



**CPANI**

The Commissioner  
for Public Appointments  
Northern Ireland

**Annual Report**

**2009-2010**



**FELICITY HUSTON**

**Commissioner for Public Appointments for Northern Ireland**

## The Commissioner's Foreword

I am pleased to present this Annual Report for the year 1<sup>st</sup> April 2009 to 31<sup>st</sup> March 2010.

This has been a very busy and productive year during which most of my activities involved finalising and implementing my new Code of Practice.

People taking up positions as public appointees are placed into roles that have a direct impact on the lives of everybody in Northern Ireland. It is therefore essential that those people placed onto our Public Bodies are fit for the positions they hold and are reflective of the diverse society in Northern Ireland.

My new Code of Practice aims to help departments achieve this. It is very different from previous Codes but it is one that I believe is suitable for Northern Ireland. I have added to and changed significantly the content of the Code and I have done this with consultation, advice and guidance.

The new Code is not the only achievement of my Office this year. I also introduced new methods of auditing Departments by carrying out spot checks during the public appointment recruitment process and introducing a mystery shopper.

Another very important and informative piece of work undertaken by my Office is a survey of Public Appointment applicants. This is still an ongoing piece of work but the results of the survey to date make very interesting reading. They validate the changes I have implemented in my new Code of Practice particularly the addition of 'Respect' as a principle. The survey covers Public Appointment processes held during the 2009/2010 period and I am still analysing the data received. I will publish my full report on the findings of the survey in the next few months.

One of the main outcomes of the survey to date has highlighted the need to treat applicants with respect, a point I raised in last years report. Respect has continued to be my main theme in the current year. Members of the public, who put themselves forward to serve on our public bodies, often do so knowing that there is little, or no, remuneration for the post. These people offer their skills and experience for the benefit of the Northern Ireland community. It is therefore only fitting that all applicants are shown respect and valued throughout the application process.

Other work undertaken has involved asking Departments to update me on actions they have taken as a result of previous audit recommendations. All of these activities will be described in more detail in the body of this report.

Since taking up the office of Commissioner it has been my goal to make the Public Appointments process open, transparent and accountable. This has been, on occasions, challenging but the changes implemented over the last five years are leading to better standards and I am proud of our achievements. During the next year, my last as Commissioner, I will be ensuring that Departments are living up to the standards I have set in my new Code.

Felicity Huston

## CPA NI Team



- Martina Hanna joined CPA NI in May 2006 and works directly to the Commissioner as her Policy Advisor. Prior to this, Martina spent a number of years with the Department for Social Development (DSD) as a Development Manager in Belfast Regeneration Office South and East team before moving to the DSD, Neighbourhood Renewal.
- Pat Neeson joined CPA NI in November 2009 as the Commissioner's Compliance Advisor. Pat was formerly Head of Business Services in the Northern Ireland Assembly and spent a number of years in the Private Office of the Deputy First Minister. Prior to this Pat worked for the Commissioner for Children and Young People in the Legal and Complaints team.
- Patrick Longmore moved to CPA NI in June 2010 as the Office Manager, previously working within Environmental Policy for the Department of the Environment (DOE) for the past six years.

### Previous Team Members

- Until October 2009 David Best was the Commissioner's Auditor and Complaints Investigator. David joined CPA NI in June 2008 on secondment from the Department of Health, Social Services and Public Safety (DHSSPS) where he was Head of the Public Appointments Unit for three years. He returned to DHSSPS at the end of his secondment.
- Sharon Cox was the CPA NI Office Manager. She joined CPA NI in February 2009 having previously worked in Office of the First Minister and deputy First Minister's Personnel Branch for 9 years. Sharon retired from the NICS in July 2010.
- Denise Clegg previously provided administrative support to the Commissioner, the Policy Advisor and the Auditor but moved to take up a post in the Office of the First Minister and deputy First Minister in April 2010.

I would like to take this opportunity to thank Davy, Sharon and Denise for all their support and I wish Sharon all the best on her retirement.

