

CPANI

The Commissioner
for Public Appointments
Northern Ireland

“Guardian of the Public Appointment Process”

Annual Report 2018/19

www.publicappointmentsni.org



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1. Commissioner's Introduction

This report covers my fourth year as Commissioner for Public Appointments. It continues to be a period of great uncertainty in Northern Ireland's public sphere given the lack of a functioning Executive and Assembly and the impact of Brexit. The challenges facing NI departments and arm's length bodies as a result of the political uncertainties have impacted significantly on the public appointments system. Prior to the fall of the NI Executive and the Assembly almost all appointments to our public boards were made by Ministers including those where the governing legislation described them as appointments to be made by a department. From the fall of the Executive in January 2017 until November 2018 in the absence of Ministers there was a lack of clarity around the authority of senior civil servants to exercise departmental functions including the making of certain public appointments, with an understandable reluctance by Permanent Secretaries to commence the public appointment competitions. This has resulted in a backlog of appointments with multiple extensions of appointment terms being resorted to on a wide scale. The option of piecemeal extensions to terms is neither desirable nor always available. In November 2018 the NI (Executive Formation and Exercise of Functions) Act 2018 (the 2018 Act) was introduced. This legislation clarified the exercise of departmental functions by senior officers of a Northern Ireland department during the extended period for setting up an Executive. The effect of the provisions is to enable senior officials to make certain public appointments, that is, appointments which under the wording of their governing legislation fall to the relevant department to make. The 2018 Act also sets out a mechanism for another category of public appointments which under their governing legislation are specifically a function of a Northern Ireland Minister. The 2018 Act enables these particular appointments to be made by the Secretary of State. The 2018 Act listed eight public bodies in this latter category and eight more have been added to the list in 2019. However, not all appointments that require the authority of a Minister are included in the list leaving a significant number of board posts which at present cannot be filled when they become due. This is an unsatisfactory situation which, the longer it goes on, will increasingly undermine the public



appointments system in Northern Ireland, with a consequent impact on the proper functioning of public boards.

Since the fall of the Executive, departments have increasingly sought the advice and assistance of CPANI in managing the added pressures and uncertainties within the public appointments system. These include the new processes required for appointments by senior officials and the Secretary of State. Throughout the period of this report CPANI has worked hard to respond in a timely way to the needs of departments but given our limited resources it has been challenging to accommodate the increased demands. To add to the resource implications for CPANI a number of adverse audit and complaint reports by this office show a need for training for public appointment selection panels and departmental officials managing public appointment rounds. The departments fully acknowledge this training requirement and collaborative work on development of a training package is underway.

Not unrelated to the situation described above the public appointments process is attracting increased public interest with associated media attention. Departments have experienced an increased number of challenges and during the reporting year a number of legal challenges in the courts were initiated by individuals dissatisfied with a department's handling of their public appointment application.

Against this background my statement of key objectives for previous years remains relevant and if anything become more pressing. The two key objectives are for CPANI are to promote the furtherance of diversity and good governance on public boards.

Diversity

From the outset of my appointment in September 2015 I have made it clear that I intend to promote the objective of diversity on public boards in Northern Ireland. I do so for reasons of fairness, good governance and to support the delivery of quality public services.

The evidence shows that where board membership is drawn from a wide range of backgrounds and skills and where there is a strong representation of women



then that board is likely to function at a higher level than one which lacks these attributes. The evidence suggests that diversity in decision making is an important part of good governance. We all have a vested interest in the delivery of high quality public services in Northern Ireland. A high functioning public board committed to good governance will provide the leadership and direction necessary to ensure its public body delivers effective and quality public services.

In March 2016 the then First Minister and deputy First Minister wrote to me to inform me of the Executive agreement to a number of measures aimed at achieving greater diversity on the boards of our public bodies. The key measure was the setting of targets for achieving gender equality in public appointments.

These were:

- By 2017/2018 for appointments made in-year.
- By end year 2020/21 for all appointees in post, with equality reflected in board membership and at chair level.

Unfortunately a year after this announcement the Northern Ireland Executive fell and without Ministers to make appointments departments have, in many cases, had to resort to extending the tenure of board members. The continuing absence of an Executive has meant that departments were unable to reach the target of achieving gender equality for appointments made in-year by 2018/19.

Nevertheless the promotion of these Northern Ireland Executive diversity targets continue to be a key objective for my office. This approach is reflected across a number of our activity areas during 2018/19 including those relating to audit and compliance monitoring, training of Independent Assessors and liaison with stakeholders. During 2018/19 CPANI also began to plan for increased activity in supporting and encouraging a greater representation of people with disabilities on our public boards.

Promoting good governance

All of CPANI'S work during the reporting year is linked to the promotion of good governance in public bodies. The good governance objective is also closely linked to that of diversity at board level. Good governance is critical to the success of organisations in the public, private and voluntary sectors. In

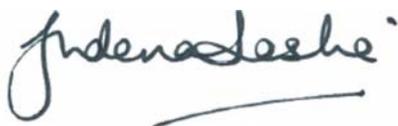
promoting high standards of governance we hope to see our public bodies leading the way for other sectors. The 'big picture' challenge is to develop Northern Ireland's reputation as a high functioning administration with a strong, sustainable economy and an equal society as set out in the Programme for Government Framework 2016-21. Therefore, the objectives of diversity and good governance in our public boards align readily with a number of Programme for Government outcomes including high quality public services, a shared society that respects diversity and creating a place where people want to live and work, to visit and invest.

