

Pre-appointment hearing

Future Generations Commissioner for Wales

November 2022

1. Introduction

Pre-appointment scrutiny

1. The Welsh Ministers make a range of public appointments across all aspects of public life. Senedd Committees undertake pre-appointment scrutiny of some appointments in order to improve the scrutiny and transparency of the public appointments process. Further information about pre-appointment hearings is available on the [Senedd website](https://www.senedd.wales).

Future Generations Commissioner for Wales

2. The *Well-being of Future Generations (Wales) Act 2015* (the Act) stipulates that the Welsh Ministers must appoint a Future Generations Commissioner for Wales (the Commissioner).

3. The Commissioner is appointed for a period of seven years. The Welsh Government provides the Commissioner with a budget – this was £1.509 million for 2022-23.

4. The general duty of the Commissioner, as set out in the Act, is:

- to promote the sustainable development principle, in particular to—
 - i. act as a guardian of the ability of future generations to meet their needs, and



- ii. encourage public bodies to take greater account of the long-term impact of the things that they do, and
 - for that purpose to monitor and assess the extent to which well-being objectives set by public bodies subject to the Act are being met.
- 5. The current post-holder is Sophie Howe. Her seven-year tenure will end in February 2023.

2. The recruitment process

6. The post was advertised between 15 July and 15 August 2022, via a number of websites and on social media, as well as through paid advertisements and various stakeholder networks. Candidates were provided with an information pack, which contained details about the recruitment process, including background and key responsibilities of the role (see Annex A), and other relevant information.
7. 55 applications were received. All applications were considered and assessed by the Advisory Assessment Panel against the criteria and were discussed at a sift meeting. The sift discussion was supported by a pre-sift exercise carried out by officials, in consultation with the Chair of the panel, which sought to highlight to the Panel candidates which merited further attention at sift. The purpose of the pre-sift exercise was to support the discussions of the Advisory Assessment Panel. It did not discount applications and was not a decision point. Following consideration of all candidates the Panel deemed 10 suitable to proceed to the stakeholder session and interview stage.
8. As part of the selection process a stakeholder session stage for shortlisted candidates was run in late September. The stakeholders were drawn from the Future Generations Leadership Academy. Each stakeholder session lasted a total of 30 minutes and candidates were asked to lead a discussion on “Promoting the sustainable development principle – how to accelerate action”.
9. The Panel then interviewed all 10 candidates in October and agreed 5 candidates to recommend to the First Minister as appointable.

Preferred candidate

10. The First Minister’s preferred candidate for the role is Derek Walker.
11. Derek Walker is currently Chief Executive of Cwmpas (formerly the Wales Co-operative Centre), a not-for-profit organisation. He has worked previously as Head of External Affairs for

Big Lottery Fund, prior to which he spent nearly five years as Head of Policy and Campaigns for Wales Trades Union Congress (TUC).

3. The pre-appointment hearing

12. To inform the hearing, the Welsh Government provided us with a briefing on the recruitment process and a copy of the information pack for candidates.¹ The preferred candidate's application form, CV and personal statement was also shared privately with the Committee.

13. The hearing took place on Monday 21 November 2022². Members of the Public Accounts and Public Administration Committee joined the meeting at the invitation of the Chair.³

14. We questioned the candidate on a number of areas including:

- knowledge and experience;
- motivation and priorities;
- scrutiny and independence;
- working relationships; and
- measuring success.

15. The full transcript for the meeting is available on the Committee's webpage.⁴

¹ Welsh Government briefing; information pack for candidates

² Equality and Social Justice Committee, 21 November 2022 – in line with convention Jane Dodds MS sent apologies for all items relating to the pre-appointment hearing

³ Members from the Public Accounts and Public Administration Committee who joined the session: Mark Isherwood MS and Natasha Ashgar MS

⁴ Equality and Social Justice Committee, 21 November 2022

4. The Committee's view

16. We note the Minister's preferred candidate for the role of Commissioner and welcome the opportunity for scrutiny as part of the pre-appointment process.

Conclusion 1. We see no reason not to endorse the Welsh Government's preferred candidate for the role of Future Generations Commissioner for Wales. One Member disagreed.

17. However, if appointed we would urge the candidate to consider the following as he approaches his term in office:

- **Ways of working:** to make effective use of time and resources the prospective Commissioner, if successful, will need to look at how the Commissioner's office best performs its wide-ranging functions. Consequently, we expect the prospective Commissioner to set out his overall vision and approach to the role and any changes he intends to make to the operations and ways of working of the Commissioner's office within six months of the start of the appointment.
- **Objectives and outcomes:** to accompany an overall vision the prospective Commissioner should set out the outcomes that he would like to achieve during his term of office and accompanying key performance indicators. This should be completed within the first year of his term in office.
- **Relationship with the Welsh Government:** although appointed by the Welsh Ministers, the Commissioner's role is to provide robust advice and critical challenge to the Welsh Government and others. To aid transparency and scrutiny of the relationship between the Commissioner and the Welsh Government, the candidate should consider how business with Ministers is conducted including how meetings and communications are recorded and disclosed. One potential approach would be to commit to full and transparent disclosure of any business involving Welsh Government Ministers and/or officials through proactive publication of the detail of meetings, correspondence and other communications on a bi-annual or quarterly basis.
- **International versus domestic work:** while the international dimension of the Commissioner's work has been important, the prospective Commissioner should consider whether the right balance has been struck between international and domestic activities. This is particularly important given the inconsistent application

and implementation of the Act by devolved public bodies across Wales highlighted in recent years.

18. We would like to thank the candidate for engaging with us and look forward to further opportunities for scrutiny during the course of this Senedd.

The pre-appointment process

Conclusion 2. We have found that this pre-appointment exercise has raised broader questions regarding the transparency and efficacy of current arrangements for pre-appointment scrutiny. We agree that these merit further consideration and note that the Chair has agreed to raise these with colleagues in the Chair's Forum in the first instance.

Annex A

The job description notes that key responsibilities of the role will include:

- Provide advice or assistance to:
 - A public body.
 - A public services board (in relation to the preparation of its local well-being plan).
 - Any other person that they believe is taking, or is seeking to take, action that may contribute to Wales' well-being goals.
- Encourage best practice and promote awareness amongst public bodies to help ensure they meet their well-being objectives in a manner that is consistent with the sustainable development principle.
- Encourage public bodies to work with each other and with other persons if this could assist them in meeting their well-being objectives, sharing lessons learned and best practice.
- Promote awareness amongst public bodies of the need to take steps to meet their well-being objectives in accordance with the sustainable development principle.
- Conduct a review into the extent to which a public body is safeguarding the ability of future generations to meet their needs.
- Undertake research or study into the consistency of well-being goals and indicators with the sustainable development principle, the principle itself, and anything related to impacts on economic, social, environmental, and cultural well-being.
- Provide advice to the Auditor General for Wales on the sustainable development principle.

The Commissioner must:

- Prepare and publish a Future Generations Report 12 months before each Senedd election containing their assessment of the improvements public bodies should make to achieve the well-being goals. The Commissioner must consult a wide range of organisations and representatives in preparing the report.

- Prepare and publish an Annual Report which will include a summary of the actions taken by the Commissioner, an analysis of the effectiveness of that action, a summary of complaints received, and a forward work programme. The Annual Report may include the Commissioner's assessment of the improvements that public bodies should make to meet their well-being objectives in accordance with the sustainable development principle.
- Have regard to the work of the Auditor General's examinations when carrying out reviews and preparing a Future Generations Report.