

## ANNUAL REPORT 2001-2002

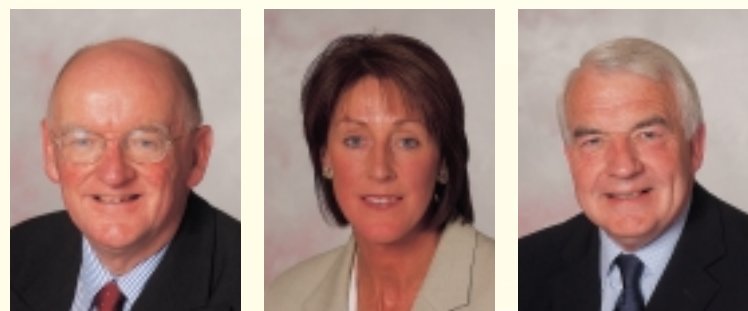
*Ensuring that appointments to the Northern Ireland Civil Service  
are based on merit through fair and open competition*



CIVIL SERVICE COMMISSIONERS  
FOR NORTHERN IRELAND  
ANNUAL REPORT 2001 - 2002

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We, Your Majesty's Civil Service Commissioners for Northern Ireland, present to Your Majesty this report on our work in the period from 1 April 2001 to 31 March 2002.



*Alan Henry Judith M. Eve Sid McDowell*

Mr Alan Henry Mrs Judith M Eve, OBE Mr Sid McDowell, CBE



*Brian Carlin John Steele Margaret M Elliott Ian Doherty*

Mr Brian Carlin, OBE Mr John Steele, CB, OBE, TD, DL Mrs Margaret M Elliott, CBE Mr Ian Doherty

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## FOREWORD

I am pleased to present our Annual Report for 2001- 2002 which I hope will prove informative to all those who take an interest in our work. The Report provides us with an opportunity to review the activities undertaken during the past year and to outline new issues which we will be addressing in the next.

The effectiveness of our Recruitment Code as developed in recruitment policies and procedures followed by Departments and Agencies is regularly assessed by audit. During the period of this report we have commenced a new audit programme based on a thematic approach which already has provided some interesting results requiring further consideration of our Code. We have taken a more consultative approach than with previous audits in an effort to listen and learn directly from staff who are closely involved in applying our Code. Section 7 highlights the key issues which were identified during audits, including some examples of best practice which we hope will be considered by all recruiting points throughout the Northern Ireland Civil Service. This section also outlines the themes which we intend to audit in the year ahead.

A major focus of our work has been the development and implementation of our equality obligations under Section 75 of the Northern Ireland Act. We have been preparing for an Equality Impact Assessment of our Recruitment Code. Appendix E provides a brief report to the Equality Commission of the work undertaken in the past year.

In the last year we have sought to promote knowledge of the Commissioners and our range of responsibilities amongst civil servants in all Departments and Agencies. We were pleased that the NICS departmental magazines focused on our role and highlighted in particular our responsibility for handling Code of Ethics appeals within the NICS. We will continue to review the adequacy of our arrangements for dealing with such appeals.

As part of our ongoing programme to develop useful working relationships we have continued our series of meetings with our UK and

## FOREWORD

Irish counterparts. We look forward in the coming year to maintaining and improving our network of contacts and, in particular, to develop further our relationships with Ministers and with Assembly members to ensure that they are aware of the role of the Commissioners in recruitment to the Civil Service. We are also pleased to note a steady interest in our Website which we will continue to develop and update.

In Section 10 of our Report we take a look at emerging issues to be considered by Commissioners in the coming year.

In 2002 we have welcomed two new Commissioners, Alan Henry and Brian Carlin, who were successful in the open competition to recruit additional Commissioners which was run during the period of this Report. We look forward to working with our new colleagues. I should like to take this opportunity to thank Ian Doherty who recently resigned due to other pressing commitments. His contribution to the work of the Commissioners was invaluable.

Finally, I should like to express our thanks to those who have supported us in our work. We have a small staff in the Office of the Civil Service Commissioners and they undertake their duties with commitment and professionalism. I also wish to express our thanks to the Head of the Northern Ireland Civil Service, Mr Gerry Loughran, to the Permanent Secretaries, the Personnel Directors and staff in Departments and Agencies for their co-operation throughout the year. We look forward to establishing a good working relationship with Mr Loughran's successor, Mr Nigel Hamilton, and to ensuring that we continue to assist the recruitment on merit of the best people for the jobs.

*Judith M. Eve*

JUDITH EVE, OBE  
Chairperson

## AUTHORITY AND RESPONSIBILITIES OF COMMISSIONERS

Civil Service Commissioners were first appointed in 1855 to uphold the principle that selection for appointment to posts in the Civil Service should be on the basis of merit in fair and open competition. Commissioners for Northern Ireland were first appointed in 1923.

Commissioners derive their responsibilities from prerogative Orders made by the Secretary of State. The Civil Service Commissioners (Northern Ireland) Order 1999, which is reproduced in full in Appendix A – declares the principle that “...a person shall not be appointed to a situation in the Civil Service unless....the selection....was made on merit on the basis of fair and open competition”. The Order gives Commissioners the responsibility of maintaining this important principle known as ‘the merit principle’.

The Order provides for Commissioners to discharge their responsibilities by:

- making General Regulations;
- publishing and maintaining a Recruitment Code setting out the essential principles and procedures on which recruitment to the NICS must be based;

- approving certain exceptions to the recruitment principle of selection on merit on the basis of fair and open competition, as provided for in the General Regulations;
- approving the procedures for appointments through open competition to senior positions in the NICS;
- auditing recruitment policies and practices followed by Departments and Agencies in making appointments to the NICS; and
- requiring Departments and Agencies to publish information about their recruitment activity.

Under the Order the Commissioners also may consider and determine appeals made to them under the NICS Code of Ethics which is published by the Department of Finance and Personnel. The Order requires Commissioners to publish an annual report on the number of appeals made to them under the Code of Ethics together with summary information as to the nature of such appeals; - see Section 9.

## THE CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

**MRS JUDITH M EVE, OBE,** appointed in 1993, graduated from Queen’s University, Belfast with an LLB degree in 1971 and qualified as a Barrister-at-Law in 1973. Mrs Eve was employed by Queen’s University until 2002 firstly as a legal academic then as International Liaison Officer. She has served as a Mental Health and as an Equal Opportunities Commissioner for Northern Ireland and as a non-executive Director of North and West Belfast Health and Social Services Trust . Currently she is a part-time Chairman of The Appeals Service Northern Ireland , and is a Director of BIH Housing Association.

**MRS MARGARET M ELLIOTT, CBE,** appointed in 1996, graduated from Queens University Belfast in 1973 with an LLB degree and was admitted to the Roll of Solicitors in 1976. Mrs Elliott is a partner in a firm of solicitors with its practice in Newry. She is a past President of the Law Society of Northern Ireland and is currently a non-executive Director of Northern Bank Ltd. She is also Chairman of the National Museums and Galleries of Northern Ireland and was a Fair Employment Commissioner until June 1999. In January 1999 Mrs Elliott was appointed a non-executive Director of National Irish Bank in Dublin.

**MR IAN DOHERTY,** appointed in 1996, graduated from Peterhouse, Cambridge with an MA in History. Mr Doherty is a Director of James Doherty (Meats) Group with factories in Derry and Donegal. He is Chairman of Greenpark Healthcare Trust and non-executive Director of Dromona Quality Foods. Mr Doherty’s voluntary work includes: Chairman of Foyle Common Purpose; Chairman of Foyle Skills & Education Cluster; serving as a member of the Board of Governors of Lumen Christi Grammar School, Derry; Council member of Londonderry Chamber of Commerce.

**MR SID MCDOWELL, CBE,** appointed in 1999. From 1976 to 1994 Mr McDowell was Deputy General Secretary of the Northern Ireland Public Service Alliance. He was appointed Chairman of the Northern Ireland Housing Executive in 1995. In April 1996 he was appointed Chairman of the Local Government Staff Commission for Northern Ireland. He is Vice-President of the Association for Spina Bifida and Hydrocephalus (NI).

## THE CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

**MR JOHN STEELE, CB, OBE, TD, DL,** appointed in 1999, retired as Senior Director of the NIO (Belfast) in September 1998 having occupied the post from September 1996. Before that he was Director (Security) in the NIO since 1992, and Controller of Prisons from 1987 to 1992. He was Director of the Northern Ireland Court Service from 1982 to 1987 and before that held a variety of posts in the NI Civil Service. He is currently Chairman of Bryson House the Northern Ireland Charity and also holds a number of voluntary posts.

**MR BRIAN CARLIN, OBE,** appointed in 2002, worked for 43 years in Bombardier Shorts and retired as Executive Vice-President in 1996. In October 1996 he was appointed Chairman of the Central Services Agency. He also serves on the Northern Ireland Council for Curriculum Examinations and Assessment and the Northern Ireland Management and Leadership Network.

He acts as an Industrial Tribunal Panel Member and is a part time consultant with a number of organisations in the province. He is also on the Board of Maydown Precision Engineering in Derry. Other Voluntary Sector interests include acting as a Trustee for the Bytes Project and as a Trustee of the Bombardier Shorts Charitable Foundation

**MR ALAN HENRY,** appointed in 2002, is Head of Human Resources at Consignia and the Royal Mail. He is a former Chair of the Equality Forum and a Lay Member of the Department of Education Schools Inspection Teams. He is a Lay Member of the Industrial Tribunals. Mr Henry is also a member of the Lord Chancellor's Advisory Committee on Lay Magistrates and a Commissioner of the Equality Commission.