CPANI works with other interested bodies in promoting good governance across our public sector bodies. This includes the Northern Ireland Audit Office that published its Board Effectiveness Good Practice Guide in 2016, the Department of Finance which published the 'Partnership between departments and arm's length bodies: Code of good practice' earlier this year, the Public Chairs' Forum and the Chief Executive's Forum.

The political uncertainties referred to earlier have created a governance vacuum and make the good governance objective and the wider aspirations for our society even more challenging to achieve. But rather than allow the current political uncertainty to stall administrative reform I believe that our efforts should persist.

I will continue to advocate for the diversity and good governance agendas in our public appointments system, working with departments and others towards the common goal of excellent public services for Northern Ireland.

I will also continue to vigorously pursue the non-partisan scrutiny role of my office to ensure that our public appointments are made in a fair and transparent way based on merit.



Judena Leslie
Commissioner



2. Executive Summary

Section 1 - Commissioner's Introduction

- The impact of the political impasse on the public appointments system.
- The introduction of the NI (Executive Formation and Exercise of Functions) Act 2018.
- Achieving greater diversity on the boards of public bodies.
- Promoting good governance across public sector bodies.

Sections 3 and 4 – Vision, Values and Role of CPANI

These are set out for readers.

Section 5 – The Code of Practice

Introduction to the Code of Practice.

Section 6 – Independent Assessors

- This section explains the role of the Independent Assessors and how they are managed.
- Introduction of new arrangements to allow a panel of Independent Assessors to conduct the sift of applications.

Section 7 – Public Appointment Activity 2018/19

- Legislation to allow departments to make public appointment decisions in absence of Ministers
- 99 public appointment positions advertised by departments.
- 17 reappointments.
- 312 terms of appointment were extended in 2018/19.
- Many exceptions granted to allow senior departmental officials to assume responsibilities of a Minister.
- The Commissioner granted seven other exceptions to the Code.

Section 8 – CPANI Activity 2018/19

- Strong outreach programme continued by Commissioner.
- Intervention from Commissioner and increased engagement with departments and the public has led to earlier resolution of issues and potential complaints.
- The Commissioner spoke at many events.
- Successful ongoing delivery of the CPANI workshop on public appointments.
- The Commissioner investigated four complaints.
- Positive response from the Department of Health to findings in complaint reports.
- The Commissioner conducted one audit investigation in the 2018/19 year.
- Second year of graduate mentoring scheme in partnership with the QUB Graduate School.

Annexes

The Report ends with five annexes

- I. List, from each government department, of bodies to which regulated and unregulated appointments are made
- II. CPANI Operating Plan 1st April 2019 to 31st March 2020
- III. Statement of Expenditure
- IV. List of events attended by the Commissioner
- V. List of Independent Assessors for Public Appointments



3. Vision and Values of CPANI

3.1. Vision

The CPANI vision is that all public appointments are made on merit, in a fair and open manner and that opportunities to serve on the boards of public bodies are open to the widest possible field of candidates.

3.2. Values

The core values of CPANI are those that are also expected of Ministers and their departments in making public appointments. They are:

- Merit
- Diversity
- Equality of Opportunity
- Openness, Transparency and Independence
- Integrity
- Proportionality
- Respect



4. Role of CPANI

4.1. Legislation

The post of Commissioner was established in 1995 by the 'Commissioner for Public Appointments (Northern Ireland) Order' (the Public Appointments Order) following the recommendations of the Committee on Standards in Public Life (Nolan Report). The legislation has been amended on two occasions to take account of the progressive devolution of powers and duties to the Northern Ireland Executive.

4.2. CPANI Mission Statement

- To regulate and monitor the policies and procedures of Ministers and their departments in making public appointments.
- To ensure that departments operate systems that allow every citizen who has skills and experience to contribute and who has the motivation and integrity to serve, to put herself/himself forward for appointment.
- To ensure that applicants are treated, throughout the public appointment process, in a manner that is fair, considerate, consistent, open and transparent, with the goal of selecting the best candidates, on merit, for board service.
- To promote good governance including diversity in our public boards.

4.3. What does the Commissioner do?

The Commissioner regulates and monitors the compliance of departments with the Commissioner's 'Code of Practice for Public Appointments in Northern Ireland' (the Code). She also provides advice and guidance on the process of selection for public appointments and she investigates complaints.

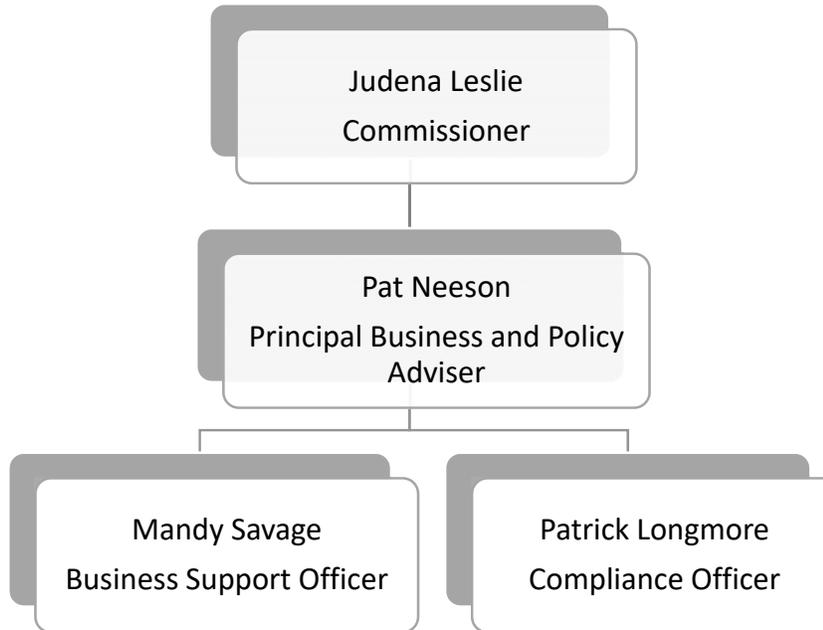
4.4. How does the Commissioner regulate public appointments?

