So you want to be a Non-Executive?

Introduction to Public Sector Non-Executive Roles & Charity Trustee Roles

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The Whitehall & Industry Group (WIG)
An introduction to WIG

• A charity, established in 1984, to improve mutual understanding and constructive collaboration between government, industry and the not-for-profit sector;

• WIG helps leaders in all sectors in the UK come together in a safe space to learn from each other, discuss mutual challenges and find the synergies that help them work more effectively together;

• The end goal is better business, better government and ultimately a better society.
Our Members – a snapshot

Cabinet Office
Foreign & Commonwealth Office
HM Treasury

BAE SYSTEMS

www.wig.co.uk
Legal Members

- Addleshaw Goddard
- Browne Jacobson
- Clifford Chance
- Clyde & Co
- Dentons
- Eversheds Sutherland
- Freshfields Bruckhaus Deringer
- Gowling WLG
- Herbert Smith Freehills
- Kingsley Napley
- Linklaters
- Simmons & Simmons
- Slaughter and May
- Womble Bond Dickinson
Why did WIG get involved?

• Fits in well with our purpose, better understanding between government and business; broadening experiences of senior executives in public and private sectors

• WIG appointed a non-executive director for the first time in 2001

• Since then we have appointed over 300 non-executives to central Whitehall departments, Executive Agencies, NDPBs, Local Authorities and the NHS

• We started recruiting Charity Trustees in 2009
NEDs – who have we helped?

Worked with all of these organisations in the previous four years; most of them on a repeat basis.
The Public Sector Landscape

There are over 1,200 public sector organisations across the UK requiring NEDs:

- Government department (Whitehall) Boards
- Independent non-executive board member roles on Government department Agency Boards e.g. DVLA, IPO
- Health Sector bodies at national and local level
- Regulators e.g. Competition Commission, Equalities and Human Rights Commission and the Health and Safety Executive
- Consumer Panels
- Expert advisory bodies e.g. the Committee on Standards in Public Life
- Specialist scientific & technical committees e.g. Advisory Council on Misuse of Drugs
- Local Authorities
- Arms Length Trading Companies
Status & Responsibilities

• Public Sector Non-Executives (for the most part) are not the equivalent of Directors on PLC boards – their role is advisory

• Unlike the private sector, public sector non-executive positions on Whitehall & Agency boards do not hold any ‘liability’ or legal status

• However, all who work in the public sector are accountable to Parliament and to the “public eye”
Why Become a Non-Executive in the Public Sector?

- Changing nature of the Civil Service has led to different requirements
- Changing profile of a NED – diversity, age, type of experience

For you:

- Opportunity to develop a different model of leadership - influencing as an advisor rather than executive leadership
- Public service
- Size of train set
Introduction to Charity Trusteeship

• Charities are voluntary organisations which benefit the public in a way the law says is charitable

• 168,237 registered charities

• 850,000 charity trustees in England and Wales

• £75bn sector

<table>
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<tr>
<th>Annual income bracket</th>
<th>No. of charities</th>
<th>%</th>
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<tbody>
<tr>
<td>£0 to £500k</td>
<td>146,556</td>
<td>86.5</td>
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<tr>
<td>£500k to £5m</td>
<td>9,184</td>
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<td>£5m plus</td>
<td>2,250</td>
<td>1.3</td>
</tr>
<tr>
<td>Not yet known</td>
<td>11,247</td>
<td>6.7</td>
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</tbody>
</table>

• Source – Charity Commission website, Dec 2017
Charities needing Trustees

- Poverty
- Religion
- Health
- Animal Welfare
- Education
- Human Rights
- Community Development
- Youth
- Arts & Culture
- Equality & Diversity
Who have we helped?
Why be a Trustee?

• Helping to support the community
• Growing your experience of making strategic decisions
• Using your skills and experience in a different capacity
• Learning new skills and growing confidence in a different line of work
• Building contacts and relationships within wider networks
• Learning about new causes and issues
• Gain credibility at Board level
Lawyers on Boards

- Lawyers are sought by both Public Sector and Charities, but is it an increasingly competitive landscape?
- The “Too many Lawyers already” statement is frequently heard – those applying need to position themselves accordingly.
- Sometimes this will mean articulating your experience differently, but it also means making efforts now to ensure you are well placed.
- What does this mean?
Case study (1)

- A frequent partner of ours were seeking a NED to act as the Board Legal Quality Lead:

  - **Ensure that the Board regularly reviews the quality of our legal service provision to make sure we are delivering the highest possible quality and value for money legal service to our clients;**

  - **Sit on our Legal Quality Committee;**

  - **Champion improvements in legal quality;**

  - **Support and challenge our legal quality strategy and legal training programme.**
Case study (2)

• In addition…

• Experience, knowledge and skills of managing a business;

• Senior level experience in overseeing change programmes;

• An understanding of diversity and application of equal opportunities working in practice;

• Experience of service delivery in a digital environment;

• Experience of financial management;

• Experience of talent management;

• An awareness of public service delivery and the ability to operate in a political environment.
Feedback

• Candidate A demonstrated a good understanding of the challenges our organisation faces. They were very strong on client care, but had limited experience in the other areas required.

• Candidate B’s answers were too detailed, and did not focus enough on their personal contribution in the examples they provided.

• Candidate C clearly demonstrated excellence in their field at the highest level. Unfortunately, both their understanding of the role and a lack of breadth beyond a glittering career in private practice meant we were unable to proceed with their application.
Advice

• Think about breadth of experience, as well as depth – experience beyond your own functional area is critical

• Ensure involvement, both within your current organisation but also externally, particularly Charity Trusteeship

• Think about all routes to market, including Headhunters

• Networking – WIG Events can help, but who is your Mentor? Who is advocating for you in the marketplace?

• Digital presence

• Tackle anticipated weaknesses head-on – think creatively about how your experience can be translated

• Be patient!
Tips from the horses’ mouths…

- ‘Do not be afraid of asking 'stupid' questions.’
- ‘There is no such thing as a silly question - Ask it anyway!’
- ‘Try to discover the things which even honest and well intentioned executives would find it more comfortable if you didn’t!’
- ‘Don’t back off if you feel you’re being fobbed-off. Follow your instincts and don’t be put off by jargon, stalling tactics and overly-technical/complex reports.’
- ‘Keep an open mind about situations and circumstances that are assumed within an organisation.’
- ‘Listen before giving opinions.’
- ‘Do not feel that you should learn everything about an organisation at the beginning.’
- ‘Do your due diligence....NEDs who have left the Board will be very insightful.’
- ‘Remember – you are not there to do the Executive Directors job for them – you are a challenge and support function.’
- ‘Don’t try to run the business. That’s not your job. Offer insight, experience and alternative perspectives. How they chose to use that knowledge is for them to decide.’
- ‘It is very easy to want to apply your experience in all areas... then, in a short time it becomes more than 3 days a week and then the independence fades!’
- ‘In a public sector role where the political drive is to cut costs immediately, keeping an eye on the long term future is important.’
- ‘Preparation, Preparation, Preparation!’
- ‘Remember your fiduciary duties – you are responsible for your actions, regardless of your non-executive status, so keep your requests reasonable.’
- ‘Don’t forget the mentoring and ambassadorial role of a NED.’
Any Questions?

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