## THE RECRUITMENT CODE

Article 4(3) of the Civil Service Commissioners (NI) Order 1999 states that Commissioners "shall prescribe and publish a Recruitment Code on the interpretation and application of the principle of selection on merit on the basis of fair and open competition". The Code, which was first published in July 1997, was designed to set out the essential principles on which recruitment to the NICS must be based and to protect the reputation and standards of the NICS. It was revised in January 2000 and minor amendments were made to mainly Section 2 "Applying the Merit Principle".

Last year the Commissioners produced Annex C which provides guidance on consulting with Ministers in cases where they have a particular interest in open competitions for posts in the Senior Civil Service. Following identification by practitioners of some ambiguity in the application of Annex C, it was revised in 2002.

### THE CODE IN PRACTICE

The Code should be used in conjunction with all current Codes of Practice issued under relevant equality legislation e.g. the Code of Practice on Fair Employment in Northern Ireland, the Equality Commission's Code of Practice on Removing Sex Bias from Recruitment and Selection and the Employment Code of Practice issued under the provisions of the Disability Discrimination Act 1995. Recruitment to the NICS is also governed by relevant legislation and by NICS policy commitments including, in particular, the NICS Equal Opportunities statement and the Code of Practice on the Employment of People with Disabilities. It is the Commissioners' intention to subject the Recruitment Code to a full impact assessment under our Section 75 obligations.

The Code deals only with those aspects of recruitment which are the responsibility of the Commissioners. It is not a complete guide to all the requirements for recruitment to the NICS. For example, those undertaking recruitment to the NICS must satisfy all legislative requirements, while those appointed must also meet the requirements for appointment prescribed by the Department of Finance and Personnel under Article 4(2)(c) of the Civil Service (Northern Ireland) Order 1999.

## THE RECRUITMENT CODE

The Code consists of:-

- a prescription of how the principle of selection on merit on the basis of fair and open competition is to be applied at each stage of the recruitment process, from the determination and use of job criteria through to retention of records;
- an outline of the circumstances in which appointments may be made, other than on the basis of selection on merit (i.e. limited exceptions where the merit principle does not apply), with details of the circumstances where Commissioners' prior approval of such appointments is required;
- the arrangements for obtaining Commissioners' approval for all appointments to senior grades through open competition (including those constituting exceptions to the merit principle);
- guidance on consulting with ministers in cases where they have a particular interest in open competitions for posts in the Senior Civil Service; details of the scope of the Commissioners' audit of recruitment policies and practices within the NICS. The audit programme, which commenced in April 1998 will establish whether the requirements of the General Regulations and Recruitment Code are being observed.
- details of the recruitment-related information which Commissioners require each recruiting organisation to publish.

The principles and procedures it sets out are a mandatory requirement for all those involved in recruitment to any post within the Service. The requirements of the Code apply to all appointments to both non-industrial and industrial posts, whether temporary, fixed term or permanent, full or part time. Commissioners are pleased to note that their recruitment audits have confirmed that Departments and Agencies are aware of the requirements of the Code. Audits have identified relatively few breaches.

### RECENT ISSUES IN RESPECT OF THE CODE

Last year an issue relating to fixed-term appointments was raised with us which resulted in further clarification being provided to recruitment points on:

- (1) Renewal of fixed-term appointments beyond the tenure of what was advertised originally.
  - (2) The conversion of a fixed-term appointment to permanency.
- Commissioners decided that, in cases where the option for permanency had been advertised, the Department or Agency could utilise the option whenever it deem it appropriate to do so, without reference to the Commissioners. Where, however, the option to convert a fixed-term appointment to permanency was not stated in the original advertisement, the matter must be referred to the Commissioners for consideration.

## THE RECRUITMENT CODE

In the period of this Report the Commissioners were asked to consider the conversion to permanency of all fixed-term appointments where the option to convert to permanency had not been advertised originally. The Commissioners set four criteria which such appointments had to satisfy. It had to be shown that: -

- (i) at the time when the appointment was made fixed-term appointments were government policy;
- (ii) the offer of a fixed term appointment did not appear to have deterred a wider pool of applicants from applying for the post;
- (iii) the permanent contract, if one be given, would not be substantially different from the fixed term contract; and
- (iv) the individuals originally had been appointed on merit in fair and open competition.

On the basis of the responses from Departments and Agencies, the Commissioners decided that a blanket decision could not be applied and that Departments would have to make individual submissions for approval. In the period of this Report Commissioners granted approval to convert six appointments to permanency.

### A FLEXIBLE APPROACH

The Commissioners are keen to keep up to date with developments in recruitment and selection and to ensure that their Recruitment Code reflects the changing needs of the Northern Ireland Civil Service. Over the past year we have continued our meetings with Ministers, senior management in the NICS and representatives from the main operational recruitment body – Recruitment Service - to discuss issues of concern and to consider practical ways in which the pressures of business can be alleviated without diluting the merit principle. We will continue these helpful exchanges over the next year.

Copies of the Code, together with advice and information regarding its contents and interpretation, are available from the Office of the Civil Service Commissioners.

## EXCEPTIONS TO THE MERIT PRINCIPLE

Generally, all appointments to the Northern Ireland Civil Service must be made solely on merit on the basis of fair and open competition ('the merit principle') and recruitment must be carried out in accordance with the requirements specified in the Recruitment Code.

There are, however, limited exceptions, to which the 'merit principle' does not apply. These exceptions are contained in the Civil Service Commissioners for Northern Ireland General Regulations 1999:

- (a) where the person is appointed on secondment ;
- (b) where the person has previously held a situation in the Civil Service and is being considered for reinstatement or re-employment;
- (c) where the person holds a situation in a public service;
- (d) where the person is, or has recently been, employed on functions which had been or were being transferred to the Crown; -
- (e) where the person had reached an appropriate standard in a fair and open competition for another situation in the Civil Service without securing appointment and there is a demonstrable shortage of suitable candidates for the relevant situation;
- (f) where the person has been selected for appointment under arrangements which include provision for encouragement and assistance given to any person who is defined under

the Disability Discrimination Act (1995) as being a disabled person or as having a disability by or under any enactment relating to the employment of disabled persons;

- (g) where the appointment is justified for exceptional reasons relating to the needs of the Civil Service, and the person proposed for appointment is of proven distinction; or
- (h) where the person has been selected for an appointment under Government programmes to assist the long term unemployed and the total period of service does not exceed 3 years.

The Recruitment Code provides further guidance to Departments and Agencies on their remit and authority in making appointments using the above exceptions. They are required to publish annually details of appointments made as an exception to merit. The Commissioners have also stipulated the circumstances in which Departments and Agencies must seek and obtain the Commissioners' approval to appoint an individual as an exception to merit.

### EXCEPTIONS WHICH REQUIRED COMMISSIONERS' APPROVAL

During the period to which this report relates the Commissioners received requests seeking approval for seven appointments to be made as exceptions to the merit principle. Three of these

## EXCEPTIONS TO THE MERIT PRINCIPLE

appointments related to the need for Departments to re-employ retired civil servants to undertake mainly short-term projects in order to meet business needs. The four further appointments related to the urgent need for investigation officers to be appointed during the Foot and Mouth crisis.

In each case the Commissioners carefully considered the information presented to them and we approved all seven appointments, which were justified for exceptional reasons relating to the business needs of the Northern Ireland Civil Service .

### OVERVIEW OF EXCEPTIONS IN THE LAST YEAR

Departments and Agencies have reported that in the period from 1 April 2001 to 31 March 2002, 131 appointments were made as exceptions to merit. Comparing this with the 4,908 appointments made following fair and open competition, we are re-assured that appointments under this provision are being made only exceptionally, as intended.

Figure 1 shows the trends over the past three years of appointments to the Northern Ireland Civil Service made as exceptions to merit.

Figure 2 shows an analysis of these appointments by category. The majority fell under category (b) - the re-appointment of former civil servants, all of whom were originally selected on merit through fair and open competition.