The Public Appointments Order, which can be viewed on the CPANI website on the 'Our Role' page, sets out formally the statutory duties of the Commissioner as:

1. The Commissioner shall in the manner she considers best calculated to promote economy, efficiency and effectiveness in the procedures for making public appointments, exercise her functions with the object of maintaining the principle of selection on merit in relation to public appointments.
2. The Commissioner shall prescribe and publish a Code of Practice on the interpretation and application by Departments of Government on the principle of selection on merit for public appointments and shall adopt and publish from time to time such additional guidance as the Commissioner shall think fit.
3. 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 referred to in paragraph 2 is being observed.
4. The Commissioner may require any department to publish such summary information relating to selection for public appointments as she may specify in writing.
5. The Commissioner may from time to time conduct an inquiry into the policies and practices pursued by a department in relation to any public appointment or description of any public appointment.
6. The Commissioner shall publish an annual report which shall include -
 - a. information as to the application by departments of the principle of selection on merit in relation to public appointments and as to the observance by departments of the Code of Practice, and
 - b. an account of the audit of policies and practices of departments in making public appointments.

4.5. CPANI Organisation Structure

The Commissioner operates with a team of three officers. In addition a team of around 31 Independent Assessors is managed by the Commissioner. Section 6 of this report deals with Independent Assessors.





5. The Code of Practice

5.1. Introduction

The Public Appointments Order requires the Commissioner to ‘prescribe and publish a Code of Practice on the interpretation and application by departments of the principle of selection on merit for public appointments’. CPANI regulates and monitors the work of the departments to ensure they comply with the Code.

5.2. Regulated and Unregulated Bodies

Public appointments can be ‘regulated’ by the Commissioner or ‘unregulated’. Annexe I gives the latest list of public bodies, supplied by the departments, showing which are regulated and which are unregulated.

6. Independent Assessors

6.1. Role of the Independent Assessor

One of the key recommendations of the Nolan Report is the requirement for an independent element on selection panels. Accordingly, Independent Assessors play an important part in the public appointment process. They serve on every regulated public appointment selection panel, bringing independence and training on the Commissioner's Code. They also serve on the panels of some unregulated appointment competitions. They serve as full voting members of the panels and are required to be engaged from the planning stages of the appointment process.

**CPANI allocated Independent Assessors
to 23 public appointment competitions
in 2018/19**

They help the department to get the planning and documentation right and to sift and short-list candidates. They take part in interviews. They also approve collectively with the other panel members, the applicant summaries that go to the Minister recommending candidates as suitable for appointment.

Independent Assessors have a duty to challenge the panel and the department when they identify deviation from the Code and from best-practice, and to refer the problem to the department and to the Commissioner as necessary.

All Independent Assessors are committed to the merit principle and to fair treatment of candidates. They have open access to the Commissioner and her team to ensure that difficulties encountered by departments and selection panels are dealt with promptly and effectively.

In 2017/18 CPANI recruited a new panel of Independent Assessors. A list of these is at Annexe V. The Assessors come from a wide range of backgrounds across the public, private and voluntary sectors. CPANI has held three assessor training days in the 2018/19 year and the office regularly updates the panel through the circulation of a news bulletins.

6.2. Independent Assessor sift panel

The sift stage of a public appointment process, especially where there are a large number of applicants, can remove senior departmental officials from their routine responsibilities for a significant period of time. In light of this the Commissioner has implemented arrangements to allow departments to employ a panel of three Independent Assessors to conduct the initial sift of written applications for a public appointment. The decision to employ the Assessors in this way rests with each department.

One of the three Independent Assessors will remain on the selection panel throughout the selection process and any decisions taken by the Assessors must be reviewed and agreed by the interview selection panel. The Commissioner will continue to monitor the impact this new approach has on the public appointment competitions for which it is used.

6.3. Independent Assessors - Diversity Champions

The Commissioner has made the policy of increasing diversity on public boards a key priority of her tenure.

The Independent Assessor has an important role to play in promoting this approach and is in a position to encourage recognition, at selection panel level, of the benefits of diversity. The Commissioner has tasked each Independent Assessor to take on the role of diversity champion in each public appointment competition in which he or she is involved. This aspect of the Assessor role is specifically addressed at all training events to ensure all Assessors are adequately prepared for this new role and the Commissioner and team will continue to encourage and assist the Independent Assessors in any way they can.

6.4. Performance of Independent Assessors

After each appointment competition, the department completes a short evaluation, for the Commissioner, of the part played by the Independent Assessor. Any matters of concern are raised, by CPANI, with the Independent Assessor and/or included in subsequent training sessions. Also, the Commissioner regularly meets the officers, from all departments, who work on



public appointments; they have the opportunity to raise matters concerning them, including the performance of Independent Assessors on their selection panels.

7. Public Appointment Activity 2018/19

7.1. Northern Ireland Act 2018

In previous reports the Commissioner has highlighted the impact of the political impasse on our public services including on our public appointments system. Without Ministers to make new public board appointments departments have had to resort to making an unprecedented number of extensions to the tenure of existing board members and Chairs.

The competence of departments to make decisions during periods when no Minister is in place was the subject of judicial proceedings.