# Review of the Year, Progress and Developments

## CPA NI OFFICE AND RESOURCES



Costs 09/10:

|  |                    |
|--|--------------------|
| Staff Training                                 | £578.00            |
| CPANI Assessors' Training and other expenses   | £2,841.50          |
| Travel and Subs                                | £234.20            |
| Subscriptions                                  | £300.00            |
| Publications/Printing/translations             | £2,082.66          |
| Incidentals                                    | £1,719.15          |
| Computers/IT/Phones                            | £720.76            |
| Premises Costs (refurbishment/gas/electricity) | £36,238.93         |
| Rent/Cleaners                                  | £13,915.62         |
| <b>TOTAL</b>                                   | <b>£58, 630.82</b> |

NOTE – The refurbishment and rent charges are determined by OFMDFM and DFP. These are non negotiable for CPANI.

Budget 10/11

£33,546.00



## **CODE OF PRACTICE FOR MINISTERIAL PUBLIC APPOINTMENTS IN NORTHERN IRELAND**

My new Code has been developed over a long period of time and was implemented from the 1<sup>st</sup> February 2010. Last year's report detailed the process that led to the new Code.

I issued a copy of the final draft Code to all Permanent Secretaries on 3<sup>rd</sup> December 2009 for planning purposes and I held an information seminar on 28<sup>th</sup> January 2010 for all NICS staff involved in implementing the Code.

### **Principles**

The previous Code of Practice for Ministerial Public Appointments was based around seven key principles of “*Ministerial Responsibility*’, ‘*Merit*’, ‘*Independent Scrutiny*’, ‘*Equal Opportunities*’, ‘*Probity*’, ‘*Openness and transparency*’ and ‘*Proportionality*”

Having considered and discussed these principles, I settled on a new set of principles as the most appropriate for a Public Appointments process.

'Ministerial Responsibility' has been upgraded from a "principle" to a statement of fact. Ministers have responsibility for these appointments so it is therefore not a principle to which they must aspire but a responsibility of their public duty.

In its place I have included the new principle of 'Respect' and I will ensure that this is upheld by Departments as part of my audit duties.

The new principles reflected in my Code are:-

**Merit** - All public appointments will be made on the basis of merit. Only those individuals judged as best meeting the requirements of the post will be appointed to our public bodies.

**Diversity** - Currently, the make-up of the boards of our public bodies fails to reflect the make-up of our population. The opportunity to appoint the best people is greatly increased when every potential applicant is attracted and encouraged to apply and when individual differences are truly valued. Everyone involved in the public appointments process has a duty to encourage a pool of applicants as diverse as the people of Northern Ireland. By their actions throughout the public appointments process, Departments will demonstrate their commitment to this principle.

**Equality** - The appointments process will ensure equality of opportunity and treatment of all applicants at every stage.

**Openness, Transparency and Independence** - The practices employed by Departments at every stage in an appointment round must be open, transparent and consistent with the recognised principles of open government. All public appointment competitions must include a demonstrable element of independent participation in the assessment of applicants.

**Integrity** - Public appointees must be people who understand, apply and are committed to the principle of integrity and will perform their duties with moral rigor and honesty without personal or corporate gain.

**Proportionality** - Whilst my Code must be followed for every appointment, the procedures applied at each stage of an appointment should be proportionate to the size and purpose of the public body and to the posts to be filled. The proportionality principle must not be used to circumvent proper procedures or avoid good practice.

**Respect** - Everyone engaged in the public appointments process must show respect for all others involved in the process. Departments will promote and demonstrate their commitment to this principle.

### **Other key changes in the Code**

As mentioned in my forward, I have seen it necessary to implement some key changes to my Code of Practice. Examples of the changes, with the relevant Code of Practice paragraph numbers, are:

**Diversity** – A Short Term Working Group on Diversity was set up some years ago to identify some of the barriers which may prevent people from applying for a public appointment, or which may hinder them from competing successfully in the appointments process. In July 2005 a report was published with 11 recommendations.

I have constantly endeavored to promote Diversity in public appointments. When I asked departments how they were implementing these recommendations I was told that it was not a requirement of my Code so therefore there was no obligation on departments to actively promote, or put measures in place, to tackle diversity in terms of Public Appointments.