FIGURE 1 - EXCEPTIONS TO MERIT

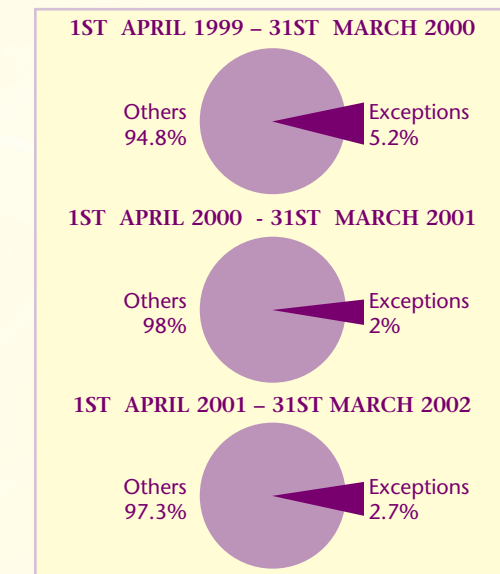


FIGURE 2 - EXCEPTIONS TO MERIT BY CATEGORY

EXCEPTION CATEGORY	NUMBER 1 APRIL 1999 - 31 MARCH 2000	NUMBER 1 APRIL 2000 - 31 MARCH 2001	NUMBER 1 APRIL 2001 - 31 MARCH 2002
a. secondment	6	11	15
b. re-employment	61	63	31
c. public service	18	20	8
d. transfer of functions	5	3	3
e. shortage of suitable candidates	0	0	0
f. assistance to disabled	20	29	65
g. needs of the Service	2	2	7
h. long-term unemployed programmes	54	12	2
<b>TOTAL</b>	<b>166</b>	<b>140</b>	<b>131</b>

## APPROVAL OF APPOINTMENTS TO THE SENIOR CIVIL SERVICE

Under current arrangements, the Permanent Secretary Group (comprising the Head of the Civil Service and the 11 Permanent Secretaries) determines the method of filling any vacancy in the Senior Civil Service (SCS) i.e. by internal promotion or transfer, by open competition or by appointment under the exception to merit provision. Appointees, by whatever route, must meet a set of core competencies identified for a senior appointment. The Commissioners look forward to the outcome of the recently published Review of (Appointment and Procedure for the Senior Civil Service of the NICS), chaired by Lord Ouseley and to consideration of the possible implications for the recruitment and selection process.

### THE APPROVAL PROCEDURE

Every appointment to the Senior Civil Service, whether made through open competition or as an exception to the merit principle, must be approved by the Civil Service Commissioners for Northern Ireland. Officials in our Secretariat scrutinise and, where appropriate, approve these appointments on our behalf. The current system involves a series of checks at each of the following stages in the recruitment process:

- pre-advertisement
- pre-interview
- post-interview
- pre-appointment

All recruitment to the Senior Civil Service has been carried out by the Northern Ireland Civil Service Recruitment Service on behalf of Departments and Agencies. Written approval must be obtained at each stage before the competition can progress. The key objective of the approval process is to ensure that procedures are being followed in accordance with the Commissioners' Recruitment Code and to ensure that all SCS appointments made through open competition adhere to the merit principle.

### MINISTERIAL INVOLVEMENT

The Commissioners recognise that Ministers may have a particular interest in the appointment to certain posts in the Senior Civil Service. Guidance is provided in the Recruitment Code to accommodate Ministerial involvement in the recruitment process for such posts. During the reporting year there have been two appointments in which Ministers have declared an interest by participation in the process under the terms of the code – Permanent Secretary, Department of Education and Director of Communications, Office of the First Minister and Deputy First Minister. In our judgement, the guidance within the Recruitment Code on Ministerial consultation generally has been effective. Some amendments were made in January 2002 to remove ambiguities

## APPROVAL OF APPOINTMENTS TO THE SENIOR CIVIL SERVICE

### QUALITY ASSURANCE OF THE WORK OF THE SECRETARIAT IN THE OFFICE OF THE CIVIL SERVICE COMMISSIONERS

Commissioners conduct an annual audit of the Senior Civil Service approval process to ensure that officers in our secretariat are exercising properly this delegated authority. During the period of this report, nineteen

appointments were made to the Senior Civil Service following open competition. We are satisfied with the thoroughness of the procedures that were carried out in approving all nineteen appointments.

### SENIOR APPOINTMENTS

Details of the appointments made to the Senior Civil Service following open competition are given in Figures 3 & 3(a).

FIGURE 3 - APPROVED APPOINTMENTS TO THE SENIOR CIVIL SERVICE 1 APRIL 2001 - 31 MARCH 2002

DEPARTMENT	JOB TITLE	APPLICANTS			APPOINTMENTS		
		MALE	FEMALE	TOTAL	MALE	FEMALE	INTERNAL/EXTERNAL CANDIDATE
Health, Social Services & Public Safety	Senior Medical Officer	9	7	16	1	2	1 Internal 2 External
	Principal Medical Officer	4	3	7	0	1	Internal
Regional Development	Chief Executive Designate, Roads Service	14	1	15	1	0	Internal
	Director of Engineering, Roads Service	7	0	7	1	0	Internal
Education	Director of Network and Customer Services	6	0	6	1	0	Internal
	Assistant Chief Inspector Education and Training Inspectorate	11	4	15	1	0	Internal
Environment	Permanent Secretary	15	0	15	1	0	External
	Chief Executive Environment & Heritage Service	28	0	28	1	0	Internal
Finance and Personnel	Director of Environmental Protection	15	1	16	1	0	Internal
	Director of Law Reform	7	9	16	1	0	Internal
Office of First Minister and Deputy First Minister	Head of Equality of Opportunity and Social Needs Division	7	11	18	1	1	Both Internal
	Grade 5, Office of Legislative Counsel	1	1	2	0	1	Internal
	Director of Communications	17	2	19	1	0	External
Director of Public Prosecutions	Assistant Director	12	1	13	2	0	Both Internal
	Assistant Director, Head of Corporate Services	40	10	50	1	0	External
<b>TOTAL</b>		<b>193</b>	<b>50</b>	<b>243</b>	<b>14</b>	<b>5</b>	

## APPROVAL OF APPOINTMENTS TO THE SENIOR CIVIL SERVICE

### COMMUNITY BACKGROUND:

APPLICANTS				APPOINTMENTS			
PROTESTANT	ROMAN CATHOLIC	NOT DETERMINED	TOTAL	PROTESTANT	ROMAN CATHOLIC	NOT DETERMINED	TOTAL
137	84	22	243	13	5	1	19

FIGURE 3(A) - APPROVED APPOINTMENTS TO SENIOR CIVIL SERVICE 1 APRIL 1999 - 31 MARCH 2002

PERIOD	TOTAL	GENDER		COMMUNITY BACKGROUND		
		MALE	FEMALE	PROTESTANT	ROMAN CATHOLIC	NOT DETERMINED
1 April 1999 - 31 March 2000	17	14	3	9	6	2
1 April 2000 - 31 March 2001	13	9	4	8	4	1
1 April 2001 - 31 March 2002	19	14	5	13	5	1

Commissioners note with interest the changing trends of appointments to the Senior Civil Service over the past three years.

## AUDIT OF RECRUITMENT POLICIES AND PRACTICES IN THE NORTHERN IRELAND CIVIL SERVICE

### Article 4(4) of the Civil service

Commissioners (NI) Order 1999 requires the Commissioners to audit recruitment policies and practices within the NICS to establish whether the Recruitment Code is being observed.

The previous reporting year saw the conclusion of an audit methodology which provided detailed information on each separate department, in relation to their recruitment policies and practices and adherence to the Recruitment Code. The Commissioners were satisfied that this robust and extensive exercise had demonstrated that recruitment activity within the NICS was in line with the Recruitment Code.

After a full competitive tendering process, PricewaterhouseCoopers was successful in gaining a new contract from 1 April 2001 for three years with the possibility of renewal for a further two years. Only one full "old style" recruitment was undertaken at the beginning of the new contract in a large Department which had been audited almost three years previously. The Commissioners were satisfied with the findings of this audit but agreed that a new approach should be taken. In consultation with the auditors, it was decided that future audits should focus on various themes identified through Departments' and Agencies' recruitment activities.

### THE AUDITORS' APPROACH

Once again, it should be emphasized that the main focus of audits is to provide useful guidance and information to recruitment points rather than 'fault finding'. The Commissioners believe that the new thematic approach will be beneficial and informative not only for themselves but for each Department and Agency.

The two thematic audits which the Commissioners asked the auditors to undertake were:

- order of merit in volume competitions; and
- use of non interview selection techniques.

### MAIN FINDINGS FROM THE THEMATIC AUDITS

The auditors examined the first theme from two perspectives: firstly, how merit lists are constructed and, secondly, whether posts are being offered in order of merit. The auditors' main conclusions were :

#### Order of merit in volume competitions –

##### Construction of merit lists

- there is generally a high level of awareness in respect of the principle of order of merit;

## AUDIT OF RECRUITMENT POLICIES AND PRACTICES IN THE NORTHERN IRELAND CIVIL SERVICE

- Departments/Agencies expressed views that the Recruitment Code does not provide adequate guidance when constructing merit lists when competition involves multiple panels;

- Departments/Agencies are using a number of different approaches in constructing merit lists where multiple panels are involved; only one Department has issued written guidelines to all recruitment points to ensure consistency within the Department on this issue.

### Offers of appointments in order of Merit

- in the vast majority of the competitions considered successful candidates are being offered posts in strict order of merit;
- some incidences have been observed where candidates lower down merit lists are being offered posts before those featured higher on the list. Several reasons have been offered to explain this:
  - timing of standard checks;
  - location of vacancies;
  - availability of candidates; and
  - appropriateness of candidates

### Use of non-interview selection methods

This theme was chosen to provide the Commissioners with an understanding of the extent to which alternative selection methods are currently in use, the potential for their future use and whether these activities comply with the Recruitment Code.

The auditors found that a small number of non-interview selection methods are currently in use across the NICS:

- ability tests;
- assessment centres;
- random sampling; and
- selection on the basis of application form

### Ability Tests

The use of ability tests was found to be the main alternative to interviewing candidates. It was observed that ability tests are being used in two ways ; firstly, as an alternative to interviewing candidates and, secondly, in addition to interviewing.

In the majority of competition files considered, testing is being used as an alternative to interviewing, particularly in the high volume lower grade competitions, e.g. at Administrative Assistant level.