In November 2018 Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 (the 2018 Act) came into force. This legislation confirms that a senior officer of a department may make decisions in respect of certain public appointments in the absence of a Minister if the officer is satisfied it is in the public interest to do so. These are public appointments where the governing legislation refers to the department making the appointments. In addition the legislation enables the Secretary of State and the Lord Chancellor to make appointments to those public boards where the legislation requires the appointment to be made by a Northern Ireland Minister.

As a result departments have been able to initiate more public appointment selection processes and certain public appointment decisions have been made.

7.2. Appointments and Reappointments

As the figures show, 116 public appointment positions were available for appointment or reappointment during the year. An increase from 79 in the previous year.

99 public appointment positions advertised were in 2018/2019 and Departmental Press Release showed 17 reappointments.

7.3. Extensions

Over the year there were a total of 312 extensions of appointment. This compares with 37 extensions of appointment in the year prior to the fall of the NI Executive. The Code states that an appointment term may in exceptional circumstances be extended for a short period. All extensions by departments are required to be notified to the Commissioner, together with the reason for the extension; a public announcement is also required for all extensions.

The fall of the Executive continues to have an adverse effect on public appointments. The 312 extensions since 01 April 2018 is a significant increase from the 173 extensions of appointment made in the previous year. Prior to the introduction of the 2018 Act, departments for the most part had little choice but to seek extensions. The 2018 Act has ameliorated this situation and the commissioner expects to see the number of term extensions drop significantly..

7.4. Exceptions to the Code

Departments wishing to depart from any aspect of the Code in a particular appointment competition must obtain written permission from the Commissioner to do so. Every case is carefully considered and exceptions are not granted lightly.

The 2018 Act has clarified the authority of a senior officer of a department in certain circumstances to exercise a function of the department in the absence of a Minister. The Code is written on the basis that Ministers make public appointments but in light of the 2018 Act the Commissioner has granted a large number of exceptions to allow senior officials to assume the responsibilities of a Minister for initiating a selection process and making decisions in terms of new appointments, reappointments and extensions of terms of office.

In addition seven exceptions were granted by the Commissioner in the 2018/2019 year. These are set out in the following table.

Department	Public Body	Nature of the exception
DE	CCEA and Youth Council	Composite appointment competition – single selection panel to assess applications for both Boards.
DFE	Labour Relations Agency	Extension of reserve list
DFE	Tourism NI	Extension of reserve list
DFE	South Eastern Regional College	Appointment of temporary chair
DFE	General Consumer Council	List of appointable candidates to remain live for one year
DOF	NI Authority for Utility Regulation	Term of appointment to exceed 10 years
DOJ/NIO	NI Policing Board	Appointment for third term

8. CPANI Activity 2018/19

8.1. Introduction

The continuing 'open-door' approach of CPANI has strengthened existing relationships with departments and ensures that potential problems with appointment processes are resolved at the earliest opportunity. This approach is more helpful to departments and ultimately to candidates for appointment. CPANI will continue to offer this service to all who require it.

Commissioner's outreach included speaking at:

- **NICS Non-Executive Directors' Forum**
- **Chief Executives Forum – Building Inclusive Leaders**
- **Launch of CPANI / QUB Mentoring Scheme**
- **Equality Commission event on disabled peoples' participation in public life**

The Commissioner has continued the CPANI outreach programme engaging with a wide range of organisations and individuals interested in public appointments. This outreach is intended to target currently under-represented groups, as well as people from a wider business, industry and third sector background, to inform them of the opportunities available across the boards of public bodies. This is designed to tackle the problem of under-representation faced by departments and the boards for which they are responsible.



Pictured left: The Commissioner speaking at the launch of the Lord Holmes Review on opening up public appointments to disabled people.



The Commissioner's policy of making herself and her officials available to organisations, to explain what public appointments are, how to identify opportunities and how to go for them, resulted in many requests for meetings and for the Commissioner to speak at events.

8.2. Engagement with the NIO and the Secretary of State

Since the introduction of the 2018 Act and the Secretary of State's resultant public appointment decision making role, the Commissioner and the CPANI office has increasingly engaged with the Northern Ireland Office and the Secretary of State to provide advice and guidance for those public appointments now within their appointment remit.

8.3. Advice, Guidance and Queries

The 2018/19 year saw an increase in the level of requests for advice and guidance, and queries from applicants for public appointments and current members of public boards. Such engagement has allowed the Commissioner to identify and deal with many potential complaints at an early stage and resolve these to the mutual satisfaction of all parties. Given the current political impasse and the increasing number of appointments being made by departmental officials this will continue to be an important aspect of the Commissioner's work.

Further to this, the Commissioner has noted increased engagement from the departments with the CPANI office. The Commissioner is keen to encourage this as it allows for many problems and issues to be identified and dealt with at a much earlier stage reducing the likelihood for any negative impact on applicants.

8.4. Public Appointments Workshop

As a means of encouraging a wider range of people to apply for a public appointment the Commissioner has continued to run a series of free, half day workshops that explain:

- what is a public appointment and why you should consider applying;
- what the appointment process entails and how to complete an application;
- how long the process takes and who makes the final decision.



In this reporting year CPANI has delivered eleven workshops with 121 participants; to date over 306 people have attended. Feedback from participants has helped CPANI improve the format of the workshop and we are considering further changes such as including mock interviews in order to make the events as useful and relevant as possible. The impact of these workshops in encouraging a wider range of people to apply for public appointments will be measured when new appointment competitions get underway.

Information on the workshops can be accessed on the CPANI website at www.publicappointmentsni.org.

