

**THE CIVIL SERVICE COMMISSIONERS
FOR NORTHERN IRELAND**

ANNUAL REPORT - 2000/01

Civil Service Commissioners for Northern Ireland

Annual Report 2000 - 2001

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 2000 to 31 March 2001.

[Group photo to be inserted with names and signatures underneath]

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1. FOREWORD

I am pleased to present our Annual Report for 2000 – 2001 which I hope will prove useful and informative to all those who take an interest in our activities. The Report provides us with an opportunity to review our activities over the past year and to outline new issues which we will be addressing in the coming year. For the first time we have included at Annex C our business plan for 2000-01.

During the period of this report we have completed the audits of recruitment policies and practices in the NICS. This three year rolling programme was a robust exercise which assured the Commissioners that Departments and Agencies were adhering in general to our Recruitment Code. Section 7 highlights the key issues which were identified during the audits, including some examples of best practice which we hope will be considered by all recruiting points throughout the Service. This section also outlines the new thematic approach which we intend to take in the year ahead.

The Commissioners are continuing to embrace our equality obligations under Section 75 of the Northern Ireland Act by consulting with all representative groups in respect of our priority work areas. Section 10 provides a brief overview of the work undertaken in the past year and emerging issues to be considered in the coming year. Although the number of senior appointments referred to us for approval was slightly less than last year, some interesting and complex issues have been resolved as a result of our close involvement in the process.

On behalf of my colleagues I should like to thank Mary Donnelly who provided a valuable contribution to the work of the Commissioners during her brief period in office. Mary, no longer based in Northern Ireland, resigned as a Commissioner in the latter part of the reporting period and we wish her every success in her new post. We look forward to working with new Commissioners when the appointment process has been completed.

Turning to the year ahead, we are keen to develop relationships with our GB and Irish counterparts with the purpose of sharing ideas and good

practice with those involved in similar work. We will continue to update our Website and are pleased with the number of people accessing information on our work. We watch with interest the expanding use of information technology in recruitment and selection and will review our own guidance and procedures in the light of this changing environment.

JUDITH EVE

2. 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 – makes 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 - 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 may also consider and determine appeals made to them under the NICS Code of Ethics. The Order requires them 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; - see Section 9.

3. 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 appointed as International Liaison Officer, Queen's University, Belfast in 1989 with responsibility for the promotion of co-operation with partner institutions abroad. She also serves as part-time Chairman of Appeals Tribunals, and is a non-executive Director of North and West Belfast Health and Social Services Trust, and 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 and as a Trustee of Lloyds/TSB Foundation.

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).

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.

4. 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. The Code was revised in December 1999 and Commissioners were pleased with the high response rate and valuable comments which resulted from a comprehensive consultation process with all relevant bodies. Changes made have been mainly to Section 2 “Applying the Merit Principle”. The Code (Annex C) provides guidance on consulting with Ministers in cases where they have a particular interest in open competitions for posts in the Senior Civil Service.

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 our 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 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.

Commissioners are confident that the revised Code has clarified for departments and agencies their requirements to ensure best practice in the recruitment and selection process. 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. In the audits of recruitment policies and practices which have been undertaken since the

revised Code was issued, the auditors indicated that the Code had been widely circulated among recruitment points and our office has received several requests for additional copies.

Recent issues in respect of the Code

During the reporting year there have been two significant queries in relation to Fixed Term appointments which have resulted in further clarification being provided to recruitment points :

- (1) Renewal of Fixed Term Appointments beyond the tenure of what was originally advertised.
- (2) The conversion of a Fixed Term appointment to permanency.

Commissioners were asked to decide at what stage in a fixed term contract it might be possible for the appointment to be converted to a permanent one. The legal advice on this issue confirmed that, in cases where the option for permanency has been advertised, the Department or Agency can utilise the option whenever it deems it appropriate to do so. In these circumstances the Commissioners have no remit to direct otherwise. However, where the option to convert a fixed term appointment to permanency was not stated in the original advertisement, the matter must be referred in all cases to the Commissioners for consideration.

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 had 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 hope to 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.

5. 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 seven requests for consideration. Three of these requests were from separate Departments seeking to re-employ retired civil servants . In each case the Commissioners carefully considered the information presented to them and approved the appointments which were justified for exceptional reasons relating to the business needs of the Northern Ireland Civil Service. The four further exceptions related to individuals being appointed to Senior posts on secondment. Three of these cases were requests seeking to extend secondments. Following further consultation with the departments concerned, the Commissioners agreed to extend the secondments for a limited period only. The fourth case, which the Commissioners also approved allowed the department to second an individual for a period of two years because the Department had experienced a difficulty filling the vacant position through open competition.