Departments and Agencies have quoted a number of advantages in using these ability tests:-

## AUDIT OF RECRUITMENT POLICIES AND PRACTICES IN THE NORTHERN IRELAND CIVIL SERVICE

- The ability to test large numbers of candidates in a relatively short period of time (up to 100 per day in one location);
- From a resourcing point of view, the tests are administered by 1 or 2 recruitment staff for a period of 1 or 2 days – there is no requirement to form 2 or 3 person interview panels which must be balanced by gender and religious background;
- Reduced impact of candidates not showing up;
- Tests are scored by within a very short space of time and returned to the Department / Agency in order of merit by test score;
- The tests are scored to 2 decimal places so there is a significantly reduced probability of tied scores; and Candidates who achieve a pre-determined pass mark are considered to be successful and they form the order of merit list.

Departments and Agencies have carried out reviews of this approach within their businesses primarily to assess whether this is a more cost effective approach and whether the standard of applicant has changed.

One Agency carried out detailed costing exercises and established the fact that testing is a cost effective alternative to interviewing at Administrative Assistant level where the perception amongst

managers is that the standard of candidates brought into post through testing is at least as good as those brought in through the interview process. On this basis the Agency has extended the use of testing to the recruitment at Administrative Officer level. Feedback from managers is that the approach may be less effective given that there is a stronger requirement for sound interpersonal skills at this level and the current tests being used assess only ability and not interpersonal competence.

Whilst another Agency also expressed positive feedback on the advantages of using testing, staff also commented that there is some perception within their business that the test may have implications in terms of adverse impact in relation to older people. In reviewing their recruitment statistics they felt that there was evidence to suggest that older candidates are less likely to turn up for testing and also less likely to achieve the pass mark than younger candidates.

### Assessment Centres

The use of assessment centres across the NICS as a method for selection is limited to isolated examples. By their nature the specialist or more technical roles which could benefit from this approach do not attract the numbers of applicants to justify the expense of designing bespoke assessment centres.

## AUDIT OF RECRUITMENT POLICIES AND PRACTICES IN THE NORTHERN IRELAND CIVIL SERVICE

### Random Sampling

The use of random sampling has long been debated as a method for shortlisting or selecting suitable applicants for posts in the NICS. Whilst the Commissioners do not address this matter directly in the Recruitment Code there is a strongly-held view that selection on anything other than strict merit is in breach of the Code. In the course of this audit an isolated case of random sampling, having been used to shortlist applicants, was found.

### Selection on the basis of application form

This, too, was an isolated case and was limited to the recruitment of placement students. The situation arose where the Department received a small number of applications for a number of positions available within its research laboratories. All students who had applied were eventually placed but there was no evident process to dictate the order in which students were placed. Their suitability for the role was based simply on the relevance of their degree subject.

### ISSUES FOR COMMISSIONERS' CONSIDERATION

Several issues raised by the auditors will need careful consideration by the Commissioners. Some of these issues may be addressed through interpretation guidelines: others may require a

modification to the Recruitment Code.

Major Code amendments are unlikely to take place until completion of the Commissioners' equality impact assessment.

### Recruitment Code – broad principles or detailed prescriptions?

In the main the Recruitment Code contains points of principle rather than detailed practice either on a prescriptive basis or in the form of advice/guidance on adherence. The thematic review findings relate largely to issues around consistency of practice and interpretation rather than significant areas of non compliance with principles, in particular the principle that appointments be made on the basis of "order of merit".

### Order of Merit Lists

The principle that "candidates must be placed in order of merit according to agreed scores" has been examined in the context of high volume recruitment competitions. This often relates to appointments on a temporary basis at junior grades.

Recognising that it is not normally feasible for a single panel to interview all eligible candidates in this type of competition, Departments adopt a multiple panel approach where interviews are conducted.

From a legal perspective, the use of multiple panels is not in breach of any employment legislation. The primary issue for the Commissioners is whether use of multiple orders of merit is a breach of the "order of merit 'principle'" and it is the

## AUDIT OF RECRUITMENT POLICIES AND PRACTICES IN THE NORTHERN IRELAND CIVIL SERVICE

Commissioners' intention to examine more closely the findings with a view to providing either separate guidelines or a Code modification to assist practitioners.

In relation to the offering of jobs to candidates in the respective orders of merit a few instances were identified where positions were not offered in strict order of merit. These arose for a series of practical reasons including timing of checks relating to security and character, location and availability. Whilst arising from considerations of practicality, these examples appear to be breaches of the principle of the Code.

Testing of candidates - the main alternative to multiple panels - presents no problems concerning order of merit. Where in use, tests are generally an alternative to interviews. With use of testing on the increase, the Commissioners will consider addressing the usage in the Code, which is currently orientated toward interviews as the primary selection method.

### THE WAY FORWARD

A copy of the auditors' report on the thematic audits has been issued to Personnel Directors in Departments and Agencies to inform them of the audit findings. It is hoped that those involved in recruitment activity will find the information useful and that they will become more aware of sound procedures which are being used by others.

The Commissioners are pleased with this new thematic approach to the audit process. The approach taken by the auditors is clearly less restrictive and allows open discussion of issues broader than compliance with the Recruitment Code. Furthermore, the use of a number of workshops with various Departments and Agencies has allowed findings and issues to be explored on a collective basis. These opportunities for exchange appear to have been well received by participants.

The Commissioners look forward to the findings of the next thematic audit which will focus on the theme of how panel members are trained for recruitment interviewing.

## REQUIREMENT FOR PUBLICATION OF RECRUITMENT INFORMATION

Under the Civil Service Commissioners (NI) Order 1999 Commissioners may require the publication of such information as they may specify relating to recruitment and to the use of permitted exceptions to the principle of selection on merit on the basis of fair and open competition.

### What we require from recruitment points in the various Departments and Agencies

Our Recruitment Code stipulates that this information, as a minimum, must comprise:-

- a statement that systems are in place to ensure that selection for appointment is made in accordance with the Recruitment Code;
- a statement that recruitment policies and practices are subject to regular internal monitoring;
- details of the appointments made by way of exceptions to the merit principle;
- statistical summaries of all recruitment activity during the relevant period, including analyses by gender, community background and disability.

The method of publication is at the discretion of the recruiting body. Some of the Agencies, e.g. the Social Security and Child Support Agencies, have included recruitment sections in their Annual Reports

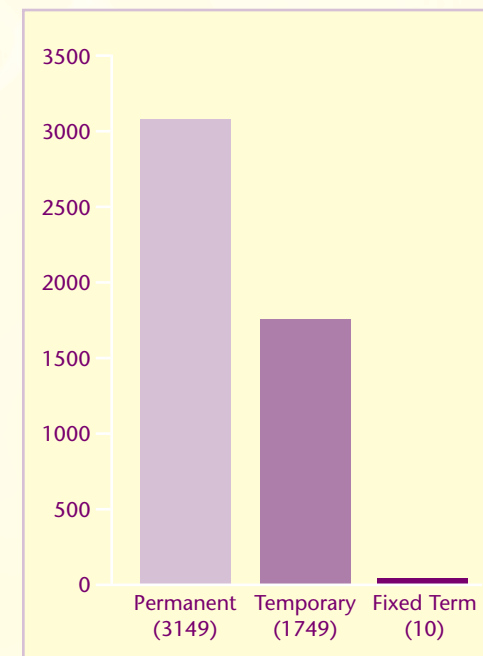
whereas other Departments and Agencies have accepted the offer of the NICS Recruitment Service to include the information in its Annual Report.

Placing this information in the public domain improves the accountability of Departments and Agencies in respect of their recruitment practices.

### Summary Information

While more detailed information is available in the NICS Recruitment Service Annual Report, summaries are provided in Figure 4, broken down to compare both the main types of appointments made and the category of vacancies concerned

FIGURE 4 – APPOINTMENTS BY TYPE  
1 APRIL 2001 – 31 MARCH 2002



## REQUIREMENT FOR PUBLICATION OF RECRUITMENT INFORMATION

FIGURE4(A) RECRUITMENT BY JOB CATEGORY 1 APRIL 2001 - 31 MARCH 2002

JOB CATEGORY*	NUMBER OF APPLICATIONS	NUMBER OF APPOINTMENTS
General Service Grades	30,129	3795
Secretarial Grades	0	15
Scientific Grades	938	138
Technology Grades	491	145
Legal Grades	44	5
Computer Grades	392	76
Other Prof & Tech Grades	3197	438
Centralised Services Grades	832	98
Industrial Grades	1197	198
Total	37,220	4908

\*See Appendix D for examples of jobs in each job category

FIGURE 4(B) APPOINTMENTS BY JOB CATEGORY 1 APRIL 1999 - 31 MARCH 2002

JOB CATEGORY	NUMBER OF APPOINTMENTS 1 APRIL 1999 - 31 MARCH 2000	NUMBER OF APPOINTMENTS 1 APRIL 2000 – 31 MARCH 2001	NUMBER OF APPOINTMENTS 1 APRIL 2001– 31 MARCH 2002
General Service Grades	2,346	6,103	3795
Secretarial Grades	18	13	15
Scientific Grades	47	79	138
Technology Grades	72	128	145
Legal Grades	5	3	5
Computer Grades	39	39	76
Other Prof & Tech Grades	367	511	438
Centralised Services Grades	63	76	98
Industrial Grades	227	100	198
Total	3,184	7,052	4908

\*See Appendix D for examples of jobs in each job category

## APPEALS UNDER THE NORTHERN IRELAND CIVIL SERVICE CODE OF ETHICS

We outline here our responsibility to hear and determine appeals under the Northern Ireland Civil Service Code of Ethics.