8.5. Business Planning

CPANI creates an operating plan each year, in which objectives are identified and for which resources are sought. The CPANI team conducts regular reviews of its performance against the plan and takes corrective action. The operating plan can be found at Annex II of this report.

8.6. Audit and Compliance programme 2018/19

CPANI published no audit investigation reports in the 2018/2019 year. This was in large part due to the lack of ministerial appointments.

8.7. Audit of NI Probation Board

One audit investigation was carried in year 2018/19, the report for which was completed and published in May 2019. The public appointment competition to appoint a Chair and members to the Probation Board was administered by the Department of Justice with the final appointment decision being taken by the Secretary of State.

The audit investigation exposed a number of serious flaws in the competition processes. The most significant of these was the prominent insertion of equality monitoring information on candidates' religion/community background and gender into the briefing documentation for the Secretary of State in the final stages of the appointment process. As well as this misuse of equality monitoring data the other main areas of concern were the mismatch between the skills and experience needed as perceived by the Chair and members and the selection



criteria decided upon by the sponsor department, the poor record keeping throughout the competition, the handover of documentation between the Department of Justice and Northern Ireland Office and the quality of advice provided to the Secretary of State.

The audit acknowledges in mitigation the prompt and transparent responses by both departments in accepting that mistakes were made and in taking remedial measures. The Department of Justice has also provided a commitment to improved training for staff members involved in public appointments to ensure there is no repeat of the mistakes highlighted in the audit report. The Commissioner commends the Department of Justice for its constructive response to the audit findings.

The audit report can be viewed in full on the 'Investigations and Compliance' page of the website.

8.8. Dealing with complaints

The Commissioner has a duty to investigate complaints about public appointment processes. In most cases, she will require the complainant to have referred the complaint, in the first instance, to the department concerned. If the complainant is dissatisfied with the department's handling of the complaint, he/she may refer it to the Commissioner for investigation.

Each department reports, annually, to the Commissioner, details of complaints and challenges received and handled by them. The departmental reports for 2018/19 show that five departments handled a total of 44 challenges. A total of 16 complaints were submitted across five departments.

In the 2017/18 year two departments handled 12 challenges, and only one complaint was submitted to a department. Given the marked increase the Commissioner continues to monitor the number and content of challenges.

In the 2018/19 year, four complaints were submitted to the Commissioner for which the Commissioner undertook a detailed investigation. The details are as follows.



Department: The Department of Health

Public Body: The Northern Ireland Fire and Rescue Service

Nature of complaint: The complaint concerned the use of an unranked list by the Permanent Secretary when making appointment, the introduction of new criteria to the process and difficulty when requesting information from the Department.

Date complaint received by CPANI: 27 April 2018

Outcome: The complaint was upheld in part. The investigation found breaches of the Code and failing on the part of the selection panel and the Department.

Department: The Department of Health

Public Body: The Northern Ireland Fire and Rescue Service

Nature of complaint: The complaint concerned the introduction of new criteria to the process, the effect of this on the complainant and inconsistencies with the competition documentation and record keeping.

Date complaint received by CPANI: 30 April 2018

Outcome: The complaint was upheld. The investigation found breaches of the Code and failing on the part of the selection panel and the department.

Department: The Department of Health

Public Body: The Northern Ireland Fire and Rescue Service

Nature of complaint: The complaint concerned the introduction of new criteria to the process, the effect of this on the complainant and the lack of meaningful feedback provided to the complainant.

Date complaint received by CPANI: 18 May 2018

Outcome: The complaint was upheld. The investigation found breaches of the Code and failing on the part of the selection panel and the department.

The complaint below was confidential and as such the department and the public body have not been published.

Nature of complaint: Members of the selection panel had previous knowledge of the complainant and should have, in the opinion of the complainant, recused themselves from interviewing the complainant.

Outcome: The complaint was not upheld however the Commissioner recommended that in all future competitions panel members should record any and all knowledge of an applicant including that which arises during an ongoing public appointment process and regardless of the manner in which such knowledge originates.

8.9. DoH Casework Committee

The three complaint investigations concerning the Department of Health identified several breaches of the Public Appointments Code and highlighted areas of poor practice and procedure within the department. The response from the department in setting out how to address these and other issues has been very positive. The department has established at a senior level a Casework Committee to address the public appointment selection process and to help attain compliance with the Public Appointments Code. At the department's request CPANI are represented at all meetings of the Casework Committee. The approach has involved increased engagement with the Commissioner and the CPANI office. In addition the department has launched an improvement



programme addressing all aspects of the public appointments processes and procedures in place in the department. The Commissioner commends the Department of Health for its work in this area.

8.10. The CPANI Website

The website continues to function as a much used source of information on public appointments and on the work of CPANI. It contains information on the role of CPANI, the latest version of the Code and unabridged versions of CPANI reports (the only exception being that complaint reports are published anonymously if the complainant asks for this).

8.11. QUB Graduate Mentoring Scheme

The mentoring scheme, which is facilitated by CPANI, pairs a graduate student from QUB with a mentor from a public board.

The objectives of the scheme are as follows.

- To provide postgraduate research students with an increased knowledge of public governance.
- To increase postgraduate research students' awareness of relevant skills for public sector, committee and management careers.
- To develop links and networks between researchers and public sector departments.
- To increase engagement of the diverse community represented by postgraduate students in the NI public sector.

Following a successful pilot scheme the second year of the scheme launched in January 2019 with 13 pairings. It is envisaged that mentees will have between four and six meetings with their mentor over the course of the scheme, such meetings could potentially coincide with public board meetings. It is planned for the mentoring scheme to be extended to the University of Ulster in 2019.

