



The Commissioner
for Public Appointments
Northern Ireland

“Guardian of the Public Appointment Process”

Audit Report 2014/2015

Appointment of Chair to the Governing Body of the North West Regional
College

Department for Employment and Learning

September 2014

Introduction

- 1.01 A competition to appoint a Chair to the Governing Body of the North West Regional College (the Governing Body) was selected for audit as part of the 2014/15 audit programme of the Commissioner for Public Appointments for Northern Ireland (CPA NI). This competition was administered by the Department for Employment and Learning (DEL).
- 1.02 The audit was conducted under the Commissioner for Public Appointments (Northern Ireland) Order 1995 (as amended) and was designed to assess compliance with the 'Code of Practice for Ministerial Public Appointments in Northern Ireland' (the Code), version issued September 2013.
- 1.03 The Commissioner is required, by law, to prescribe and publish the Code to regulate the process by which public appointments are made. The Code sets out principles and practices which the Commissioner requires Government Departments to adopt.
- 1.04 The role of the Commissioner is to regulate, monitor, report and advise on the way in which Ministers make appointments to the Boards of public bodies in Northern Ireland. The Commissioner's key concern is to ensure that public appointments are made in ways that are open, transparent and merit-based.
- 1.05 Responsibility for appointments rests with the relevant Minister.
- 1.06 Northern Ireland Government Departments have the responsibility of ensuring that the principles and practices contained in the Commissioner's Code are upheld throughout every public appointment recruitment competition.

Approach

- 2.01 This audit report is the result of an examination of the appointment process from which five instances of 'less than best-practice' and four instances of particularly good practice were identified. No breaches of the Code were identified as a result of the audit.
- For each identified issue of 'less than best-practice', CPA NI has produced a recommendation which the Department must address.
 - Recommendations are summarised at the end of the report and will be followed up by CPA NI in six months for evidence of implementation by the Department.
 - Where instances of good practice are highlighted, it is hoped by CPA NI that all Departments will study these for use in their own competitions.
- 2.02 CPA NI carried out a comprehensive review of all appropriate records, as provided by the DEL Public Appointments Unit. All documentation provided by the Department was of a high standard and was comprehensive and well organised.

Acknowledgements

- 3.01 The Commissioner would like to thank the staff from the DEL Public Appointments

Unit for their assistance and cooperation throughout this audit.

Background

- 4.01 In early December 2013, the Chair of the Governing Body of the North West Regional College indicated his intention to resign from the position as of 31st December 2013.

An emergency appointment was made, in agreement with the Commissioner, of an Interim Chair, pending the launch of a new competition to appoint a permanent Chair.

Stage 1 – Initial Planning of recruitment competition

Independent Assessor

- 5.01 CPA NI allocated an Independent Assessor at the outset.

The Selection Panel

- 5.02 The selection panel consisted of two senior officials from DEL, and the Independent Assessor.
- 5.03 The Department ensured that all panel members were fully trained in line with the Code. The panel members signed confidentiality forms. All selection panel members were involved in all aspects of the selection process prior to the Ministerial Decision.

Role Profile and Person Specification

- 5.04 The role profile and person specification were developed by DEL. These included all information required by the Code.
- 5.05 Candidates were required to meet one eligibility criterion. There were several statutory disqualification criteria.
- 5.06 Candidates were required to meet five essential selection criteria.

Ministerial Authorisation and Planning

- 5.07 A submission containing the role profile, person specification and appointment plan was approved by the Minister on 5th December 2013. The Minister requested that candidates suitable for appoint were presented as (i) suitable and (ii) highly recommended, but not in rank order.
- 5.08 The submission contained several excerpts from the Code of Practice. These excerpts were from an outdated version of the Code, and while there was no factual inconsistency with the current Code on this occasion, the Department must ensure that the current version of the Code is used at all times. The latest version of the Code is always available on the Home Page of the CPA NI website.

- 5.09 **Recommendation: The Department must ensure that the current version of the Code is used in the drafting of competition literature.**

Stage 2 - Preparation

Information Pack and Application Form

- 6.01 The Information Pack included all the key components required by the Code.
- Comprehensive guidance was provided on completing and submitting an Application Form, and on the appointment process as a whole. Applicants were informed of which details would be included in the press release, should they be appointed.
- 6.02 The Information Pack, looking at each criterion, provided a detailed description of the types of skills and behaviours an effective Chair would display.
- This detailed information is helpful for all potential applicants. CPA NI commends the Department for this helpful approach.
- 6.03 Section five of the Information Pack encouraged applicants to,
- “use examples from your working life, including any voluntary or community work in which you are, or have been, engaged in order to demonstrate those competences. Where appropriate, you can also include examples from your personal life”.*
- CPA NI welcomes this positive approach by the Department in encouraging applicants to highlight relevant skills and experience, however gained, when addressing the criteria in the Application Form.
- 6.04 The Application Form was clear and straightforward.
- 6.05 The Application Form required applicants to provide a traditional “list-style” history, of employment and voluntary work, for the past five years. The positive approach by the Department highlighted in 6.03 of this report, which encouraged applicants to use relevant aspects of their professional and personal experience to address specific criteria, should have rendered this unnecessary.
- 6.06 **Recommendation: In future competitions, the requirement for a list-style employment history should be removed; applicants should continue to be encouraged to include salient facts from their employment, voluntary and personal history in addressing specific criteria.**
- 6.07 Applicants were asked to list all public appointments held in the past five years, and the remuneration involved. Departments are required by the Code to include, in a press release, any current Ministerial Public Appointments held by the successful candidate(s) and details of any remuneration received. This does not necessitate a list of all public appointments held in the past five years.