Diversity is now a key element of my new Code of Practice and departments must now demonstrate to me their commitment to this

principle and measures they take for each competition to promote this principle. **Code ref: 2.3, 3.10, 3.17 and 6.6.**

**Challenging a decision** – A difficult area I have dealt with has been when an applicant complains to me, the complaint is upheld, but there is nothing that can be done to put right the situation. By the time I receive the complaint the competition is usually finished and nothing can be done. This is particularly unfair in cases of applicants incorrectly shortlisted out of a competition,

My Code now requires that departments have a system in place to re assess applicants who query, challenge, or raise a complaint, during the appointment process. It also requires that departments interview applicants assessed as suitable for interview as a result of the outcome of the query, challenge or complaint. **Code ref: 3.32 and 3.33.**

**Feedback** – I have included a requirement that timely and constructive feedback must be offered by departments to all applicants, who request it. Feedback will be based on the contemporaneous records kept by the Departments of the assessment of the applicant. **Code ref: 3.47, 3.48 and 6.6.**

**Compliance Statement** – A Compliance Statement must now be completed by the official responsible as accounting officer for the propriety of public appointments made by the relevant department (usually, the Permanent Secretary). This particular provision has been in effect in England and Wales since August 2009. **Code ref: 5.2 and Appendix A.**

**The Minister's Decision** – The new Code recognises the Minister's right of choice; it does however state that should a Minister choose to meet the applicants suitable for appointment prior to making a decision, (and I would encourage this for high level appointments) the department will retain a written summary of the content of such meetings. The Code

also requests that the Minister's decision on which applicant(s) is (are) to be appointed, will be recorded and retained as part of the audit trail.

**Code ref: 3.45**

**Training** - All selection panel members chosen by the Department must have received, prior to the commencement of the competition, appropriate training on:

- the requirements of this Code of Practice;
- diversity and equality issues;
- current interviewing techniques.

**Code ref: 3.10**

My new Code may be accessed through the following link:-

[www.publicappointmentsni.org/index.htm](http://www.publicappointmentsni.org/index.htm)

## **CPANI ASSESSORS**

The contracts for the team of Assessors officially finished at the end of September 2009. I would take this opportunity to thank them for their commitment to the public appointments process. They have all given their time and experience over a period of many years acting as the independent element of Public Appointment competitions as well as being guardians of my Code of Practice.

It was my intention to run a competition to replace this team. Having considered responses received as part of my Code of Practice consultation on this matter, as well as advice received from the DFP Departmental Solicitor, I am of the opinion that something must be done to address and highlight such a team as genuinely independent.

Whilst I managed and trained this group and allocated them to competitions the departments paid them directly. The Assessors completed a report on the

department and the department completed a report on the Assessor. This is all very confusing. I also recently became aware that under this arrangement the Assessors “belong to the Departments”. This is clearly unacceptable if they are to be *independent*.

I have offered a solution to this. I would be content for the Assessors to continue as panel members. However this arrangement would be on the understanding that the responsibility for terms and conditions, managing and paying the team of Assessors would sit with me alone. The Assessors would no longer ‘belong to the Departments’. Such a move would give a strong message to all that the Assessors are indeed *independent*. Assessors’ fees are already budgeted for within departments so all that would be required is a transfer of funds from them to CPA NI.

I am still awaiting a response from our First and the deputy First Minister on this matter.

In order not to delay the implementation of my new Code of Practice any further I issued the new Code with the provision that “All *public appointment competitions must include a demonstrable element of independent participation in the assessment of applicants*”. It will be for departments to demonstrate their compliance with this.

## **OVERSIGHT OF PUBLIC APPOINTMENT COMPETITIONS** **2009/10**

The following competitions commenced in the 2009/10 period. All fell subject to the full rigour of my previous Code. Having reviewed the situation I believed it would be inappropriate, uneconomic and disproportionate to conduct a full audit round of competitions run under the old Code just as a new Code was implemented. To fulfil our audit function my Office reviewed departmental compliance with recommendations made as a result of previous audits and complaints investigations over the past few years. This is reported on in the next section.