The Commissioner is grateful for the generous response by the participating boards. The willingness of Chairs and public board members to share professional expertise and enable access to the boardroom experience is an example of true public spiritedness.



List of Boards involved.

- Arts Council
- General Consumer Council
- Health and Safety Executive NI
- Heritage Lottery Fund
- NI Authority for Utility Regulation
- NI Blood Transfusion Service
- NI Council for the Curriculum, Examinations and Assessment
- NI Fishery Harbour Authority
- OFCOM Advisory Committee
- Patient and Client Council
- Southern Health and Social Care Trust
- Southern Regional College Governing Body

ANNEXE I – List of Public Bodies

List, from each Government Department, of bodies to which regulated and unregulated appointments are made.

Department of Agriculture, Environment & Rural Affairs (DAERA)

DAERA Regulated	DAERA Unregulated
<ul style="list-style-type: none">• Agricultural Wages Board for NI• Agri-Food and Biosciences Institute• Council for Nature Conservation and the Countryside• Fishery Harbour Authority (NI)• Livestock and Meat Commission for NI	<ul style="list-style-type: none">• CAFRE College Advisory Group• NI TB Eradication Partnership

Department for Communities (DfC)

DfC Regulated	DfC Unregulated
<ul style="list-style-type: none"> • Architecture & Built Environment Ministerial Advisory Group for NI • Armagh Observatory & Planetarium Board of Governors • Armagh Observatory & Planetarium Management Committee • Arts Council of NI • Charities Advisory Committee • Charity Commission for NI • Historic Buildings Council • Historic Monuments Council • Libraries NI • Local Government Staff Commission • National Museums NI • NI Local Government Officers' Superannuation Committee • NI Museums Council • NI Housing Executive Board • Sport NI • Ulster Supported Employment Ltd 	<ul style="list-style-type: none"> • Vaughan's Charity Trustees • WhoWhatWhereWhenWhy (W5) Ltd

Department of Education (DE)

DE Regulated	DE Unregulated
<ul style="list-style-type: none">• Comhairle Na Gaelscolaíochta• Council for Catholic Maintained Schools• Diocesan Education Committees of the Council for Catholic Maintained Schools• Education Authority• General Teaching Council for NI• NI Council for Integrated Education• NI Council for the Curriculum, Examinations and Assessment• Youth Council for NI	<ul style="list-style-type: none">• Exceptional Circumstances Body• Middletown Centre for Autism Ltd

Department for the Economy (DfE)

DfE Regulated	DfE Unregulated
<ul style="list-style-type: none"> • Certification Officer for NI • CITB – Construction Skills NI • Consumer Council • Governing Bodies of Further Education Colleges <ul style="list-style-type: none"> – Belfast Metropolitan College – Northern Regional College – North West Regional College – South Eastern Regional College – Southern Regional College – South West College • Health & Safety Executive • Invest NI • Labour Relations Agency • NI Screen • St Mary's University College • Stranmillis University College • Tourism NI 	<ul style="list-style-type: none"> • Agri-Food Strategy Board (jointly sponsored with DAERA) • Catalyst Inc • Fair Employment Tribunal • Industrial Tribunals • Industrial Court • NI Co-operation Overseas • Reinstatement Committee for Reserve Forces in Civil Employment

Department of Finance (DoF)

DoF Regulated	DoF Unregulated
<ul style="list-style-type: none">• NI Authority for Utility Regulation• NI Building Regulations Advisory Committee• Legal Services Oversight Commissioner• NI Statistics Advisory Committee	<ul style="list-style-type: none">• NI Civil Service Pension Board

Department for Infrastructure (Dfi)

Dfi Regulated	Dfi Unregulated
<ul style="list-style-type: none">• Belfast Harbour Commissioners• Drainage Council for Northern Ireland• Londonderry Port and Harbour Commissioners• NI Transport Holding Company• NI Water• Warrenpoint Harbour Authority	

Department of Health (DoH)

DoH Regulated	DoH Unregulated
<ul style="list-style-type: none">• Business Services Organisation• Health and Social Care Board• Health and Social Care Trusts<ul style="list-style-type: none">– Belfast HSC Trust– Western HSC Trust– Southern HSC Trust– Northern HSC Trust– South Eastern HSC Trust– NI Ambulance Service Trust• NI Blood Transfusion Service• NI Fire and Rescue Service• NI Guardian Ad Litem Agency• NI Medical and Dental Training Agency• NI Practice and Education Council for Nursing and Midwifery• NI Social Care Council• Patient and Client Council• Public Health Agency• Regulation and Quality Improvement Authority• Safeguarding Board for NI	<ul style="list-style-type: none">• Health and Social Care Pension Board• Pharmaceutical Society

Department of Justice (DoJ)

DoJ Regulated	DoJ Unregulated
<ul style="list-style-type: none">• Criminal Justice Inspection NI• NI Policing Board• NI Police Fund• Office of the Police Ombudsman for NI• Probation Board NI• Royal Ulster Constabulary George Cross Foundation• Police Rehabilitation and Retraining Trust• NI Law Commission• Advisory Committee on Justices of the Peace• Independent Assessor of Police Service of Northern Ireland Recruitment Vetting	<ul style="list-style-type: none">• Independent Monitoring Boards• Parole Commissioners• Prisoner Ombudsman for NI

The Executive Office (TEO)

TEO Regulated	TEO Unregulated
<ul style="list-style-type: none">• Commissioner for Children and Young People• Commissioner for Older People• Commission for Victims and Survivors for NI• Ilex Urban Regeneration Company Ltd• Maze/Long Kesh Development Corporation• NI Judicial Appointments Commission (Lay member)• Office of the Police Ombudsman for NI• Strategic Investment Board Limited	<ul style="list-style-type: none">• Attorney General for NI• Commissioner for Public Appointments• NI Community Relations Council• Victims and Survivors Service

