



The Commissioner  
for Public Appointments  
Northern Ireland

Complaint Investigation and report on a public appointment process for the  
Board of ILEX Urban Regeneration Company

Appointment of a Chair and Non-Executive Directors

The Office of the First Minister and Deputy First Minister

July 2013

## **Background**

In line with the Commissioner's Code of Practice for Ministerial Appointments (the Code), the complainant submitted a complaint to the Office of the First Minister and deputy First Minister (OFMDFM) on the manner in which the complainant was unsuccessful in being shortlisted for the above competition.

The complainant was not satisfied with the response from OFMDFM to his complaint, and wrote to the Commissioner on 20 April 2013 asking him to investigate the matter. The Commissioner agreed to the complainant's request.

## **Nature of the Complaint**

The complainant believes that he was treated unfairly by the short-listing panel in its assessment of his responses on the criteria for both positions.

## **Scope of the Investigation**

The investigation involved a detailed review of the following documentation:

- Application forms and selection panel agreed assessments for two successful applicants;
- Application form and selection panel agreed assessment for an unsuccessful applicant;
- Application form, selection panel agreed assessment and reassessment deliberations for an unsuccessful applicant who requested reassessment;
- Application form, selection panel agreed assessment and reassessment deliberations for the complainant's application;
- The information pack (including application form) issued to all candidates.

## **Findings**

With respect to the complaint that the short-listing panel treated the complainant unfairly in its assessment of the criteria.

1. Having read and considered the documentation listed above, it is clear that the selection panel's firm assessment, and its reassessment at the request of the

complainant, was that the complainant did not provide, in his application form, sufficient evidence and examples illustrating his personal role and contribution, on the essential and desirable criteria against which the complainant was found unsuitable for interview, for the positions of Chair and Non-executive Director of the ILEX Board.

2. The Information Pack provided clear guidance to applicants to assist them to describe fully how they met each criterion. The application form stated; 'It is not sufficient to simply list the various posts that you have held. The selection panel cannot make assumptions as to your skills, knowledge and experience from the title of previous posts held'. On page 12 of the candidate information booklet, the following advice is given: 'Outline the specific actions you took to meet the challenge and how you behaved. If your example includes activities undertaken by a team, focus on your unique role and not that of the team as a whole.' It also says 'Describe the result or outcome of your actions.' Examination of the application form shows that the panel came to a reasonable conclusion that the complainant failed, to a substantial degree, to do this.
3. Examination of the documentation for the complainant and the other candidates listed above shows that the selection panel assessed the application in a method that complies with the Code, and that the panel was consistent in its treatment of those candidates.

## **Conclusion**

Based on the findings above, the Commissioner has concluded that the complainant was treated in a manner that was compliant with the Code and that his application was assessed on merit.

The complaint is therefore not upheld.