Commissioners, under the terms of the Civil Service Commissioners (NI) Order 1999, have been assigned the role of providing an independent appeals mechanism for NI civil servants under the NICS Code of Ethics. The Code of Ethics sets out the constitutional framework within which civil servants work and the values they are expected to uphold.

To ensure that those making appeals have full confidence in the independence of the appeals process, we have determined that appeals will be dealt with by at least two, but usually three, Commissioners. The Commissioners are independent people, not members of the NI Civil Service, therefore, have no vested interest in the issues within the compass of these appeals.

The Commissioners had hoped to produce a revised guidance leaflet for appellants but are still awaiting the completion of amendments to the NICS Code of Ethics which is currently under review by Ministers.

### CURRENT APPEALS – 2001/2002

Only one approach was made to the Commissioners during the period to which this report relates. This case was in relation to a civil servant who had been prevented from taking up a promotion opportunity due to the NICS policy on retirement age. The applicant's issue of concern related specifically to the fact that the age restriction at that level was not drawn to the attention of potential applicants in advance of the promotion board. Maladministration

was alleged in the arrangements for the promotion board. The Commissioners decided that this case did not fall within the parameters of the Code of Ethics because it related to the application of NICS Personnel Policy and should be addressed instead by the NICS Central Personnel Group.

The Commissioners are concerned that civil servants are not fully aware of the appeals mechanism relating to the Code of Ethics. They would strongly encourage any civil servant who believes that he or she has been asked to act in a way which

- is illegal, improper or unethical;
- is in breach of constitutional convention or a professional code;
- may involve possible maladministration; or
- is otherwise inconsistent with the Code;

should report the matter in accordance with the procedures laid down in the Northern Ireland Civil Service Pay and Conditions Code or Departmental guidance. Where a civil servant has reported the matter in the appropriate manner and believes that the response does not represent a reasonable response to his or her concerns, s/he may report the matter in writing to the Civil Service Commissioners.

The Commissioners have promoted their role, and specifically their function of handling appeals under the NICS Code of Ethics, through the Departmental and Agency magazines. We are hopeful that this approach and other promotional opportunities will help to bring this area of our work to the attention of NICS staff.

## EMERGING ISSUES

The previous sections have looked at our work over the past year. This section allows us an opportunity to outline some of the interesting issues which will challenge the Commissioners in the year ahead.

### EQUALITY IMPACT ASSESSMENT

Our obligation under Section 75 of the Northern Ireland Act to promote equality and good relations will continue to occupy a major part of our attention over the next few years. In our Equality Scheme we have committed to undertake a full equality impact assessment of our Recruitment Code and we are currently preparing our consultation documentation. We hope to make contact with various interested groups over the next year.

### SENIOR CIVIL SERVICE REVIEW

The recommendations from the Senior Civil Service Review team were issued in July 2002 by the Minister for Finance and Personnel for consultation. We look forward to providing a response from the Commissioners on issues relevant to our responsibilities. A preliminary consideration of the Report suggests that the Commissioners would be very interested in any revision of the competencies for entry into the Senior Civil Service.

### DEVELOPING THE ROLE OF THE COMMISSIONERS

One of the recommendations of the Senior Civil Service Review is to further open up

civil service posts at senior levels. This is likely to involve the Commissioners in more open competitions. We will be continuing to help Departments and Agencies to meet the requirements of our Recruitment Code and to advise them of examples of best practice identified through the recruitment audits. We hope to promote further our role in relation to appeals under the Code of Ethics and to consider ways of ensuring civil servants are encouraged to pursue any ethical issue which falls within the parameters of our authority.

### DEVOLUTION ISSUES

As the possibility of further devolution of responsibilities from Westminster to the local Assembly is considered, the Commissioners will be working to clarify their relationship with the Northern Ireland Office, which is a UK Exchequer Department and falls under the authority of the UK Commissioners. We currently are a reserved matter which has enhanced our independence from the Northern Ireland Civil Service and the Northern Ireland Executive. As the political arena develops and changes over the year ahead, we will need to consider our position in relation to the devolved administration.

### MAINTAINING RELATIONSHIPS

We will continue to maintain good relationships with senior management in the Northern Ireland Civil Service and we will further develop the valuable relationships which we have established with our counterparts in Dublin and in London.

## ORDER OF THE SECRETARY OF STATE CIVIL SERVICE COMMISSIONERS (NORTHERN IRELAND) ORDER 1999

In exercise of the powers conferred on me by Letters Patent of Her Majesty dated 20 December 1973 and of all other powers enabling me in that behalf, I hereby make the following Order:-

### TITLE AND COMMENCEMENT

1. This Order may be cited as the Civil Service Commissioners (Northern Ireland) Order 1999 and shall come into operation forthwith.

### INTERPRETATION

2. (1) The Interpretation Act (Northern Ireland) 1954(a) shall apply to this Order as if this Order were an enactment, and for the purposes of that Act, as applied by this paragraph, the 1996 Order shall be deemed to be an enactment revoked by this Order.
- (2) Without prejudice to paragraph (1), any reference in an instrument or other document to a provision of the 1996 Order to which there is a corresponding provision in this Order shall be construed as a reference to that corresponding provision in this Order.
- (3) In this Order, except where otherwise expressly provided -
  - "the 1996 Order" means the Civil Service (Northern Ireland) Order 1996 (b);

"appointed to a situation in the Civil Service" means appointed to a situation in the Civil Service, other than by promotion or transfer from within the Civil Service, where that promotion or transfer was not made following competition for the situation open to applicants from within and without the Civil Service and "appointment to any situation in the Senior Civil Service" shall be construed accordingly;

"civil servant" means any person serving in a situation in the Civil Service;

"the Civil Service" means the Northern Ireland Civil Service;

"the Code of Ethics" means a Code of Ethics made under Article 4(2)(b) of the Civil Service (Northern Ireland) Order 1999;

(a) 1954 c. 33 (NI).

(b) The 1996 Order was printed in the Belfast Gazette on 20 December 1996.

"the Commissioners" means the persons for the time being appointed by Her Majesty to be Civil Service Commissioners for Northern Ireland;

"the Department" means the Department of Finance and Personnel;

"enactment" has the meaning assigned to it by Section 1(b) of the Interpretation Act (Northern Ireland) 1954.

## ORDER OF THE SECRETARY OF STATE CIVIL SERVICE COMMISSIONERS (NORTHERN IRELAND) ORDER 1999

(4) In this Order any reference to the New Northern Ireland Assembly shall, after the coming into operation of Parts II and III of the Northern Ireland Act 1998, be construed as a reference to the Northern Ireland Assembly.

### SELECTION ON MERIT

3. (1) Except as otherwise expressly provided by or under this Order, a person shall not be appointed to a situation in the Civil Service unless:
  - (a) the selection of that person for appointment was made on merit on the basis of fair and open competition; and
  - (b) the person appointed satisfies such requirements for appointment as may be prescribed by the Department under Article 4(2)(c) of the Civil Service (Northern Ireland) Order 1999.
- (2) Paragraph (1)(a) shall not apply where an appointment is made to a situation in the Civil Service:
  - (a) directly by Her Majesty; or
  - (b) subject to paragraph (4), by any relevant member for the purpose only of providing advice to him during a period terminating on or before the next dissolution of the New Northern Ireland Assembly.

(3) In paragraphs (2)(b) and (4) "relevant member" means any of the following persons, that is to say -

- (a) the Presiding Officer of the New Northern Ireland Assembly;
- (b) the First Minister or Deputy First Minister; or
- (c) any other member of the Executive Committee of that Assembly.

(4) The First Minister and the Deputy First Minister may each appoint up to three persons to hold, at any one time, a situation under paragraph (2)(b) and any other relevant member may appoint one person to hold, at any one time, such a situation.

(5) The terms and conditions of employment of any appointment under paragraph (2)(b) shall be in accordance with such terms and conditions of employment as shall be prescribed by the Department of Finance and Personnel in regulations or directions.

### FUNCTIONS OF THE COMMISSIONERS

4. (1) The Commissioners shall maintain the principle of selection on merit on the basis of fair and open competition in relation to selection for appointment.
- (2) Without prejudice to Article 3(2), the Commissioners may, with the

## ORDER OF THE SECRETARY OF STATE CIVIL SERVICE COMMISSIONERS (NORTHERN IRELAND) ORDER 1999

- approval of the Secretary of State, prescribe, in General Regulations, or by directions, the circumstances in which the principle of selection on merit on the basis of fair and open competition shall not apply.
- (3) The Commissioners shall prescribe and publish a recruitment code on the interpretation and application of the principle of selection on merit on the basis of fair and open competition, including the circumstances in which any exceptions to that principle prescribed by the Commissioners, in pursuance of General Regulations or directions made under paragraph (2), may be exercised.
- (4) The Commissioners shall audit recruitment policies and practices followed in making appointments to situations in the Civil Service to establish whether the recruitment code is being observed.
- (5) The Commissioners may require the publication of such information as they may specify relating to recruitment and to the use of permitted exceptions to the principle of selection on merit on the basis of fair and open competition.