ANNEXE II – Operating Plan

CPANI Operating Plan 1st April 2019 to 31st March 2020

Activity	What we will do
<p>1. CPA Code of Practice</p> <p>To prescribe and publish, and update as necessary, a Code of Practice on the interpretation and application by departments of the principle of selection on merit for public appointments. This includes the effective maintenance, development and promotion of the Code of Practice and associated guidance.</p>	<ul style="list-style-type: none">• Monitor the implementation of the Code in recruitment processes. This takes place through a number of mechanisms: the audit and complaints procedures and the internal CPANI policy development process.• To effect any necessary changes to the Code arising from these mechanisms within 2 months of publishing an audit or complaint report or finalisation of a new CPANI policy.• Liaise closely with department Public Appointment Units and recruitment practitioners including Independent Assessors.

Activity	What we will do
<p data-bbox="191 305 638 334">2. Audit and Compliance Monitoring</p> <p data-bbox="191 378 926 532">A CPANI programme of audit, and a compliance monitoring regime, designed to ensure that appointment processes are carried out effectively, fairly, openly, efficiently and proportionately and in line with the Commissioner’s Code.</p>	<ul data-bbox="951 305 1822 756" style="list-style-type: none"> <li data-bbox="951 305 1822 548">• We will conduct audits to review the policies, practices and actions of departments in making public appointments. This audit programme is based on the CPANI risk analysis which has an emphasis on diversity factors. We will report on findings, produce recommendations and publish. Such reports will issue promptly at end of each audit. <li data-bbox="951 558 1822 634">• Carry out diversity spot checks on competitions that are considered high risk. <li data-bbox="951 644 1822 756">• To conduct regular compliance checks on documentation and processes used and issued by departments, including Advertisements and Press Releases.
<p data-bbox="191 773 363 802">3. Complaints</p> <p data-bbox="191 846 894 922">To conduct effective inquiries into department policies, practices and actions on any public appointment process.</p> <p data-bbox="191 959 884 1068">The establishment, maintenance, publication and implementation of an effective and objective complaints system.</p>	<ul data-bbox="951 773 1703 849" style="list-style-type: none"> <li data-bbox="951 773 1703 802">• Investigate and report on complaints presented to CPANI. <li data-bbox="951 812 1560 849">• Follow up necessary action with departments.

Activity	What we will do
<p>4. Annual Report</p> <p>The provision and publication of a comprehensive annual report which serves the requirements of the internal and external stakeholders of CPANI, including the political and administrative systems of Government and the general public.</p>	<ul style="list-style-type: none"> • Collate relevant information for the year and publish annual report. • Present report to NI Assembly following publication.
<p>5. Advice and Guidance</p> <p>To provide advice and guidance in the conduct of effective and fair public appointment procedures that are compliant with the Code.</p> <p>To provide prompt and high quality responses to queries on the Code and its application, from panel chairs, Independent Assessors and other relevant parties.</p>	<ul style="list-style-type: none"> • Provide regular updates, advice, guidance and training to Independent Assessors, departmental representatives and other relevant parties. • Provide advice to departments and others on the pursuit of diversity within public appointments. • To provide advice and guidance relating to the publication of an audit or complaint report. • To provide an update on any relevant developments in public appointment diversity policy to the Public Appointments Forum. • Provide an “open door” for queries from all sources. • Maintain a system for handling, managing and recording all queries. • Respond to all requests for advice and support which arise as a result the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 regarding public appointment decisions made by the Secretary of State.

Activity	What we will do
<p>6. Training</p> <p>To contribute to the planning and implementation of a training programme for public appointment practitioners and selection panel members</p>	<ul style="list-style-type: none"> • Provide training to departmental public appointment practitioners where the need arises or when requested by a department. • Provide training to selection panel members where the need arises or when requested by a department.
<p>7. Independent Assessors</p> <p>The effective management and monitoring of a trained, competent and experienced team of Independent Assessors who provide an effective and efficient service in all public appointment recruitment processes. These Assessors are independent of Government and the Commissioner.</p>	<ul style="list-style-type: none"> • Manage, train, allocate and monitor a team of Independent Assessors. • Provide training and advice to enable Independent Assessors to play a role as diversity champions within the appointments process. • Provide all necessary forms of support and guidance to Independent Assessors. • Implement effective administrative procedures and records with regard to the management of the Assessors. • Maintain the monthly operation of the system of payment for Independent Assessors.

Activity	What we will do
<p>8. Budget</p> <p>In co-operation with TEO Sponsor branch, to establish, implement and monitor the CPANI budgetary process and financial regime. To adhere to all financial and budget guidance issued by TEO, and successfully manage the budgetary and financial processes set out in the Financial Memorandum and other relevant documents.</p>	<ul style="list-style-type: none"> • Implement effective, efficient and accurate processes of budgetary and financial management. • Process payments, in a timely and accountable manner, using Account NI. • Ensure that all procurement is compliant with the regulations stipulated by TEO sponsor branch. • Ensure that the necessary resources are secured to meet the full requirements of CPANI and its customers, allowing for levels of complaints, issues arising from audit and compliance work, ad hoc legal advice and research requirements.

