documents to:  
[EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk). 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  
6<sup>th</sup> Floor Sanctuary Buildings  
Great Smith St  
Westminster  
London SW1P 3BT.

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 mention 'EHRC Commissioner – alternative format' in the title of your email or, if it is not possible to email, please use the correspondence address specified above.

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).

## 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 in a separate form. This data is not used to make appointment decisions, but is only used for equality monitoring purposes. We collect gender, 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 of 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 the 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.

## How we will handle your application

The process is one of fair and open competition, 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 attend an interview, which is likely to take place online.**
- 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 the 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 the complaints process 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 about the application process

If you are not completely satisfied – please contact, in the first instance: [EHRC.publicappointments@cabinetoffice.gov.uk](mailto:EHRC.publicappointments@cabinetoffice.gov.uk) or Pina Sadar, Head of the Equality Hub ALB Team, at [pina.sadar@cabinetoffice.gov.uk](mailto:pina.sadar@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.