| <b>Department</b> | <b>Regulated Competitions</b>                                     |
|-------------------|---|
| <b>DARD</b>       | Agri-Food and Biosciences Institute – Members                     |
|                   | Drainage Council NI – Members                                     |
| <b>DCAL</b>       | NI Library Authority Board – Members                              |
|                   | NI Screen Commission – Vice-Chair                                 |
|                   | Armagh Observatory and Planetarium Board of Governors – Member    |
|                   | Armagh Observatory and Planetarium Management Committee – Members |
| <b>DE</b>         | Education and Skills Authority – General & District Councillors   |
|                   | General Teaching Council  |
|                   | Interim Arrangements for Education and Library Board              |
| <b>DEL</b>        | Labour Relations Agency – Members                                 |
|                   | Northern Regional College – Member                                |
|                   | St Mary's University College – Member for Governing Body          |
|                   | Ulster Supported Employment Limited – Member                      |
| <b>DFP</b>        | NI Authority for Utility Regulation (NIAUR) – Members             |
|                   | NI Building Regulations Advisory Committee – Chair & Members      |
|                   | Statistics Advisory Committee – Chair and Members                 |
| <b>DOE</b>        | Historic Buildings Council – Members                              |
| <b>DRD</b>        | Warrenpoint Harbour Authority Northern Ireland Water              |
| <b>DSD</b>        | NI Housing Executive – Members                                    |
|                   | Charity Commission for NI – Legal Member                          |
| <b>OFMDFM</b>     | Ilex Urban Regeneration Company – Members                         |
|                   | Strategic Investment Board  |

|                                 |  |
|---------------------------------|--|
|                                 | Economic Research Institute                  |
| <b>Third Party Organisation</b> |  |
| <b>DETI</b>                     | Action Renewables –Members                   |
|                                 | Member NI Public Sector Enterprises – Member |
| <b>OFMDFM</b>                   | Community Relations Council – Members        |

**DE**

Education and Library Boards – The department approached me before Christmas 2009. As the legislation was not yet settled to put in place the new Education and Skills Authority (ESA) the Minister had required interim arrangements in respect of the Education and Library Boards. The department wished to undertake a process involving the completion of an application form and a brief interview for all interim posts available. In line with the legislative requirements the interim bodies would be composed of:

- **District Council Nominees**
- **Transferor and Trustee appointment**
- **Others**

I was advised that this would be short term. The new ESA is still not in place.

**NIW**

DRD put a case to me seeking an exception to the Code allowing the normal procedure of advertising to be suspended and permission to approach several individuals, (the individuals were not named), as part of an emergency process to appoint non-executive Directors to the Board of Northern Ireland Water on an interim basis.

It was expected that any applicant, putting themselves forward after the initial approach, would be assessed against criteria set by DRD. Only those, who in

the opinion of the selection panel, met the criteria, would be deemed suitable for appointment and their names presented to the Minister for his consideration.

Under section 1.10 of the Code I agreed to the exception on the caveat that even in these circumstances I required DRD to include a demonstrable element of independent participation in the assessment of the candidates.

### **Devolving of Policing and Justice**

The Department of Justice (DOJ) came into existence on 12 April 2010 and was established by the Department of Justice Act (Northern Ireland) 2010. It has a range of devolved policing and justice functions set out in the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010.

The following bodies were added to my regulatory oversight as a result:-

- Criminal Justice Inspectorate Northern Ireland
- Northern Ireland Police Fund
- Northern Ireland Policing Board
- Police Ombudsman for Northern Ireland
- Probation Board for Northern Ireland
- Royal Ulster Constabulary George Cross Foundation
- Independent Assessor for Police Service Northern Ireland Recruitment Vetting
- Northern Ireland Law Commission
- Northern Ireland Legal Services Commission
- 8 Advisory Committees on Justices of the Peace

A full list of the bodies regulated by this office can be accessed via the following link:

<http://www.publicappointmentsni.org/index/our-role/list-bodies.htm>

## **Audit**

With my legislative duties in mind, as well as the introduction of my new Code of Practice I am now taking a new approach to audits and complaints. The report in this section is partly based on our traditional methods of checking for compliance and on this new approach of sample risk focussed audits.

Departments are aware of my new approach to compliance testing from the information seminar held earlier this year. To reinforce this, my Compliance Advisor, Pat Neeson, met with Departments. Pat explained to each Department that we will be working in partnership with them and that we will be taking a more customer focused approach towards the applicants who put themselves forward for public appointments (including spot checks on the application forms and information packs etc). We will also carry out target audits/compliance checks in areas which cause us most concern. In-depth audits of a complete appointment round will also take place.

