



The Commissioner
for Public Appointments
Northern Ireland

“Guardian of the Public Appointments Process”

Audit Report 2013/2014

Appointment of Chair of the Royal Ulster Constabulary George Cross
Foundation

Department of Justice

February 2014

Introduction

- 1.01 A competition to appoint a Chair to the Royal Ulster Constabulary George Cross Foundation (RUC George Cross Foundation) was selected for audit as part of the 2013/14 audit programme of the Commissioner for Public Appointments for Northern Ireland (CPA NI). This competition was administered by the Department of Justice (DOJ).
- 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 2012.
- 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.

Background

- 2.01 A competition launched in February 2013 received no applications for the position of Chair.
- 2.02 As the appointment term of the outgoing Chair had previously been extended for one year, an existing RUC George Cross Foundation Trustee was appointed on an interim basis to allow for the launch of a new competition to appoint a permanent Chair.

Approach

- 3.01 This audit report is the result of an examination of the appointment process, from which audit issues have been identified and recommendations made.
- 3.02 CPA NI carried out a comprehensive review of all appropriate records, as provided by the DOJ Policing Policy and Strategy Division.

Acknowledgements

- 4.01 The Commissioner would like to thank the staff of DOJ Policing Policy and Strategy

Division for their assistance and co-operation during this audit.

Stage 1 – Initial Planning of recruitment competition

Independent Assessor

- 5.01 CPA NI allocated an Independent Assessor at the outset of the process. The Department consulted with the Assessor on the publicity and Information Pack prior to publication. The Assessor was involved in all stages of the process.

Consultation with the RUC George Cross Foundation

- 5.02 The Department consulted the outgoing Chair, prior to the launch of the competition, on the criteria and other aspects of the competition. The Chair was content with the criteria proposed by the Department, and his views were reflected in the interview questions.

The Selection Panel

- 5.03 The selection panel consisted of two senior officials from DOJ and the Independent Assessor.
- 5.04 The Department ensured that panel members were fully trained in line with the Code. All panel members were involved in all aspects of the selection process prior to the Ministerial decision.

Confidentiality Statement

- 5.05 Selection panel members did not sign a confidentiality form. Paragraph 6.10 of the Code states.

“All panel members must, at an early stage in the process and before handling confidential information, sign a form committing them to observing confidentiality. Failure to sign will cause that person to be debarred from participation in the process.”

The failure by the Department to ensure that selection panel members sign a confidentiality form is a breach of the Code. The Department must ensure that this requirement is met in all future competitions.

- 5.06 **Recommendation: The Department must ensure that selection panel members sign a form compliant with 6.10 of the Code in all future competitions. In addition, CPA NI will ensure that the Independent Assessor on the recruitment panel points out this requirement.**

Role Profile and Person Specification

- 5.07 The draft role profile and person specification were developed by DOJ with input from the selection panel. These included all the key information required by the Code.

5.08 Candidates were required to meet six essential criteria.

Ministerial Authorisation and Planning

5.09 A submission containing the role profile, person specification and appointment plan was approved by the Minister. The Minister requested an unranked alphabetical pool of appointable candidates.

The appointment plan did not comply fully with the Code. It did not include:

- arrangements to deal with requests for documents in alternative formats;
- a procedure for handling late applications;
- a procedure for handling an applicant's query regarding his or her omission from the short list of interview list;
- a procedure where an applicant is unable to attend for assessment on the published date(s).

Other items in the appointment plan, required under paragraph 3.6 of the Code, were covered at a very basic level.

5.10 **Recommendation: The Department must ensure that the appointment plans for all future competitions contain all information required by the Code.**

Stage 2 - Preparation

Information Pack

6.01 The Information Pack included all the key information required by the Code.

Application Form

6.02 Section B of the Application Form asked for details of employment history, including current employment and any relevant previous employment, including self-employment and any voluntary activity. A more suitable approach would be to simply ask candidates to use details of their experience in addressing each of the criteria for the post. This would be more meaningful as a public appointment selection method, and more directly related to the criteria than providing a list of positions held.

6.03 **Recommendation: It is recommended that in future competitions the requirement for a 'list-style' employment history should be removed.**

6.04 Section B of the Application Form was purportedly anonymous for short-listing purposes. Despite this, section B contained both an 'employment history' and a 'public or other appointments' section. This could have led to the identification of candidates.

6.05 **Recommendation: Information which allows for the potential identification of an applicant should be removed from any anonymous section of an Application**

Form.

6.06 Paragraph 3.23 of the Code states,

“Applicants should be made aware on the Application Form that, if they are appointed, some of the information they have provided will be placed in the public domain.”

While the Application Form included a declaration that informed applicants of how the Department would use their information, it was vague regarding the fact that it would be placed in the public domain.

6.07 **Recommendation: It must be made clear on all Application Forms that if an applicant is appointed, some of the information they have provided will be placed in the public domain.**

Stage 3 - Encouraging Applications

7.01 The vacancy was advertised in the Belfast News, the Belfast Telegraph, the Irish News, the News Letter, and the Sunday Life in June 2013. It was also posted on the Belfast Telegraph jobs website and the DOJ website.

A Ministerial press release was issued along with a positive outreach statement, in an effort to promote the vacancy and encourage applications

Stage 4 - Selection**Processing Applications**

8.01 The closing date for applications was 26th July 2013. One application was received.

Sift

8.02 A sift meeting was held on 29th July 2013. The selection panel found that the applicant met the pass mark for all essential criteria.

The applicant was subsequently invited for interview.

Interview

8.03 The interview took place on 8th August 2013. Each panel member completed an individual candidate interview assessment form for the candidate, to record the evidence presented against each of the criteria. An agreed interview assessment form was subsequently completed, and signed by each panel member.

8.04 The candidate was asked to identify any real or perceived conflicts of interest and was questioned on the seven principles of public life.

8.05 The candidate was deemed to be suitable for appointment by the selection panel.

Ministerial Decision

8.06 The Minister appointed the candidate as Chair. A letter of offer was issued to the candidate on 2nd September 2013.

Announcing the Appointment

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

General Conclusions

9.01 One breach of the Code was identified in this audit (Paragraph 5.05) and four issues were identified in which the Department should improve its processes. The Department should take steps to rectify these matters for all future competitions.

Summary of Recommendations

10.01 The Department must ensure that selection panel members sign a form compliant with 6.10 of the Code in all future competitions. In addition, CPA NI will ensure that the Independent Assessor on the recruitment panel points out this requirement.

10.02 The Department must ensure that the appointment plans for all future competitions contain all information required by the Code.

10.03 It is recommended that in future competitions the requirement for a 'list-style' employment history should be removed.

10.04 Information which allows for the potential identification of an applicant should be removed from any anonymous section of an Application Form.

10.05 It must be made clear on all Application Forms that if an applicant is appointed, some of the information they have provided will be placed in the public domain.