

<b>Meeting</b>	OLC Board Meeting	<b>Agenda Item No.</b>	4
		<b>Paper No.</b>	107.3
<b>Date of meeting</b>	28 September 2020	<b>Time required</b>	10 Minutes

<b>Title</b>	<b>Chair's report</b>
<b>Sponsor</b>	Elisabeth Davies, OLC Chair
<b>Status</b>	OFFICIAL

<b>Executive summary</b>
<p>Throughout August and September three important appointment processes have been completed:</p> <ul style="list-style-type: none"> <li>• Appointing a new Chief Ombudsman</li> <li>• Appointing a new Chief Operating Officer</li> <li>• Appointing a new Non-Executive Board member and Chair of ARAC.</li> </ul> <p>This paper provides an update on each of the recruitment rounds, sharing relevant equality and diversity monitoring statistics alongside an update on the outcome at the point of drafting. Further information is also included on the interim management arrangements that have been put in place, following the Chief Ombudsman's departure<sup>1</sup>.</p> <p><b>Temporary adjustments</b></p> <p>Temporary arrangements are in place for the line management of senior managers who will be managed by the Chief Operating Officer when they are in place: The Interim Director of Operations will line manage the Deputy Ombudsman; the Head of Finance will line manage the Head of IT and the HR Strategic Support will line manage the interim in charge of Organisational Development and People Strategy.</p> <p><b>A designated Chief Ombudsman and Accounting Officer</b></p> <p>Mariette Hughes has assumed the role of Interim Director of Operations and acting Chief Ombudsman.</p> <p>Following detailed consideration of the options for the AO role, and following very useful discussions with the Accounting Officers of both the CCRC and the OPG, it has been proposed to the MoJ that the Interim Director of Operations, is made the acting Accounting Officer. This will be from 5 October up to the arrival of the new Chief Ombudsman.</p>

<sup>1</sup> Formal departure date is 5<sup>th</sup> October; Rebecca Marsh is currently on annual leave from 14<sup>th</sup> September.

<b>Recommendation/action required</b>
Board is asked to approve/note

## Chair's update: Recruitment

### 1. Introduction

Throughout August and September three important appointment processes have been completed:

- Appointing a new Chief Ombudsman
- Appointing a new Chief Operating Officer
- Appointing a new Non-Executive Board member and Chair of ARAC.

This paper provides an update on each of the recruitment rounds, sharing relevant equality and diversity monitoring statistics alongside an update on the outcome at the point of drafting. Further information is also included on the interim management arrangements that have been put in place, following the Chief Ombudsman's departure<sup>2</sup>.

### 2. Commitment to EDI

Throughout all three appointments, the need to reach a diverse range of candidates has been emphasised and prioritised. EDI monitoring figures have been assiduously reviewed and questioned at each stage of the process. LeO's BAME Network has been engaged and questions developed by the Network have been put to the Chief Ombudsman and Chief Operating Officer candidates. In addition each of the appointment panels has been visibly diverse, drawing together a range of expertise and skills alongside offering independence of perspective.

High level EDI monitoring figures for the key stages is included for each of the roles in Annex 1.

### 3. Chief Ombudsman

The panel consisted of:

Elisabeth Davies, Jane Martin (OLC, Chair of RemCom), Alison Wedge from the MoJ and Nicola Williams who is the Service Complaints Ombudsman for the Armed Forces

---

<sup>2</sup> Formal departure date is 5<sup>th</sup> October; Rebecca Marsh is currently on annual leave from 14<sup>th</sup> September.

The panel met on Friday 18<sup>th</sup> September and interviewed four candidates. A verbal update will therefore be shared at the Board meeting as this paper has been drafted in advance of the 18<sup>th</sup>.

Following the interviews formal approval will be sought from RemCo. The Committee has responsibility for overseeing the arrangements for senior appointments and succession planning, in line with delegated authority from the OLC Board. In the context of the Accounting Officer aspect of the role, appropriate approval will also be sought with the Permanent Secretary at the MoJ.

#### 4. Chief Operating Officer

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Fol Exempt s.22 and s.40

## 5. NEM and ARAC Chair

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Fol exempt s.22 and s.40

## 6. Managing the risks

At both June and July Board meetings the Chief Ombudsman highlighted two specific sets of risks around the restructure of the Leadership Team and the transition to the new Chief Ombudsman and new Chief Operating Officer:

1. Temporary adjustments to roles/additions to the senior team to ensure it can deliver its purpose both before the current Chief Ombudsman leaves and in advance of the new Chief Ombudsman and Chief Operating Officer being in place.
2. Plans that need to be considered to address the risk of the gap between the current Chief Ombudsman departing and the new Chief Ombudsman and Chief Operating Officer starting. Principally in relation to the appointment of a designated Chief Ombudsman and a designated Accounting Officer.