Due to the introduction of my new Code, February 2010, it was not practical or fair or economic to carry out full audits on competitions run under the old Code. Therefore, I looked at all of the recommendations made under previous audits during my time as Commissioner. I wrote to Departments asking them to report to me on measures they have taken to improve public appointment processes as a follow up to recommendations made.

Previous recommendations consistent throughout the Departments were:

- That a scoring frame or marking matrix be used when assessing candidates to ensure consistency and fairness;
- The set criteria, deemed necessary to meet the needs of the body, remained consistent throughout the information pack, the application form and that the original criteria as set was used for shortlisting applicants

- That all short-listing documentation is fully recorded. Again to ensure consistency and fairness. Also to provide the department with the necessary information to answer applicant's queries.

Most departments responded quickly to this survey providing appropriate detail of the changes made and demonstrating a clear determination to improve their appointment processes. One department failed on all these counts (you know who you are).

I am pleased to report that I found evidence of progress within Departments and found some excellent examples of good practice. The Department of Trade and Investment (DETI), for example, have a detailed action plan checklist which determines the action required, the lead person and the deadlines to be met at each stage of the process.

### **Compliance – (New Audit Approach)**

#### Application Forms

As a start to my new approach I have reviewed the application form and information pack related to the Department of Health, Social Services and Public Safety – Northern Ireland Practice and Education Council for Nursing and Midwifery Non-Executive Member.

I am pleased to report that I found this application form and information pack to be comprehensive and generally in line with my new Code.

#### Compliance Statements

Under my new Code the Departmental Permanent Secretaries must complete a statement confirming that all relevant public appointment processes conducted have complied with my Code, identifying examples of non-compliance and laying out the steps required to address them. My office has put in place a mechanism to ensure that these statements are received on a regular basis.

### Survey of Applicants

In my time as Commissioner, I am not aware of anyone asking applicants how they have experienced the process of applying for a public appointment. I therefore, felt that a survey would be helpful to address this issue. As stated in my forward this initiative is underway and I will report fully my findings in the next few months.

The competitions surveyed so far are:

- ILEX Urban Regeneration Company Ltd – Members
- NI Housing Executive – Members
- NI Buildings Regulations Committee – Chair and members
- Education and Skills Authority – Chair and members
- NI Screen Commission – Vice Chair
- Agri – Food and Biosciences Institute Members

### Complaints

I have a duty to investigate complaints and regard an easily accessible complaints system as a fundamental part of an open and transparent appointments process.

Unfortunately many departments have not run such a complaint system – instead demanding all complaints be in writing, not answering, sending the complainant from pillar to post etc.

Members of the public with a complaint about a particular appointment – whether about the process by which it was made or the way in which they were treated – should normally contact the Department concerned first. If they remain dissatisfied with the Department's response, they may approach me to carry out an investigation.

This year, my Office carried out two formal investigations. I also received many enquiries about aspects of the appointment process. However, these queries were more procedural and were not treated as formal complaints.

Both complaints related to the non selection of candidates for the interview stage of competitions. One of these complaints was upheld.

### **Department for Social Development - Board of the Northern Ireland Housing Executive**

An applicant complained about not being shortlisted for this competition and his subsequent treatment by the department.

Following a thorough investigation involving meetings with relevant parties, I decided to uphold the complaint. In the course of this investigation, a number of issues were identified. I made a number of recommendations to the Department namely:

- that it reviewed its appointment process to ensure that it was fit for purpose;
- that it reviewed the short-listing process to ensure it was fair to all candidates and produced a quality outcome;
- that all staff involved in the appointment process were fully aware of my Code of Practice;
- and that the Department treats candidates with respect and dignity and puts in place adequate systems for handling appeals, requests for feedback and handling of complaints.

**The new Code of Practice deals with many of these points.**

A subsequent complaint was received about this same process. Our investigation showed evidence of the same failings.

A composite report on both complaints can be found on our website.

