

Pre-appointment hearing report

The preferred candidate for the post of Chair, Commission for Tertiary Education and Research

December 2022



1. Introduction

Pre-appointment hearings

1. Welsh Ministers and the Welsh Parliament agreed to introduce pre-appointment scrutiny by Senedd committees of certain public appointments which are of significant public interest or which will have a significant impact on the public. The aim is to further improve the scrutiny and transparency of the public appointment making process. Pre-appointment scrutiny generally takes the form of a public pre-appointment hearing with the preferred candidate. For appointments to these agreed roles, it is for the relevant committee to decide whether or not it wishes to carry out a pre-appointment hearing.

The Commission for Tertiary Education and Research

2. The Commission was established by the Tertiary Education and Research (Wales) Act 2022, which we scrutinised as a Committee. The Commission will be the “national steward for tertiary education and research.”¹ It will be responsible for the funding, oversight and regulation and quality of all post-16 education and training. This means it will bring together oversight and strategic direction for:

- Higher education;
- Further education;
- Local authority maintained school sixth forms;
- Apprenticeships;
- Adult community learning; and
- Research and innovation.

3. The Commission’s expected annual budget of around £800m will be second only to the NHS, and will be “one of the highest allocated budgets to an arm’s length body in Wales.” The

¹ [Welsh Government, Information Pack for applicants, Appointment of a Chair of the Board for the Commission for Tertiary Education and Research, September 2022](#)

Commission is expected to be fully operational by April 2024, and is expected to have around 160 staff.²

4. The 2022 Act set out 11 strategic duties which the Commission is required to exercise across all its functions.



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The post

5. The postholder will chair the Commission’s Board, developing terms of reference for the Commission’s operation in partnership with the Welsh Government. They will contribute to the transitional arrangements to ensure the Commission is established by April 2024. They will work with the Commission’s Chief Executive Officer (yet to be appointed) and will be accountable to the Minister for Education and Welsh Language. The appointment is for up to a five year term and is remunerated. The full role description and person specification is available in Annexes A and B.

² [Welsh Government, Information Pack for applicants, Appointment of a Chair of the Board for the Commission for Tertiary Education and Research, September 2022](#)

³ [Welsh Government, Information Pack for applicants, Appointment of a Chair of the Board for the Commission for Tertiary Education and Research, September 2022](#)

2. The recruitment process

- 6.** The post was advertised for four weeks in September 2022. Candidates were provided with an information pack, which contained guidance on how to apply, the recruitment timetable, information about the recruitment process (including that there may be a pre-appointment hearing), background to the role, a role description (see Annex A), a person specification (see Annex B) and other information relevant to the role.
- 7.** Candidates applied via the Welsh Government's public appointment website. 15 applications were received. Ogders, an executive search company undertook a long sift in October 2022 to recommend candidates.
- 8.** Following this sift by Ogders, the Advisory Assessment panel were sent a report of all the candidates to enable them to sift and put forward their recommendations. The panel was composed of Welsh Government officials, and external representatives. This panel recommended 7 candidates be invited to interview.
- 9.** Prior to the interviews, one candidate withdrew their application. 6 candidates were then interviewed by the same panel that had undertaken the sift. The panel agreed that three candidates were appointable.
- 10.** The Minister for Education and Welsh Language met with each of the appointable candidates for a "fireside" chat. Following this, he confirmed the preferred candidate as Julie Lydon.

3. The Welsh Government's preferred candidate: Julie Lydon

- 11.** Julie Lydon was the Vice-Chancellor and Chief Executive of the University of South Wales prior to her retirement. She has worked in Further and Higher Education since 1989, in a number of different institutions. Since retiring in 2021, she has held non-executive roles and undertaken consultancy work. Her current non-executive roles include Board Member of both Solent University Southampton, and the University of the West of England.

4. The pre-appointment hearing

Before the hearing

12. The Welsh Government's Public Bodies Unit provided the Committee with the following in advance of the hearing:

- Julie Lydon's CV and personal statement;
- A briefing summarising the recruitment process and setting out diversity data of the 15 candidates at the application stage, the 7 who were shortlisted, and the 3 who were appointable.
- A copy of the information pack that was provided to candidates when the post was advertised.

13. These documents were circulated to Committee members as private papers before the hearing.

14. The Committee also asked Julie Lydon to complete a short questionnaire in advance of the pre-appointment hearing to provide a framework for Committee members' questioning. These questions, and Julie's responses, are set out in Annex C.

The hearing

15. In line with the guidance on pre-appointment hearings agreed between the Welsh Government and the Senedd, our role is to set out our views on the suitability of the Welsh Government's preferred candidate.