### **Temporary adjustments**

Temporary arrangements are in place for the line management of senior managers who will be managed by the Chief Operating Officer once they are in place: The Interim Director of Operations will line manage the Deputy Ombudsman; the Head of Finance will line manage the Head of IT and the HR Strategic Support will line manage the interim in charge of Organisational Development and People Strategy.

### **A designated Chief Ombudsman and Accounting Officer**

Mariette Hughes has assumed the role of Interim Director of Operations and acting Chief Ombudsman.

Following detailed consideration of the options for the AO role, and following very useful discussions with the Accounting Officers of both the CCRC and the OPG, it has been proposed to the MoJ that the Interim Director of Operations, is made the acting Accounting Officer. This will be from 5 October up to the arrival of the new Chief Ombudsman.

### **The advantages of this approach**

- The AO responsibilities are not taken outside the organisation and are retained within the Leadership Team.
- The risk of defensive decisions is therefore minimised.
- This is consistent with the recommendations, including section 3, of Managing Public Money.
- Additional mentoring support will be provided externally by a trusted and well established AO of an existing ALB. Karen Kneller of the CCRC has already offered to be the mentor.
- Whilst the Interim Director of Operations will formally step down with the COO's arrival (provisionally in December 2020), she will retain the interim Chief Ombudsman and AO functions until the arrival of the new Chief Ombudsman.
- The COO will provide an additional support to Mariette Hughes, such that the time in which she has to shoulder additional functions is limited to the period between October and before the end of the calendar year. This will serve to both reduce the inherent risk and maintain continuity through the period.
- AO training will be secured for Executive leads, providing the Interim Director of Operations with the skills and knowledge alongside well informed colleagues. This will also ensure that the AO has backing and resources to call on in the event of needing to disagree with the Chair or the OLC Board or actively intervene in the event that a course of action is at odds with the standards as set out in section 3 of Managing Public Money.

- The Interim Director of Operations has already attended the MoJ license to budget training.
- Additional interim OD support has been sourced to enable her to carry out the range of her role and to ensure she has the capacity to focus on the AO requirements.

## Annex One: EDI Monitoring figures

### Candidate

#### Stage

##### **Chief**

##### **Ombudsman**

We received 18 applications.

This breaks down to a 68/32 split in terms of male/female (of those who responded).

In terms of ethnic origin 65% identify as White British with 35% as BAME (of those who responded).

6% of candidates indicated they are living with a disability (of those who responded).

##### **Chief Operating**

##### **Officer**

We received 94 applications.

This breaks down to a 70/30 split in terms of male/female (of those who responded).

In terms of ethnic origin 86% identify as White British with 14% as BAME (of those who responded).

2% of candidates indicated they are living with a disability (of those who responded).

##### **Non-Executive**

##### **member**

We received 76 applications.

This breaks down to a 86/14 split in terms of male/female (of those who responded).

In terms of ethnic origin 73% identify as White British with 27% as BAME (of those who responded).

4% of candidates indicated they are living with a disability (of those who responded).

### Preliminary Interview

##### **Chief**

##### **Ombudsman**

We interviewed 6 candidates.

This breaks down to a 83/17 split in terms of male/female (of those who responded).

In terms of ethnic origin 83% identify as White British with 17% as BAME (of those who responded).

17% of candidates indicated they are living with a disability (of those who responded).

**Chief Operating Officer**

We interviewed 10 candidates.

This breaks down to a 73/27 split in terms of male/female (of those who responded).

In terms of ethnic origin 85% identify as White British with 15% as BAME (of those who responded).

0% of candidates indicated they are living with a disability (of those who responded).

**Non-Executive member**

We interviewed 12 candidates.

This breaks down to a 94/6 split in terms of male/female (of those who responded).

In terms of ethnic origin 58% identify as White British with 42% as BAME (of those who responded).

0% of candidates indicated they are living with a disability (of those who responded).

**Shortlisted**

**Chief Ombudsman**

We interviewed 4 candidates.

This breaks down to a 75/25 split in terms of male/female (of those who responded).

In terms of ethnic origin 75% identify as White British with 25% as BAME (of those who responded).

0% of candidates indicated they are living with a disability (of those who responded).

**Chief Operating Officer**

We interviewed 4 candidates.

This breaks down to a 25/75 split in terms of male/female (of those who responded).

In terms of ethnic origin 75% identify as White British with 25% as BAME (of those who responded).



0% of candidates indicated they are living with a disability (of those who responded).

**Non-Executive  
member**

We interviewed 4 candidates.

This breaks down to a 100/0 split in terms of male/female (of those who responded).

In terms of ethnic origin 33% identify as White British with 66% as BAME (of those who responded).

0% of candidates indicated they are living with a disability (of those who responded).