## **Office of the First and deputy First Minister – ILEX Urban Regeneration Company**

A complaint was made by an applicant who was unsuccessful in the short-listing exercise for the above competition. Having reviewed the application forms I did not uphold this complaint. I was of the opinion that the complainant in completing the application form did not explain or detail his experiences sufficiently to enable the panel to assess them fully.

### Overall conclusions

As highlighted in last year's report, Departments must:

- ensure that competition documentation states clearly in what circumstances short-listing will occur and what criteria will be used in the process;
- have a logical scoring frame or marking matrix when assessing candidates against criteria to ensure a consistent level of measurement;
- ensure that the rationale supporting any decision taken is clearly and fully documented.

For full reports on the complaints investigated please click the following link:

[www.publicappointmentsni.org/index/reports/complaint-investigation.htm](http://www.publicappointmentsni.org/index/reports/complaint-investigation.htm)

### Ongoing Initiatives

#### Mystery Shopper

Although my new Code was only introduced in February this year we are living up to our promise of continuing ongoing checks. I have had several mystery shoppers contact Departments requesting application forms and information packs. These are related to the 2010-2011 report and already I

have made a significant change to application forms which will be reported in my next annual report.

Application forms should be simple to complete and only ask for what is truly required.

## **DEPARTMENTAL INITIATIVES**

### **DHSSPS**

As a result of investigations into complaints received in 2008/09 about several competitions, I wrote to the DHSSPS Permanent Secretary making the following recommendations to help improve the administration of the Department's public appointment competitions:

1. The Department should review its shortlisting process to ensure they have a public appointment process fully compliant with my Code of Practice. This review should be carried out before any other public appointment competitions are commenced.
2. The Department must issue guidance notes and background information relating to desirable criteria. These should clearly identify the skills, abilities or requirements for each criterion and will assist candidates when completing application forms and panel members when making assessments.
3. The Department must use a qualitative scoring frame when assessing candidates against desirable criteria. This will assist the panel to ensure a fairer and more consistent scoring process.
4. Where "Professional Qualifications" are required the Department must clearly identify what is acceptable and takes follow-up action to verify that these qualifications are actually held.

I am pleased to report that the Department listened to my recommendations and undertook a complete review of their processes. We continue to work closely with DHSSPS.

## **DEL**

### Further Education Colleges

I have suggested on many occasions that the Department should pay members of the Further Education Colleges Governing Bodies, most particularly the Chairs of the Colleges. . People who play such an important and vital role in public life should receive some form of remuneration in recognition of their time and effort. Perhaps if they paid them, more of them would stay.

The Department brought in a company of consultants, The Learning and Skills Improvement Service, to look at the make up of these bodies but also to consider the remuneration issue.

I gather the report did not address the issue sufficiently from a Northern Ireland perspective and that a subsequent report was developed by DEL using 'In House' resources. DEL has informed me that a submission has been sent to DFP. I am unaware of the detail of the submission but understand that a response to the submission has not yet been received. The rate of attrition amongst College Chairs continues.

## Events and Meetings

### LIAISON WITH THE COMMISSIONERS OF ENGLAND AND SCOTLAND

Along with my staff, I continue to liaise closely with my colleagues, Janet Gaymer, the Public Appointments Commissioner for England and Wales, and Karen Carlton, The Public Appointments Commissioner for Scotland. The devolution of policing and justice along with the cessation of the Assessor contracts, has led to various changes in the working relationship. I have already drafted some changes to the concordat between us and we will discuss the concordat more fully when we next meet.

The ongoing liaison has been very beneficial particularly in the lead up to the devolution of policing and justice. When the Department of Justice was set up in April this year it brought with it an additional 17 new bodies within my regulatory remit. The Department of Justice will be applying my new Code to any appointment competitions within my remit. The Department is aware from our conversations that I tend to take a more ‘hands on’ approach than they would previously have been used to.

I have already had a very positive and constructive meeting with the Justice Minister David Ford and I will focus more fully on ongoing matters related to these additional bodies in the 2010/2011 Annual Report.

### “GET ON BOARD” – PREPARING PEOPLE FOR PUBLIC LIFE



### Continuing Support

Now entering its 5<sup>th</sup> year, the successes of this course to date have been outstanding. The course was designed, not only to help people learn the skills

needed for public appointments, but to widen participation and increase diversity on our public bodies.