Paragraph 3.21 of the Code requires that Application Forms “should ask only what is truly required”.

6.08 **Recommendation: In future competitions the requirement to list details of previous public appointments held should be removed.**

6.09 Across the person specification, Information Pack and Application Form, there were some inconsistencies in the wording of the criteria. In this instance it was clear that the inconsistencies would have had no adverse effect on any applicant; however such a lapse could have the potential to cause difficulties for those applying for a Public Appointment.

6.10 **Recommendation: The wording of the criteria approved by the Minister in the person specification must remain constant across all documentation.**

Monitoring Form

6.11 Monitoring Forms requested the applicant name.

6.12 **Recommendation: The Department should give consideration to a form of coding of Monitoring Forms, rather than using applicant names, to ensure anonymity.**

Stage 3 - Encouraging Applications

7.01 The vacancy was advertised in early January in the Belfast Telegraph, the Irish News and the Newsletter, and in a range of local newspapers. It was posted on the websites of Business First, CPA NI and DEL.

The vacancy was tweeted by Colleges NI, NI Business Info, the NI Executive and the North West Regional College.

The advertisement was issued to those on the Departmental mailing list, including a wide range of under-represented groups.

CPA NI commends the Department for the effort put into promoting the vacancy, and for the proactive use of social media.

Stage 4 - Selection

Processing Applications

8.01 The closing date for applications was 3rd February 2014. Two applications were received.

Sift

8.02 Selection panel members attended a meeting on 11th February 2014 to assess the applications for eligibility.

8.03 Each member of the selection panel completed a sift scoring sheet for each

applicant, with comments given against each criterion. A summary of the panel's collective decision on each applicant was documented and agreed by all selection panel members.

8.04 Both applicants passed the eligibility sift exercise and were invited for interview.

Interview

8.05 A letter inviting candidates for interview was issued on 13th February 2014.

8.06 Interviews were scheduled to take place on 25th February 2014. Due to illness, one panel member had to cancel attendance at the interviews at short-notice. The Department made the decision to postpone the interviews. The Department contacted both candidates to inform them of the postponement and the reasons behind it, and to offer an apology.

Interviews were rescheduled for a date suitable for both candidates.

8.07 Interviews took place on 3rd March 2014. Each panel member completed an individual interview scoring sheet for each candidate, to record the evidence against the criteria. A panel summary interview scoring sheet was also completed and signed by all panel members. This included the agreed panel score along with summary evidence for each criterion.

8.08 Candidates were asked to identify any real or perceived conflicts of interest and were tested on issues of integrity.

Applicant Summary

8.09 At interview, both candidates were found to be suitable for appointment.

8.10 Applicant summaries were drafted by the Department and agreed by the selection panel. Each applicant summary utilised information from the candidates' Application Forms and the findings and comments of the selection panel at interview.

Ministerial Decision

8.11 An alphabetical list of the two candidates found suitable for appointment was submitted to the Minister on 4th March 2014.

8.12 On 7th March 2014 the Minister selected a candidate for appointment. The reason for this decision was recorded and retained as part of the audit trail.

8.13 A letter formally offering the position to the successful candidate was issued on 7th March 2014.

8.14 The unsuccessful candidate was informed of the decision by letter dated 7th March 2014.

- 8.15 The unsuccessful candidate requested feedback on performance at interview. The Chair of the panel met the candidate and provided feedback.

Announcing the Appointment

- 8.16 The Department announced the appointment in a press release which fulfilled the requirements of the Code of Practice.

Feedback on application process

- 8.17 Following the Press Release announcing the appointment, the Department made contact with people who had requested an Information Pack, but did not submit an Application Form.

The Department stated that it was keen to determine whether there were elements in the role of Chair of a Governing Body that discourage involvement, or whether the application process itself was a disincentive.

The Department invited confidential comments and observations on the decision not to apply.

This positive approach, to identifying the reasons why someone chooses not to apply for a public appointment, and to identifying potential improvements to the application process, is to be commended. It is hoped that any lessons learned from this work will be shared, with the other Departments and with CPA NI.

General Conclusions

- 9.01 This was a generally well run competition with no breaches of the Code and four commendations for good practice. Five recommendations are included in this report which, if addressed effectively by the Department, should lead to improvement in future competitions.

Summary of Recommendations

- 10.01 The Department must ensure that the current version of the Code is used in the drafting of competition literature.
- 10.02 In future competitions, the requirement for a list-style employment history should be removed; applicants should continue to be encouraged to include salient facts from their employment, voluntary and personal history in addressing specific criteria.
- 10.03 In future competitions the requirement to list details of previous public appointments held should be removed.
- 10.04 The wording of the criteria approved by the Minister in the person specification must remain constant across all documentation.

- 10.05 The Department should give consideration to a form of coding of Monitoring Forms, rather than using applicant names, to ensure anonymity.