16. During the hearing, which lasted around 45 minutes, we asked Julie Lydon a range of questions about how Julie intends to fulfil the role of Chair, Commission for Tertiary Education and Research. A full transcript of the hearing is available online.⁴

17. Our session covered:

- how Julie will bring her previous experiences and skills to the role;
- what she wanted to achieve over the course of her tenure;

⁴ Children, Young People and Education Committee, Transcript of meeting, 15 December 2022

- how she would work with stakeholders, including the Coleg Cymraeg Cenedlaethol and the breadth of the sector within the Commission's remit;
- how she would establish the Commission's relationship with the Welsh Government and maintain its independence;
- and how she envisaged working with the Senedd and Members.

5. Committee view

The public appointment process

18. We continue to have reservations and concerns about elements of the public appointment process, and in particular the Senedd's role. We outlined some of these as part of our report on the preferred candidate for the Children's Commissioner for Wales.⁵ We note that the Public Accounts and Public Administration Committee are currently looking at [Public Appointments](#). We will be drawing on our experiences from this pre-appointment hearing and the others we have conducted in preparing our submission. As well as the issues raised in our previous report on the Children's Commissioner pre-appointment hearing, we will also be highlighting our views on the need for appointments to be non-partisan and the need to ensure the process mitigates any unconscious bias. We believe this inquiry is timely and will be important in seeking to identify how the process can be strengthened.

The candidate

Conclusion 1. We see no reason not to endorse the Welsh Government's preferred candidate, Professor Dame Julie Lydon, for the role of Chair of the Commission for Tertiary Education and Research.

19. During the hearing, we explored issues around the breadth of the Commission's remit, and Julie's own experience, which is primarily in Higher Education. She indicated that through her executive and non-executive work she also has an understanding and knowledge of the Further Education sector. We were particularly interested in how she would look to increase her knowledge and understanding of the other elements of the sector within the Commission's remit, specifically, work based learning, adult community learning sixth forms and Welsh medium provision and research. Julie acknowledged that there were areas where she would

⁵ [Children, Young People and Education Committee, Pre-appointment hearing report: The preferred candidate for the post of Children's Commissioner for Wales, December 2021](#)

need to increase her knowledge and understanding, and spoke to us about the importance of talking to, and understanding all the sectors within the Commission's remit.

20. We undertook this pre-appointment hearing alongside the pre-appointment hearing for the Deputy Chair of the Commission (who will also be the Chair of the Commission's Research and Innovation Committee.) We noted that both of the preferred candidates for each post come primarily from a Higher Education background. Given the breadth of the Commission's remit, we regret their collective lack of experience of the apprenticeships and work based learning; adult community learning; and sixth form sectors; and Welsh medium provision and research. This is not a criticism of either of the individual candidates, who had relevant skills and experience on an individual basis, but more to indicate our disappointment that the mix of backgrounds of the two appointments do not give effect to the breadth of the sector. Similarly, we note that neither of the candidates are Welsh speakers and we would encourage them to learn Welsh. We have also noted these observations in the report on the preferred candidate for the Deputy Chair.

Annex A: Chair, Commission for Tertiary Education and Research Role description

Role and Responsibilities

The successful post holder will chair the CTER Board, developing Terms of Reference for its operation in partnership with WG.

The CTER Board Chair will contribute to the transition implementation arrangements required in order to establish the new organisation by April 2024. This will include working with the Chief Executive Officer (CEO) to ensure appropriate systems and processes are in place to provide a smooth transition of staff.

They will be accountable to the Minister for Education and Welsh Language and be responsible for informing decisions and delivery concerning CTER's establishment. The Chair will ensure that authoritative and timely advice is provided to the Welsh Government Ministers via officials and will provide feedback to the sectors.

The post holder will:

- Work with the CEO and Welsh Government Programme Board Senior Responsible Officer (SRO) on the implementation plan to ensure CTER is delivered on time and is fit for purpose for day one of operation
- Ensure that all members of the CTER Board have clear roles and responsibilities with regards to the establishment and development of CTER
- Lead the CTER board in setting the strategic direction for CTER and assess and evaluate the development and delivery of the organisation's business strategy, plans and performance objectives
- Chair and facilitate CTER Board meetings, determining the agenda and approving the minutes
- Inform the performance management of the CEO and be responsible for the CTER Board members
- Scope CTER's vision, mission and goals
- Build relationships with sector leaders

- Provide project representation at a senior level, engaging with key stakeholders, across Wales, the UK and internationally
- Promote high standards of public finance; upholding the principles of regularity, propriety and value for money; ensure appropriate governance arrangements are established and implemented to deliver the legal responsibilities, functions and duties placed on the body by Statute
- Assist in the appointment of the CEO