I have been a strong advocate for the “Get on Board” course and I have personally attended, when possible, one class of each course.

At these classes I hear first hand the experiences of many who have applied for public appointments. Several of the changes to my new Code of Practice are as a direct result of hearing from these students

When I published my 2008/09 annual Report I accompanied it with a plea for better treatment for those who apply for public appointments. It has been my long held belief that many candidates for public bodies are put off by the treatment they receive when applying and we therefore lose many good potential candidates.

I have had a lot of contact from members of the public who are disgruntled - to say the least- with the way they have been treated. The various complaints published on my website confirm a deep level of dissatisfaction and bad experience for applicants.

I put an open invitation out to the departmental Permanent Secretaries to accompany me to a Get on Board Course. Mr. Leo O'Reilly, the Permanent Secretary of the Department of the Environment, accepted the offer and on 18<sup>th</sup> January 2010 joined me to meet students at the Millfield campus. Mr O'Reilly was able to hear directly from the students their experiences of the challenges they encountered when applying for public appointments. Mr O'Reilly has also provided feedback to the other Permanent Secretaries regarding his findings. Unfortunately no further action appears to have been taken.

## **The Northern Ireland Assembly**

I commend the Committee for Employment and Learning for taking a strong interest in the continuation and development of the Get on Board course. On 24<sup>th</sup> February 2010 Eileen Mullan, Associate Lecturer, Belfast Metropolitan College, together with Tracy Bell and Tom Wright, course participants, spoke to the Committee on the 'Get on Board' programme. They provided the Committee with a very informative briefing on the success of the course and set out for the Committee the importance of raising awareness of its availability.

At an Assembly meeting on 20<sup>th</sup> April 2010, the Minister for Employment and Learning was commended for providing the 'Get on Board' programme. The following motion was proposed and carried without division:

*“That this Assembly commends the Minister for Employment and Learning for providing funding for the ‘Get on Board’ programme which aims to increase and diversify participation in, and access to, public appointments; calls on the Minister to ask all Departments with responsibility for the delivery of the public appointments process to nominate a specific contact to engage with the programme’s delivery; and further calls on the Minister to request that his Executive colleagues arrange with their Non-Departmental Public Bodies and Agencies for programme participants to be able to attend meetings to gain a greater insight into their workings”*

I am delighted with this outcome and I commend the course tutor, Eileen Mullan, for her passion in developing and promoting this course. I am aware that Eileen has now left Belfast Met and I wish her every success for her future,

If you are interested in participating in this course details can be found on the Institute website at the following address:

[www.belfastmet.ac.uk](http://www.belfastmet.ac.uk)

## OTHER MEETINGS AND EVENTS

It would not be practical for the purpose of this report to go into the detail of the variety of meetings and events I have been involved with and attended this year. The following is list of people and organisations that I and my team have met with during the year to show a flavour of what we do:-

- Ministers and their Special Advisors
- Permanent Secretaries
- Variety of meetings with Departmental Representatives
- The Northern Ireland Audit Office
- The Women's Forum for Northern Ireland
- Professor Derek Birrell – University of Ulster
- Liaison meetings with OFMDFM Central Appointments Unit
- DARD Public Appointments Seminar
- Mr David Mann – representing RNIB
- The Chief Executives Forum - Women's Leadership Initiative
- The Older Peoples Advocate – Dame Joan Harbinson
- Women into Politics
- The Institute of Directors
- The Rural Women's Network
- Women in Local Councils – Women's Development Steering Group

# What Lies Ahead

We prepare an annual work programme which is reviewed and revised regularly

[www.publicappointmentsni.org/index/publications.htm](http://www.publicappointmentsni.org/index/publications.htm)

## **Regulation of Ministerial Appointments**

1. To regulate all Ministerial Appointments falling within the Commissioner's remit in line with the Commissioner for Public Appointments (NI) Order 1995:
2. "The Commissioner shall, in the manner he considers best calculated to promote economy, efficiency and effectiveness in the procedures for making public appointments, exercise his functions with the object of maintaining the principle of selection on merit in relation to public appointments."
3. Ensure that the Commissioners Feb 2010 Code of Practice is applied correctly.
4. To agree policies and procedures for new bodies. (NOTE: Awaiting feedback from CAU regarding the policy in GB for handling appointments of this nature)
5. Manage the transfer of the Ministerial Appointments that will fall within the Commissioners remit when the new Department of Justice is set up.

