



The Commissioner
for Public Appointments
Northern Ireland

“Guardian of the Public Appointment Process”

Audit Report 2014/2015

Appointment of Members of the Local Government Staff Commission for
Northern Ireland

Department of the Environment

March 2015

Introduction

- 1.01 A competition to appoint members to the Local Government Staff Commission (the Commission) 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 of the Environment (DOE).
- 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 February 2014.
- 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 particularly good practice and one instance of 'less than best practice' were identified. No breaches of the Code were identified.
- 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 subsequent audits 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 DOE 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 DOE Public Appointments Unit for their assistance and cooperation throughout this audit.

Background

- 4.01 As part of Local Government Reform, eleven new councils will replace the existing twenty-six on 1st April 2015. Many of the services previously provided by the Commission will be provided in-house by the new councils. In October 2013 the Environment Minister announced his intention to recommend that the Commission be dissolved in 2017.

The term of appointment of the Chair and members of the Commission ended on 30th November 2014.

The Department was conscious of the role the Commission would play in the reform process before it is dissolved on 31st March 2017. The Department recognised the change in the role of the Commission from delivering services to a strategic and change-management role. The Department decided to reconstitute the Commission, taking into account the new skills required to carry out these new functions.

None of the current members would be reappointed, however those who had served only one term would be eligible to apply.

Legislation states that the Commission shall consist of a Chairman and not more than fourteen and not less than six other members.

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 a senior official from the Department, the Chair of the Commission and the Independent Assessor.

Selection panel members were involved in all relevant aspects of the selection process prior to the Ministerial decision.

- 5.03 The Department ensured that all panel members were fully trained in line with the Code. All selection panel members signed a confidentiality agreement.

- 5.04 The selection panel attended a competition initiation meeting on 21st July 2014 where panel members discussed and agreed a range of issues including the appointment timetable, the competition documentation and the appointment process, including the scoring framework to be used.

Role Profile and Person Specification

- 5.05 The role profile and person specification were developed by the Department. These

included all information required by the Code.

- 5.06 Candidates were required to meet five essential selection criteria.

The eligibility criteria were tailored to meet the diverse range of skills needed to guide the Commission through the reform process.

Ministerial Authorisation and Planning

- 5.07 A submission containing an appointment plan was approved by the Minister on 20th May 2014. The appointment plan which contained all the requirements of the Code of Practice, was detailed and comprehensive.

CPA N commends the Department for their diligent approach in the planning of the competition.

- 5.08 The Minister was provided with guidance on Ministerial Choice, the aim of which was to ensure that the Minister would be in a position to make sound, non-discriminatory, evidence-based decisions.

The Minister requested an unranked list of candidates.

- 5.09 A submission containing the role profile and person specification was approved by the Minister on 29th August 2014.

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 Guidance Notes in the Information Pack stated.

“Your examples can be drawn from both your working life and personal life e.g. part-time or leisure activities, including any voluntary or community work you are or have been involved in.”

CPA NI welcomes and commends 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.

- 6.03 The Information Pack contained guidance for applicants from the public sector on the potential for “double payment” (being paid twice from the public purse) should

they be appointed.

6.04 The Application Form was clear and straightforward.

6.05 The Guidance Notes in the Information Pack stated.

“The Commissioner for Public Appointments requires us to publish details of public appointments, both past and present, already held by successful candidates. Please list all current and previous public appointments, beginning with the most recent and working back.”

Applicants were then asked in the Application Form to list all public appointments, including the dates held and the remuneration involved.

The Commissioner is quoted incorrectly by the Department in this matter. 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 the provision by applicants of a list of all previous public appointments held.

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

Stage 3 - Encouraging Applications

7.01 The competition was launched on 11th September 2014.

The vacancy was advertised in the Belfast Telegraph, the Irish News and the Newsletter. It was posted on the websites of CPA NI, Disability Action, DOE, the Office of the First Minister and deputy First Minister (OFMDFM) and the Northern Ireland Council for Voluntary Action.

A copy of the advertisement was issued to all District Councils.

An information flyer was also 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.

Stage 4 - Selection

Processing Applications

8.01 The closing date for applications was 2nd October 2014. Thirty-three applications were received.

Sift

- 8.02 Selection Panel members attended meetings on 9th and 16th October to assess the applications for eligibility. Anonymous copies of all Application Forms were provided to the selection panel prior to this.
- 8.03 A word limit was in place for each criterion. As stated in the Application Form any text beyond the allocated number of words was redacted from the Application Forms issued to the panel.
- 8.04 It was clear that the DOE Public Appointments Unit provided high quality support during the sift stage and throughout the whole selection process. CPA NI commends the Department of the level of support provided to the selection panel.
- 8.05 Prior to these meetings, each member of the selection panel individually assessed the applications, and allocated a score against each criterion, with notes to substantiate these marks.

A consensus panel score was allocated at the sift meetings. A summary of the panel's collective decision on each applicant was documented and agreed by all selection panel members.

- 8.06 Upon completion of the sift exercise, selection panel members were provided with the names of the successful candidates, and asked to declare any conflict of interest.

No conflicts of Interest were declared.

- 8.07 A letter to those applicants who did not pass the eligibility sift was issued on 20th October 2014. The letter advised the applicant of the panel decision and on how to obtain feedback on his/her application.
- 8.08 Nine requests for feedback were received from applicants, one of whom also requested a review of the panel's decision; these were dealt with in a timely manner by the Chair of the selection panel.
- 8.09 Fifteen applicants passed the eligibility sift and were invited for interview.

Interview

- 8.10 A letter inviting candidates for interview was issued on 20th October 2014. The letter provided candidates with guidance on the format of interview, and assistance on how to prepare for the interview.

CPA NI commends the Department for the excellent advice and guidance provided to candidates on the interview stage.

- 8.11 Interviews took place on 3rd, 4th and 5th November 2014.
- 8.12 Each panel member completed an individual interview assessment booklet for each candidate, to record the evidence against each criterion. An individual panel member score, along with a justification, was awarded for each criterion. An agreed panel score was also recorded.
- 8.13 All candidates were asked to identify any conflicts of interest and were questioned on integrity and the principles of public life. They were also questioned on time commitment.
- 8.14 At interview eleven candidates were found to be suitable for appointment.
- 8.15 Those candidates found unsuitable for appointment were informed of the decision in a letter issued 14th November 2014.
- The letter set out the criteria failed and informed the candidate how to request further feedback on performance at interview.
- 8.16 Two requests for feedback were received following the interviews. These were dealt with in a timely manner by the Chair of the selection panel, and provided useful and pertinent information on the candidates' performance at interview.

Applicant Summary

- 8.17 Applicant summaries were prepared by the Department with input and agreement from the selection panel. Each applicant summary utilised information from the candidate's Application Form and the findings and comments of the selection panel at interview.

Ministerial Decision

- 8.18 An alphabetical list of the eleven candidates found suitable for appointment was submitted to the Minister on 20th November 2014.
- 8.19 On 25th November, the Minister selected all eleven candidates for appointment.
- 8.20 All eleven candidates were informed of the Minister's decision in a letter issued 26th November 2014. The appointments commenced on 1st December 2014.

Announcing the Appointment

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

General Conclusions

- 9.01 This was a well run competition, adhering closely to the Code. The Department adopted a clear and straightforward approach and put considerable effort into

encouraging a wide range of candidates to apply.

Summary of Recommendations

10.01 In future competitions the requirement to list details of previously held public appointments held should be removed.