### APPEALS UNDER THE CODE OF ETHICS

5. (1) The Commissioners may consider and determine appeals to them by a civil servant under the Code of Ethics.

- (2) For the purposes of paragraph (1), the Commissioners may -
- regulate their own procedure;
  - require the parties to any appeal or to any investigation occasioned by an appeal to provide such information and other assistance as the Commissioners think necessary or appropriate; and
  - make recommendations.
- (3) The Commissioners -
- shall publish annually a report of the number of appeals made to them under the Code of Ethics together with summary information as to the nature of such appeals; and
  - may make such other reports on appeals to them under the Code of Ethics as they think fit.

### THE COMMISSIONERS' APPROVAL FOR APPOINTMENT

6. Other than an appointment referred to in Article 3(2), no appointment shall be made to any situation in the Senior Civil Service, or to any situation prescribed by General Regulations or by directions for the purposes of this Article by the Commissioners with the approval of the Secretary of State, without the written approval of the Commissioners, whose decision shall be final.

## ORDER OF THE SECRETARY OF STATE CIVIL SERVICE COMMISSIONERS (NORTHERN IRELAND) ORDER 1999

### EXERCISE OF THE COMMISSIONERS' FUNCTIONS

- 7 (1) The functions of the Commissioners may be exercised by any one or more than one of the Commissioners and references to the Commissioners shall be construed accordingly.
- (2) The Secretary of State may assign officers to act as secretary and deputy secretary to the Commissioners and shall afford to the Commissioners such assistance as they may reasonably require for the discharge of their functions.
- (3) The Commissioners may, in relation to such matters, and to such extent as they may specify, authorise their secretary, deputy secretary or any other person to act on their behalf.
- (4) A Commissioner may be paid such remuneration and allowances as the Secretary of State may determine.

Northern Ireland Office, 2 March 1999  
Marjorie Mowlam  
One of Her Majesty's Principal Secretaries of State

### EXPLANATORY NOTE

(This note is not part of the Order)

This Order lays down the functions of the Civil Service Commissioners for Northern Ireland ("the Commissioners"). Under section 36(1) of the Northern Ireland Constitution Act 1973, any appointment to the office of Civil Service Commissioner for Northern Ireland shall be by Her Majesty.

The principal provisions of this Order are:-

- Article 3 provides that, apart from permitted exceptions, all appointments to the Northern Ireland Civil Service ("the Civil Service") shall be made on merit on the basis of fair and open competition (the "merit principle").
- Article 4 provides for the Commissioners to maintain the merit principle, to prescribe exceptions to it, and to prescribe and publish a recruitment code on the interpretation of the merit principle. This Article also provides for the Commissioners to audit recruitment to the Civil Service, and to require the publication of information on Civil Service recruitment.
- Article 5 provides for Commissioners to consider and determine appeals to them by a civil servant under the Code of Ethics.
- Article 6 provides that no appointment shall be made to the Senior Civil Service, or such other situations in the Civil Service as the Commissioners may prescribe, without the approval of the Commissioners.
- Article 7 allows any function of the Commissioners to be exercised by one or more of the Commissioners and allows the Commissioners, in relation to such matters as they may specify, to authorise any person to act on their behalf. The Article also requires the Secretary of State to make provision to support the work of the Commissioners.



## CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND GENERAL REGULATIONS 1999

The Civil Service Commissioners for Northern Ireland ("the Commissioners") in exercise of their powers under the terms of Article 4(2) of the Civil Service Commissioners (Northern Ireland) Order 1999 ("the Order"), and with the approval of the Secretary of State, hereby make the following Regulations.

### PRELIMINARY

1. (1) These Regulations may be cited as the "Civil Service Commissioners for Northern Ireland General Regulations 1999" and shall come into operation forthwith.
- (2) These Regulations prescribe the exceptions to the principle of selection on merit on the basis of fair and open competition ("the Merit Principle").
- (3) In these Regulations, "secondment" means a voluntary and temporary transfer from a permanent employer for a fixed period which does not sever the employment relationship of the person seconded with the permanent employer.

### EXCEPTIONS TO THE MERIT PRINCIPLE

2. Subject to any conditions which the Commissioners may specify in a recruitment code, the Merit Principle shall not apply to an appointment to

a situation in the Civil Service:-

- (a) where the person is appointed on secondment;
- (b) where the person has previously held a situation in the Civil Service and is being considered for reinstatement or re-employment;
- (c) where the person holds a situation in another Civil Service of the Crown;
- (d) where the person is, or has recently been, employed on functions which have been or are being transferred to the Crown;
- (e) where the person has reached an appropriate standard in a fair and open competition for another situation in the Civil Service without securing appointment and there is a demonstrable shortage of suitable candidates for the relevant situation;
- (f) where the person has been selected for appointment under arrangements which include provision for encouragement and assistance to be given to any person who is defined as being a disabled person or as having a disability by or under any enactment relating to the employment of disabled persons;

## CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND GENERAL REGULATIONS 1999

- (g) where the appointment is justified for exceptional reasons relating to the needs of the Civil Service, and the person proposed for appointment is of proven distinction; or
- (h) where the person has been selected for an appointment under Government programmes to assist the unemployed and the total period of employment does not exceed 3 years.

### REVOCATION

3. All General Regulations previously made by the Commissioners are hereby revoked.

Dated this 29th day of June 1999.

JUDITH EVE (Chairperson)

IAN DOHERTY

MARY DONNELLY

MARGARET ELLIOTT

SIDNEY McDOWELL

JOHN STEELE

Civil Service Commissioners  
for Northern Ireland

The Secretary of State hereby approves the  
foregoing Regulations.

MARJORIE MOWLAM

One of Her Majesty's

Principal Secretaries of State

OFFICE OF THE CIVIL SERVICE  
COMMISSIONERS FOR NORTHERN  
IRELAND BUSINESS PLAN 2001/02

OCSC BRANCH PLAN -  
2001/02

Function of Branch

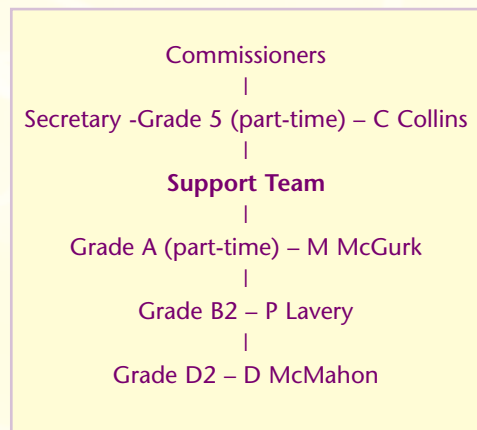
OCSC (Office of the Civil Service Commissioners) supports the Civil Service Commissioners for Northern Ireland, who are responsible for ensuring that appointments to the NICS are made on merit in fair and open competition.

Branch work programme

OCSC'S work programme for 2001/02 is set out overleaf.

Branch organisation and resources

The organisation and compliment of OCSC at the start of financial year 2001/02 is illustrated below.



The budget allocations for OCSC are agreed as follows:

ITEM	ALLOCATION
Commissioners' Fees	£25k
Audit Contract	£30k
Staff	£112k
Accommodation and overheads	£ 39k
Total	£206k

POLICY/STAKEHOLDERS

To provide support to the Civil Service Commissioners for Northern Ireland by:

- Review of Commissioners' Recruitment Code
- Production of Commissioners' Annual Report
- Commissioners' Audit Programme
- Providing support and advice to the Commissioners
- Approval of SCS appointments
- Implementation of the Commissioners' Equality Scheme
- Progression of decisions on Code of Ethics appeals

OFFICE OF THE CIVIL SERVICE  
COMMISSIONERS FOR NORTHERN  
IRELAND BUSINESS PLAN 2001/02

RESOURCES

To secure adequate resources for the efficient, effective and economic running of the Office of the Civil Service

Commissioners with the following resources

2001/02	2002/03	2003/04
£206k	£213k	£220k

PEOPLE

Develop OCSC staff in line with our business aims and objectives by:

- Producing Branch training plan
- Arranging Commissioners' development programme
- Applying the Equality scheme principles to our policies and practices
- Identifying ways of improving communication upwards
- Performing 95% of Performance Appraisal Interviews within 5 working days of the end of the period
- Carrying out Forward Job Plans within 15 working days of the new reporting year

INTERNAL PROCESSES

Improve the way in which we perform our functions by:

- Improving communications within the Branch
- Maintaining good communications with Recruitment Service
- Developing the Commissioners' Website
- Achieving 100% of bid made to Financial Services Division
- Supporting and developing staff in line with Branch Plan
- Providing timely strategic management information