## **CPA NI Annual Report**

1. To produce a draft list of items for inclusion in the Commissioners 15th Annual Report for the Commissioners consideration by the end of June 2010.
2. To produce in draft the narrative section of the Commissioners 15th Annual Report for issue by the end of August 2010.

3. To produce the 09/10 compliance section, (including complaints) of the report by the end of June 2010.

### **Departmental Advice**

1. Provide appropriate and timely advice to ad hoc queries, liaising with Commissioner as necessary.
2. Maintain the system for the management of Departmental Queries.

### **Audit 2009/10**

1. In line with the Commissioner for Public Appointments (NI) Order 1995 “the Commissioner shall carry out an audit to review the policies and practices of departments in making public appointments to establish whether the code of practice is being observed”
2. To ensure that the annual audit of appointments processes is carried out effectively and in line with the Commissioner’s new audit systems.
3. Revisit the 09/10 compliance recommendations made against complaints investigated by November 2010.
4. Continue to place Compliance and Complaint Investigation outcomes on the CPANI Website – Ongoing

### **Complaints**

1. To ensure that complaints about appointments processes held prior to 1 February 2010 are investigated according to the process set out in the Code of Practice for that period.
2. To ensure that complaints about appointments processes held from 1 February 2010 onwards are investigated according to the process set out in the Commissioner’s new Code of Practice.

### **CPA NI Office**

1. To manage any ongoing requirements related to the office accommodation.
2. To ensure an efficient and accurate system of budget management is maintained

3. Processing payments using Account NI

### **Preparing People for Public Service**

1. Continue to support the Get on Board Course.

### **Liaison with the Commissioners in England and Scotland**

1. Provide support to the Commissioner for the joint Commissioners meetings.
2. Sharing and use of Best Practice

### **General Admin Support and Branch Management**

1. To provide efficient admin support to the Commissioner
2. Manage staff changes
3. To ensure that personal development plans are linked into the Business Plan and job objectives. NOTE: This Business plan is treated as the forward Job Plan for the Policy Advisor and the Compliance Advisor.
4. To ensure that staff are provided appropriate training opportunities to help them meet their job role and business objectives

### **CPA NI Website**

1. To ensure that the website is maintained efficiently and updated monthly at minimum
2. Staff to have effective training to enable the website to be managed by CPA NI

### **Information Management**

1. To manage the information held in CPA NI effectively and efficiently
2. To ensure an effective filing system is in operation

**Liaison with the Ministers the Northern Ireland Assembly, the Northern Ireland Civil Service and other key Stakeholder's**

1. **Ministers**– to maintain strong working links with the Ministers and their advisors and to ensure updates regarding key CPA NI issues are related to the Ministers and their advisors as appropriate.
2. **NIA** – As above but with particular reference to the OFMDFM Committee.
3. **NICS** – to maintain strong working relationships with the senior civil service and our departmental contacts
4. **Stakeholders** – to develop and maintain relationships with Key Stakeholders and engage as appropriate in relation to CPANI matters.

## Appendix 1 Abbreviations used in this report

The following abbreviations are used in this Report:

|        |  |
|--------|--|
| DARD   | Department of Agriculture & Rural Development          |
| DCAL   | Department of Culture, Arts & Leisure                  |
| DE     | Department of Education                                |
| DEL    | Department of Employment & Learning                    |
| DETI   | Department of Enterprise, Trade & Investment           |
| DFP    | Department of Finance and Personnel                    |
| DHSSPS | Department of Health, Social Services & Public Safety  |
| DOE    | Department of the Environment                          |
| DOJ    | Department of Justice                                  |
| DRD    | Department for Regional Development                    |
| DSD    | Department for Social Development                      |
| OFMDFM | Office of the First Minister and Deputy First Minister |
| NIAO   | The Northern Ireland Audit Office                      |
| NICS   | The Northern Ireland Civil Service                     |
| NIO    | The Northern Ireland Office                            |
| TPO    | Third Party Organisation                               |
| CAU    | Central Appointments Unit                              |