Activity	What we will do
<p>9. Liaison with stakeholders including provision of relevant information to the public.</p> <p>To raise the profile of CPANI and its functions, within and without the political and administrative systems of Government, in order to:</p> <ul style="list-style-type: none"> – promote public appointment opportunities to a wide field of potential candidates; – promote diversity in public appointments in particular to promote the Executive targets for gender equality at Board member and Board chair levels. – increase public confidence in the fairness and openness of the public appointments system; – ensure that the public is aware of the independent functions provided by CPANI and of the right to avail of the CPANI complaints procedure. <p>An increased awareness, by all internal and external stakeholders, of public appointment opportunities and of a fair and open merit-based recruitment process.</p> <p>Promotion of the NI Executive gender targets for appointment of members and Chairs of public boards.</p>	<ul style="list-style-type: none"> • Maintain strong working links with senior Civil Service and department contacts, and other bodies. • Continue to work in partnership with departments on the promotion and development of public appointments. • Continue proactive outreach programme. This will include meeting with under-represented groups to provide information on public appointments. • The provision of workshops to promote understanding of the public appointment system and provide support to potential applicants with a focus on under-represented groups. Continue to work with departments in the delivery of the workshops. • Development of CPANI website to ensure it provides relevant information in a user friendly and engaging format. • Contribute to the development and implementation of The Executive Office (TEO) strategy for promoting the NI Executive gender equality targets. • Liaise with TEO on actions to deliver the strategy. • Participate in the strategy delivery committee sub-groups. • Continue to support the Mentoring Scheme involving collaboration between the Queen’s University Belfast and Northern Ireland’s public sector. • Develop mentoring scheme to University of Ulster.

Activity	What we will do
<p>10. Administrative Support</p> <p>To plan and co-ordinate the work of the Commissioner’s office to meet the Business Plan targets in the most effective, efficient and value-for-money manner. To provide an efficient and effective service to the Commissioner and all stakeholders.</p>	<ul style="list-style-type: none"> • Monitor progress in line with each business plan key target, measure and action. • Fulfil the requirements of the sponsor branch as set out in the Memorandum of Understanding and other relevant documents. • Manage the Commissioner’s diary. • Ensure that all Personal Performance Agreements are up to date and in line with current procedures. • Ensure that all staff are provided with appropriate training opportunities to help them fulfil their respective roles and meet their business objectives. • Address the ongoing absence of administrative support staff and resultant work pressures.
<p>11. Northern Ireland Executive Asset Management Strategy</p>	<ul style="list-style-type: none"> • To provide a commitment to the objectives of the Northern Ireland Executive Asset Management Strategy.
<p>12. Information Management</p> <p>To ensure all information managed and stored by CPANI is in line with all relevant legislative requirements and departmental policies.</p>	<ul style="list-style-type: none"> • Monitor information assurance procedures. • Continue to implement data sharing arrangements with all departments. • Ensure compliance with the General Data Protection Regulation (GDPR).

ANNEXE III – Statement of expenditure

Whilst being independent of the Government and the Civil Service in the exercise of its statutory functions, CPANI is part of TEO financial and resource management arrangements. The Commissioner, as a statutory post holder described as ‘Senior Accountable Officer’, has a duty to ensure that all resources are used economically, efficiently and effectively. All expenditure and procurement by CPANI is routinely monitored and is in line with TEO guidance and requirements.

CPANI Costs 2018/2019

Rent	£12,090
Cleaning	£4,270
Assessor Fees	£2,200
Maintenance	£6,111
Energy Costs	£3,433
Other Premises Costs	£1717
Contingencies	£555
Assessor Training	£110
Hospitality	£414
Assessor Travel	£1414
Computers/IT/Phones	£1,779
Subscriptions	£335
Travel and Subsistence	£1526
Annual Report	£151
Legal Costs	£7,070
TOTAL	£43,175

The Statement of Expenditure above does not include remuneration. The Commissioner is contracted to commit 75 days per year to her post and receives remuneration of £23,877. The seconded officers who make up the Commissioner’s staff are remunerated at their respective Civil Service rates.



ANNEXE IV – Event attendance

List of events attended by the Commissioner and the Business and Policy Manager.

- Alternative Miss Ulster Event
- Alternative Queer Ulster Event
- Chief Executives’ Forum – Building Inclusive Leaders discussion event
- Equality Commission – Disabled People’s participation in Public and Political Life event
- Equality Commission - Progressing Women's Equality in NI
- Joint Commissioners' Meeting
- Launch of Good Practice Guide to partnership between departments and arm’s length bodies
- NICS Non-Executive Directors’ Forum
- NICS Public Appointments Forum
- Outreach event for Employers Guidance on Recruiting People with Conflict-related convictions
- Public Appointments Workshop
- Public Appointment Commissioners – Tripartite Meeting
- QUB Graduate Mentoring Scheme launch
- Regulation and Oversight Forum
- Sharing Best Practice in Own initiative Investigations Event - Northern Ireland Ombudsman and international Ombudsman Institute
- Women’s Ambassador Forum



ANNEXE V – List of Independent Assessors

List of Independent Assessors for Public Appointments.

- Douglas Bain
- Joan Ballantine
- James Beatty
- David Best
- Angela Coffey
- Rosemary Cowan
- William Halliday
- Mary Hanratty
- Bronagh Hinds
- Tom Irvine
- Karin Jeffrey
- Cindy Mackie
- Kate Magee
- Maeve Marnell
- Caroline McGarvey
- Emma McIlveen
- Audrey McKeown
- Bronagh McKeown
- Danielle McMahan
- Stephen McVey
- Wesley Mitchell
- Anne Montgomery
- Raymond Mullan
- Nathan Nathan
- Dolores O'Reilly
- Katrina Ramsden
- Anne Rowe
- Mary Shaw
- John Woods