Annex B: Chair, Commission for Tertiary Education and Research Person specification

Person Specification - Essential Criteria

To be considered you **must** demonstrate you have the qualities and skills to meet **all** the essential criteria for appointment:

- An outstanding record of leadership, oversee organisational transformation, and development at Board level or equivalent in a complex organisation with an ability to provide strategic direction and coherent leadership
- A well-developed knowledge and understanding of post compulsory education and training (PCET)
- A knowledge and understanding of the Welsh, UK and international tertiary education and training policy context, with an understanding of the challenges and opportunities CTER's creation
- Well-developed analytical reasoning skills and judgement based on an expert ability to process and interpret complex information
A clear understanding and commitment to equality and diversity and a willingness to challenge discriminatory practices
- Excellent track record of engaging, inspiring and enthusing staff and stakeholders that demonstrates an inclusive and collaborative approach including working in partnership with staff representatives
- A track record of successfully managing complex and challenging relationships, providing appropriate support as necessary and managing performance effectively
- An ability to demonstrate understanding of the commitments of a public role, as defined in Nolan's Seven Principles of Public Life
- An ability to challenge current thinking and test opinion, with an openness to be challenged and encourage open debate to reach better decisions

Desirable

The ability to communicate through the medium of Welsh. If you do not have such skills, you should be willing to make a commitment to learn on appointment. Training including individual support and coaching will be provided.

Annex C: Completed questionnaire returned by Julie Lydon before the pre-appointment hearing

What skills and experience make you well suited to the role?

Over a career spanning four decades I have experience of leading and managing in engineering, retail financial services and in education (higher and further education). I learnt much from each of these very different sectors with specific projects on integration and merger, collaboration and digitalisation of services. I have a proven track record of delivering major change, innovation and working in partnership.

My governance experience is wide ranging from school governor, board member and trustee of a FE college, a conservatoire and a university to non executive roles on UK level organisations such as CBI Wales, Universities and Colleges Employers Association and the Nelson Trust. My election to the Universities UK board by UK Vice Chancellors and subsequent election by Welsh Vice Chancellors to be Vice President Wales provides evidence of my experiences of operating in bodies which are about influencing government policy and funding, direct engagement with politicians and civil servants and building effective relationships based on mutual respect, trust and confidence.

As the first female Vice Chancellor in Wales and a career in executive and non executive roles where I was often the only woman in the room or on the team, I promote equality by taking deliberate, impactful actions to redress the balance, to let all voices be heard and contribute to debate and plans.

I am very proud of being Welsh and of my work in Wales since joining the University of Glamorgan in 2006. During the last fifteen years I have established good relationships and a strong reputation within Wales and beyond with key stakeholders in education (learners, staff, fellow senior leaders and Trades Union), with business, local communities and government (national and local).

What do you think will be the key challenges that you will need to address as the new Commission is established?

Culture and People

Building a strong team at Board level and within the Commission team, which can draw effectively on talents and expertise, to plan and achieve the ambitions for the future of tertiary education and research in Wales.

With my previous experiences of merger I recognise that we will need to bring colleagues together; to build consensus and buy in; and to build good and effective governance whilst communicating and promoting the work of the tertiary sector, future plans and performance reviews to key stakeholders.

Planning

Managing the transition from current arrangements (governance and operations) whilst providing effective oversight/expectations for institutions, ensuring continuing good opportunities and outcomes for learners as the Commission is established and through the transition from current arrangements will be paramount. The development of a plan for the future – short, medium and long term - with realisable goals, measurable targets and gaining buy in from key stakeholders to the plan.

Striking the right balance between the scrutiny and oversight function of the commission whilst achieving the innovation and ambition of the Minister's vision and expectations of impact will be important and necessary.

Maintaining a critical focus on what's in the best interest of learners (current and future) and of research enquiry capabilities/capacity will be the touchstone for the plan and implementation targets.

Delivery

Driving up achievement across all regions and demographics, improving access to study through the medium of Welsh, increasing widening participation and anticipating future workforce needs are the key areas for further development. Alongside a continuing focus on building further the scale and quality of research and impact on business innovation, the environment and economic well being.

Managing relationships, communications and expectations – WG, Key stakeholders (Staff, Learners, Institutions, Partners)

Building and maintaining good working relationships alongside effective communications such that we provide consistent and informed communications to keep them aware and updated on achievements and future projects/programmes; we

With the current economic and environmental challenges of the UK and globally, bringing key players in post 16 world to work together is critical to identify and deliver an impactful programme of work and to secure further investment for tertiary education and research.