

Pre-appointment hearing report

The preferred candidate for the post of Deputy 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.



The role

5. The postholder will deputise for the Chair and will chair the Research and Innovation Committee. As Chair of the Research and Innovation Committee they will lead on advising the Commission on the exercise of its research and innovation functions. They will be accountable to the Chair. The appointment is for up to a period of five years, and is a remunerated post.

2. The recruitment process

6. The post was advertised for four weeks in September. 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

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

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. 25 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. 7 candidates were interviewed in November 2022 by the same panel that had undertaken the sift. However, due to exceptional and unexpected circumstances the independent panel member was unable to participate in one of the interviews. The Welsh Government's Public Body Unit advised that even with the absence of this member, the panel would still have a breadth of experience, including independence from the Welsh Government. The panel agreed that four candidates were appointable.

10. The Minister for Education and Welsh Language confirmed David Sweeney as his preferred candidate.

3. The Welsh Government's preferred candidate: David Sweeney

11. David Sweeney's current post is at the University of Birmingham, as a Professor of Practice in Research Policy. (This is a recent, part time appointment.) Until recently, David Sweeney was the Executive Chair of Research England, and the Senior Responsible Officer for UKRI. Prior to this, he spent 10 years at the Higher Education Funding Council as the Director for Research, Innovation and Skills (Research, Education and Knowledge Exchange from 2014).

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:

- David Sweeney's CV and personal statement;
- A briefing summarising the recruitment process and setting out diversity data of the 25 candidates at the application stage, the 7 who were shortlisted and interviewed and the four 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 David Sweeney to complete a short questionnaire in advance of the pre-appointment hearing to provide a framework for Committee members' questioning. These questions, and David'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 David Sweeney a range of questions about how David intends to fulfil the role of Deputy Chair, Commission for Tertiary Education and Research. A full transcript of the hearing is available online.³

17. Our session covered:

- how David will bring his previous experience and skills to the role;
- how he will work with Welsh Government, stakeholders, the Senedd and the wider research community;
- how success of the Commission can be assessed; and
- the ever-changing context in which research and innovation is being delivered, in particular the changing UK – EU relationship; and the challenges for Welsh medium research.

³ Children, Young People and Education Committee, Transcript of meeting, 15 December 2022

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.⁴ We note that the Public Accounts and Public Administration Committee are currently looking at the [Public Appointments process](#). 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 David Sweeney for the role of Deputy Chair of the Commission for Tertiary Education and Research.

19. As set out in paragraph 17 we covered a range of issues with the preferred candidate. We would like to highlight in particular our discussions around research and innovation, much of which is world leading. Welsh medium research is a critical part of this landscape, and it is important the Deputy Chair in his role as Chair of the Research and Innovation Committee, understands this, and ensures the specific issues around Welsh medium research are reflected in the Commission's work.

20. We undertook this pre-appointment hearing alongside the pre-appointment hearing for the Chair of the Commission. 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; 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,

⁴ [Children, Young People and Education Committee, Pre-appointment hearing report: The preferred candidate for the post of Children's Commissioner for Wales, December 2021](#)

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 Chair.

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

Role and responsibilities

The successful post holder will Chair the Research and Innovation Committee (RIC) and deputise for the chair of the CTER Board.

As Chair of the RIC, the post holder will lead on advising CTER on the exercise of its research and innovation functions.

The Deputy Chair of the CTER Board will contribute to the transition implementation arrangements required to establish the new organisation by no later than April 2024.

They will be accountable to the Chair and be responsible for informing decisions and delivery concerning CTER's establishment. The Deputy 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:

- Lead the Research and Innovation (RIC) Committee in setting the strategic direction for the Commission's research and innovation functions
- Chair and facilitate RIC Committee meetings, determining the agenda and approving the minutes before they are circulated to members
- Ensure the business of the Committee is carried out in an efficient and effective manner
- Encourage all members of the Committee to work collaboratively, and seek to build consensus amongst them
- Act fairly and impartially at all times in the interests of CTER, maintaining confidentiality as appropriate
- Ensure appropriate governance arrangements for the Committee are established and implemented to deliver the legal responsibilities, functions and duties placed on the Commission by Statute
- Ensuring that the Committee acts within its agreed terms of reference

- Ensure that any conflict of interest is identified and managed appropriately to ensure the integrity of the Committee is maintained at all times
- 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
- Deputise for the Chair in facilitating CTER Board meetings, determining the agenda and approving the minutes
- Support the Chair in leading the CTER board in setting the strategic direction for the Commission and assess and evaluate the development and delivery of the organisation's business strategy, plans and performance objectives as necessary
- Key role in ensuring that all members of the Board have clear roles and responsibilities with regards to the transition to CTER
- Contribute to the scoping of 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

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

Person Specification - Essential Criteria

- A highly respected and inspirational senior leader and manager with proven experience of driving forward the delivery of research and innovation
- Understanding of the Welsh, UK and international research environment in either higher education, third or private sectors
- A well-developed knowledge and understanding of post compulsory education and training (PCET)
- Excellent track record of engaging and inspiring 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
- A clear understanding and commitment to equality and diversity and a willingness to challenge discriminatory practices
- 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

- Experience of working on university research policy and knowledge exchange functions and funding
- Experience of research development and innovation funding and the split of provision from Welsh Government and UK Government

- 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 David Sweeney before the pre-appointment hearing

What skills and experience make you well-suited for the role?

- 1) I have been at the heart of national research policy in the UK for 14 years, designing and implementing assessments systems, creating and implementing new funding schemes, supporting Ministers in the development and implementation of policy and having a sustained engagement with all the actors in the research landscape. Internationally I have worked with governments and research systems in over 20 countries on policy issues and been an international leader in open science and research assessment.
- 2) Since 2016 I have been directly responsible for setting up a new agency which largely had the responsibilities which CTER will have in the research and knowledge exchange space. Alongside that I have been at the heart of setting up the larger agency that is UKRI. Those two activities, including bringing together civil servants and arms-length body staff, address many of the challenges of setting up CTER.
- 3) I have worked with Welsh stakeholders including HEFCW (including frequently observing the Board), the Chief Scientific Advisor and several universities at senior level. I have also worked closely with the Scottish Funding Council over many years (including Board attendance)
- 4) Before working in HEFCE and then as a ministerial appointee in my previous post I was the Vice-Principal (Research) at Royal Holloway, University of London and worked in the university sector for 18 years.
- 5) Before that I worked in Research Council institutes, including at what was then the Institute for Grassland and Environment Research at Plas Gogerddan
- 6) In all these posts I have deployed skills in leadership, governance, research policy, and sector and government engagement. I have also worked closely with business and industry to understand the demands on the research system from society more generally. More recently I have led for UKRI on place-based impacts from research activity.

What do you think will be the key challenges you will need to address in terms of establishing the Commission's Research and Innovation functions?

- 1) The primary challenge is to take the necessary steps to ensure continuity of activity in the transition from HEFCW to CTER.
- 2) Noting that most areas of funding body activity are demanding, whether working in a small sector or a large sector, there will be particular challenges in retaining the skills required to ensure government accountability for investment in research and knowledge exchange.

- 3) Most critically it is a challenge to identify where skills will be lost in transition and then to identify alternative ways of developing skills, noting the particular problem (very familiar to me) that small agencies generally have little cover in key areas.
- 4) A second challenge is establish how, with engagement with the Welsh Government, CTER can support Wales, and Welsh research organisations, in a changing UK, European and Global research landscape.
- 5) Bringing together Further Education, Higher Education and Research directions in a single body requires balancing different priorities in a sensitive and constructive way, as I have observed in Scotland.