OFFICE OF THE CIVIL SERVICE  
COMMISSIONERS FOR NORTHERN  
IRELAND BUSINESS PLAN 2001/02

OCSC WORK PROGRAMME FOR 2001/02

DELIVERABLES	ACTIVITY	DUE DATE	CURRENT STATUS AT 31 MARCH 2002
Revised Commissioners' Code	Identify amendments to Sections 1-4 of Code	Ongoing	Ongoing
	Identify amendments to Annexe C of Code (Ministerial Guidance)	31 Jan 2002	Completed
	Finalise and clear amendments with Commissioners and other relevant bodies	As required	Ongoing
	Issue amendments	As required	Ongoing
Commissioners' Annual Report	Agree report format and content	1 Apr 01	Completed
	Draft report	1 Jun 01	Completed
	Obtain stats and comments from Commissioners	31 Jul 01	Completed
	Finalise report	31 Aug 01	Completed
	Publish and distribute report	31 Oct 01	Completed
Support and advice to Commissioners	Provide all relevant support required for Commissioners' meetings	Produce papers 1 week in advance of meeting; respond to comments/requests within 1 day of receipt	Ongoing
Approval of Senior Civil Service Appointments	Consider and make a decision on all open competition appointments to the Senior Civil Service	To complete documentation within 2 working days of receipt for each stage of the competition	Ongoing
Implementation of the Equality Scheme	Review and revise final draft of Scheme	31 May 2001	Completed
	Produce Progress Report on Implementation of Scheme	31 Jul 2001	Completed
	Source and analyse relevant statistical information	31 Jan 2002	Completed
	Consider the most effective approach to undertake a EQIA on the Recruitment Code	31 Mar 2002	Completed
Appointment of New Commissioners	Seek tenders for contract; Evaluate tenders and select consultants	30 Apr 2001	Completed
	Liaise closely with consultants in relation to process and requirements of appointment	As required	Completed
	Appoint two New Commissioners	31 Dec 2001	Appointed 16 Apr 2002
Decisions on Code of Ethics Appeals	Consider all information relevant to the appeal	As required and within 1 month of all relevant information being received	Ongoing
Forward Job and Personal Development Plans	Create, agree and review Plans for all OCSC Staff	Ongoing	Completed

OCCUPATIONAL GROUPS FOR  
RECRUITMENT PURPOSES

For recruitment purposes there are 8 occupational groups.

Examples of grades within these groups are as follows:-

OCCUPATIONAL GROUP	EXAMPLE GRADES
General Service Grades	Management Trainee, Administrative Officer, Administrative Assistant
Secretarial Grades	Typist
Scientific Grades	Scientific Officer, Fisheries Officer, Fuel Technologist, Microbiologist
Technology Grades	Graduate Trainee Quantity Surveyor, Electrical Engineer, Architect, Trainee Civil Engineering Assistant, Tracer
Legal Grades	Legal Assistant, Law Clerk
Computer Grades	Programmer, Programmer Analyst, Systems Analyst
Other Professional & Departmental Grades	Graduate Trainee Valuer, Inspector of Schools, Nursing Officer, Statisticians, Vehicle Inspectors, Veterinary Officers
Centralised Services Grades	Cleaner, Messenger, Security Guard, Telephonist, Laboratory Attendant
Industrial Grades	Road Workers, Industrial Technicians, Porters, Farmworkers, Labourers, Fish Farm Assistants

CIVIL SERVICE COMMISSIONERS  
FOR NORTHERN IRELANDPROGRESS REPORT  
ON THE IMPLEMENTATION OF THE  
EQUALITY AND GOOD RELATIONS  
DUTIES UNDER S75  
NORTHERN IRELAND ACT 1998

1 APRIL 2001 – 31 MARCH 2002

## FOREWORD

The Civil Service Commissioners for Northern Ireland remain fully committed to ensuring that equality of opportunity and good relations is maintained throughout every aspect of their work.

We have produced an Equality Scheme which was approved by the Equality Commission in June 2001. An Equality Impact Assessment of the Recruitment Code will begin in the Autumn of 2002 and we look forward to the process of consulting in a meaningful and constructive way with all those affected by the Code.

## JUDITH EVE

Chairperson  
Civil Service Commissioners  
for Northern Ireland

SECTION 1: PREPARATION OF  
THE DRAFT EQUALITY  
SCHEME

Following a consultation programme, the initial draft of the Civil Service Commissioners' Equality Scheme was forwarded to the Equality Commission on 30 June 2000 for formal approval. On 12 April 2001 the Equality Commission forwarded

their desk audit of the Scheme to the Office of the Civil Service Commissioners.

The Equality Commission desk audit indicated that the Commissioners' draft Scheme needed to be revised in order to meet the required Section 75 statutory obligations. The Commissioners carefully considered these findings and agreed that changes should be made to the initial draft of the Scheme. Two of the main changes were:

- a decision to impact assess all their policies/functions within the next three years; and
- a decision to increase the number of individuals/groups to be consulted in all future consultation exercises.

The revised Scheme was forwarded to the Equality Commission for formal approval and this was obtained on 14 June 2001.

SECTION 2: STRATEGIC  
IMPLEMENTATION OF THE  
S75 EQUALITY DUTIES

The Commissioners are committed to ensuring that any new policies or proposed changes to existing policies are carefully

CIVIL SERVICE COMMISSIONERS  
FOR NORTHERN IRELAND

analysed against their statutory duties under Section 75. Progress against targets stated in their Equality Scheme remains a standing agenda item at each of their routine business meetings.

On an ongoing basis the secretariat liaise closely with all of the Northern Ireland Departments in relation to ensuring that all appointments to the NICS are in accordance with the merit principle, and made through fair and open competition. The Commissioners have attended two meetings with Permanent Secretaries where the Commissioners' policies and functions have been discussed and the merit principle has been emphasized. Maintaining fairness and openness in making all appointments to the NICS remains the key strategy.

The forthcoming consultation exercise on the Recruitment Code will involve conveying the Commissioners' role and remit to the umbrella groups representing the Section 75 categories. Many other individuals and organisations will also be consulted. The Commissioners view this exercise as being a major element of promoting good relations. They are hopeful that good working relations can be developed and that they will be able to perform their statutory functions through mutual understanding and agreement.

SECTION 3: SCREENING &  
EQUALITY IMPACT  
ASSESSMENT (EQIA)  
TIMETABLE

In screening their policies and functions The Civil Service Commissioners have decided that all their policies/functions will be subject to an Equality Impact assessment during the period from 1 July 2001 until 30 June 2004.

Annex A lists all the Commissioners' policies and functions. By 30 June 2003 it is the Commissioners' aim to undertake an Equality Impact Assessment on their Recruitment Code. The effect of this Impact Assessment will be to ensure that all the Commissioners' policies will be assessed, with the exception of their function of determining appeals made to them by civil servants under the NICS Code of Ethics. An Equality Impact Assessment will be undertaken on this function during the period 1 July 2003 to 30 June 2004.

## CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

### SECTION 4: COMMUNICATION & TRAINING PROVISION

The Commissioners and their secretariat have attended several seminars/workshops during the period 1 April 2001 to 31 March 2002.

These have included:-

- conferences on effective consultation with groups/individuals in the S75 categories; and
- events promoting the need for organisations to build good community relations and the benefits achieved by doing so.

The Commissioners recognise that the need for training will be an ongoing process in order for them to fulfil their S75 responsibilities. Job Plans and related Personal Development Plans have been completed for all staff. The Commissioners will ensure that they and their secretariat will receive relevant timely training in line with the following associated Section 75 duties.

1. To raise awareness of current anti-discrimination legislation in Northern Ireland, including the provision of Section 75, Schedule 9 and Section 24 of the Northern Ireland Act 1998. This will form part of the Induction training for new staff.

2. To provide those involved in the screening and impact assessment of policies with the necessary skills and knowledge to do the work effectively.
3. To provide those who deal with complaints in relation to the Commissioners' Equality Scheme, with the necessary skills and knowledge to investigate and monitor complaints effectively.
4. To provide those involved in the consultation process with the necessary skills and knowledge to do this work effectively.
5. To provide those involved in the implementation and monitoring of the Commissioners' Equality Scheme to do this work effectively.
6. To evaluate the extent to which all participants of the above mentioned training have acquired the necessary skills and knowledge.

### SECTION 5: INFORMATION PROVISION AND DATA COLLECTION & ANALYSIS

The Commissioners' secretariat are now familiar with the process and timescales of obtaining written documentation in Braille and audio format. Contacts have also been identified for the translation of documents into alternative languages.

The secretariat has also liaised over the past twelve months with the Equal Opportunities and Appointments Division within the

## CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

Department of Finance and Personnel (DFP). In order to meet their own equality obligations it is likely that DFP will be developing systems to provide statistical and qualitative data which will be of mutual interest to the Commissioners.

### SECTION 6: COMPLAINTS

No S75 complaints have been received during the year .

### SECTION 7: TIMETABLE

#### Objectives

Year 2 1 July 2001 to 30 June 2002

- Commence undertaking an Impact Assessment on the Commissioners' Recruitment Code.
- In consultation with the representative groups an assessment will be made by 30 June 2002 of the arrangements for providing information to these groups.
- By 30 June 2002 assess the extent of existing monitoring within each of the Commissioners' main functions and policy areas.
- Prepare Annual Review for Equality Commission

#### Update

A detailed consultative document has been drafted which will shortly be issued to the Commissioners' main stakeholders and umbrella groups representing the various

Section 75 categories. This will be a preliminary stage to the full impact assessment which will be undertaken on the Commissioners' Recruitment Code.

It is hoped that this preliminary consultation exercise will inform the Commission on how best to consult with those who are specifically interested in the Civil Service Commissioners' policies and procedures,

In liaison with the Department of Finance and Personnel the Office of the Civil Service Commissioners is currently examining effective approaches to monitoring in relation to the various Section 75 categories.

### SECTION 8: ADDITIONAL INFORMATION

The Civil Service Commissioners are committed to undertaking an effective and robust EQIA on their Recruitment Code. They intend to take a methodical and consultative approach to this exercise. They fully realise the limited resources and business pressures experienced by many of the bodies with whom they will need to consult. Therefore every effort will be made to complete the initial round of consultation on the Recruitment Code by 30 June 2003. The Commissioners are deeply committed to producing an effective outcome, which will necessitate careful and detailed consultation with related organisations, of the options available to achieve any necessary changes which have been identified.



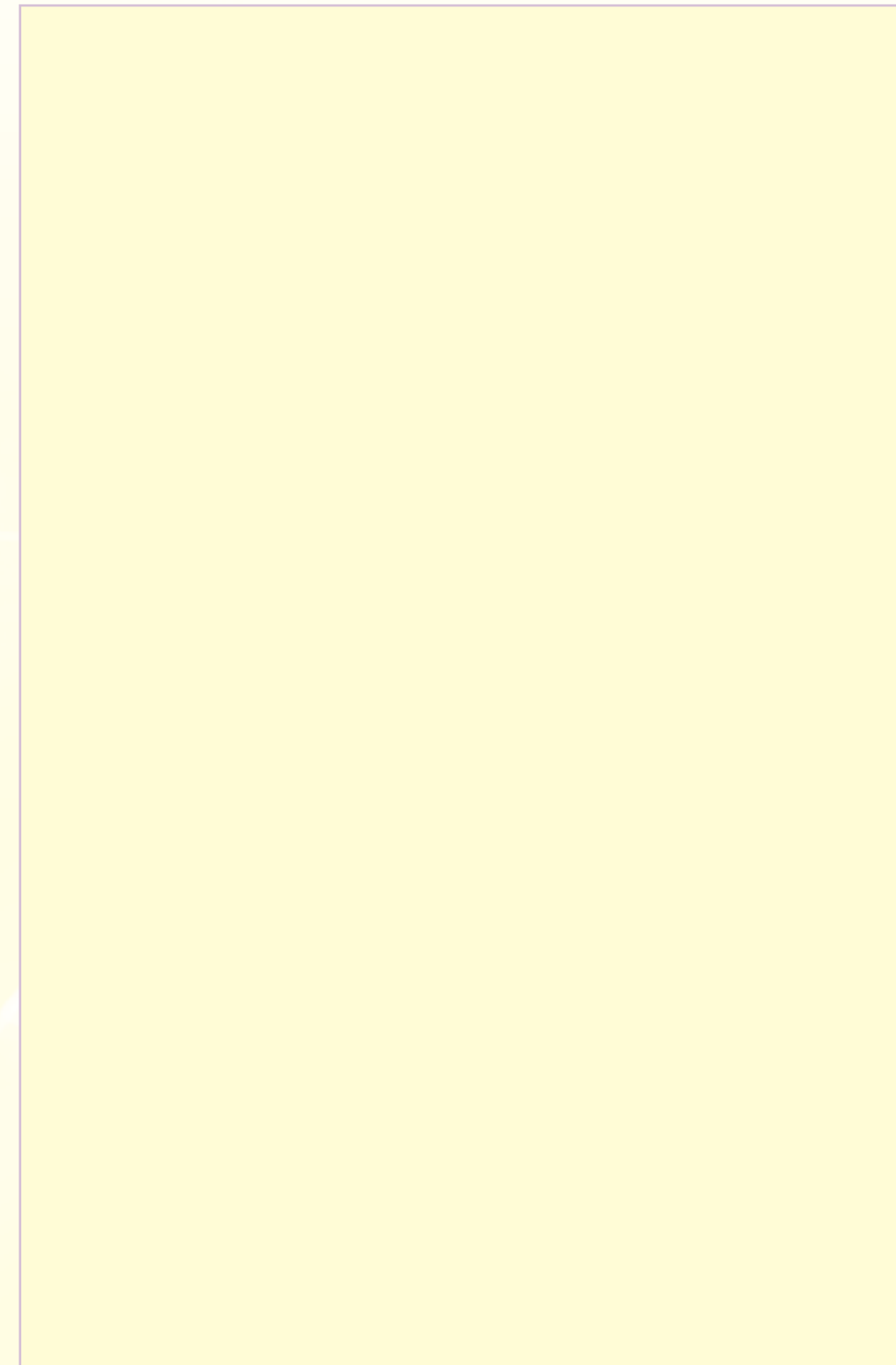
## COMMISSIONERS' POLICIES/FUNCTIONS

## NOTES

The 1999 Order provides for Commissioners to discharge their responsibilities by:

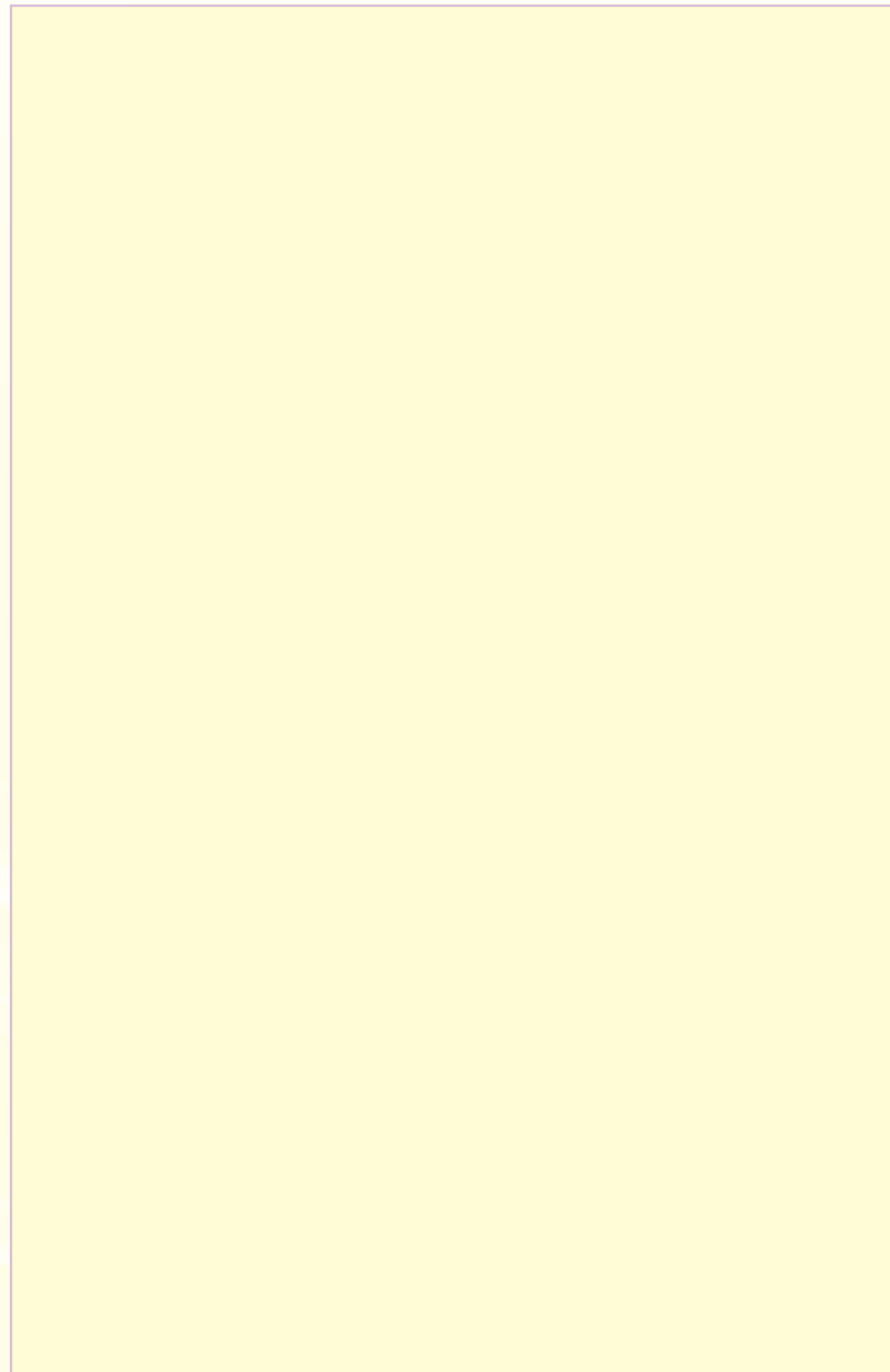
- making General Regulations which set out the circumstances in which the principle of selection on merit on the basis of fair and open competition shall not apply, (the exceptions to the merit principle)
- publishing and maintaining a Recruitment Code on the interpretation and application of the principle of selection on merit on the basis of fair and open competition;
- approving the appointments through open competition to senior positions in the NICS;
- auditing recruitment policies and procedures followed by departments and agencies in making appointments to the NICS to ensure that the Recruitment code is being observed; and
- requiring departments and agencies to publish information relating to recruitment and to the use of permitted exceptions to the principle of selection on merit on the basis of fair and open competition.

The Order also provides that the Commissioners may consider and determine appeals made to them by existing civil servants under the NICS Code of Ethics. The Commissioners are required to publish an annual report of the number of appeals made to them under the Code of Ethics together with summary information as to the nature of such appeals.





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