Overview of exceptions in the last year

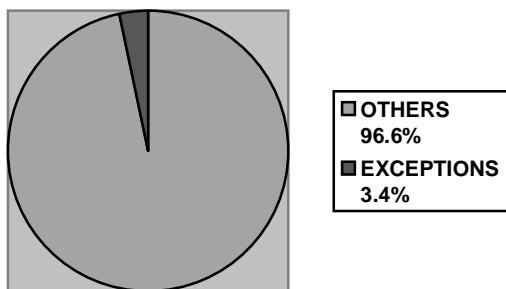
Departments and agencies have reported that between 1 April 2000 to 31 March 2001 there were 140 appointments made as exceptions to merit. Comparing this with the 7,052 appointments made following fair and open competition, we are re-assured that the number of appointments under this provision are being 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.

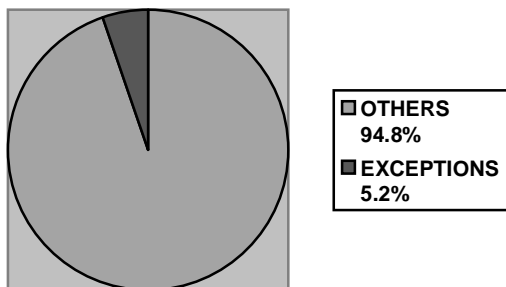
Figure 2 shows an analysis of these appointments by category. The majority fell under category (b) - the re-appointment of former civil servants, all of whom were originally selected on merit through fair and open competition.

Figure 1 – EXCEPTIONS TO MERIT

1ST April 1998 – 31 March 1999



1ST April 1999 – 31 March 2000



1 April 2000 – 31 March 2001

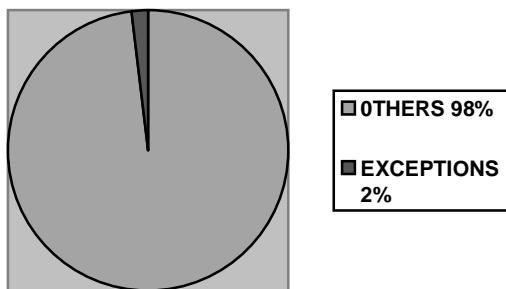


Figure 2

Exceptions to merit by category

Exception Category	Number 1 April 1998 - 31 March 1999	Number 1 April 1999 - 31 March 2000	Number 1 April 2000 – 31 March 2001
a. secondment	10	6	11
b. re-employment	54	61	63
c. public service	17	18	20
d. transfer of functions	0	5	3
e. shortage of suitable candidates	0	0	0
f. assistance to disabled	21	20	29
g. needs of the Service	0	2	2
h. long-term unemployed programmes	18	54	12
TOTAL	120	166	140

6. APPROVAL OF APPOINTMENTS TO THE SENIOR CIVIL SERVICE

Presently the Permanent Secretary Group determines the method of filling any vacancy in the Senior Civil Service (SCS) i.e. by internal promotion, open competition or by appointment under the exception to merit provision. Appointees, by whatever route, must meet a set of core competencies. The Commissioners look forward to consideration of the findings of the review of the Senior Civil Service and 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 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 Recruitment Code and to observe 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 individuals who are appointed to certain posts in the Senior Civil Service. Guidance is provided in the Recruitment Code designed to accommodate

Ministerial involvement in the recruitment process for such posts. During the reporting year there have been some appointments in which Ministers have shown an interest. We would expect more appointments of this nature in the future and we will be interested to see how our guidelines operate in practice.

Quality Assurance

Commissioners conduct an annual audit of the approval process to ensure that officers in our secretariat are exercising properly this delegated authority. During the period of this report, thirteen 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 thirteen 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 2000 - 31 March 2001****Gender:**

Department	Job Title	Applicants			Appointments	
		Male	Female	Total	Male	Female
Agriculture & Rural Development □	Chief Executive Rivers Agency	4	1	5	1	0
	Deputy Chief Veterinary Officer (Policy)	6	0	6	1	0
Director of Public Prosecutions	Senior Assistant Director	2	0	2	1	0
Enterprise, Trade & Investment	International Marketing Executive Director	15	3	18	1	0
	Permanent Secretary	10	1	11	1	0
Education	Chief Inspector Education & Training Inspectorate	3	4	7	0	1
Health Social Services & Public Safety □	Chief Dental Officer	10	3	13	0	1
	Director of HPSS Human Resources	9	3	12	1	0
	Chief Inspector Social Services Directorate	6	0	6	1	0
Office of the First & Deputy First Minister	Equality Director, Human Rights and Community Relations	12	12	24	0	1
Regional Development	Deputy Secretary – Water, Roads, Personnel & Management Services	13	3	16	0	1
Social Development	Director of Voluntary Activity Unit	19	13	32	1	0
	Londonderry Development Officer	15	4	19	1	0
Total		124	47	171	9	4

Community Background:

Applicants				Appointments			
Protestant	Roman Catholic	Not Determined	Total	Protestant	Roman Catholic	Not Determined	Total
77	79	15	171	8	4	1	13

Figure 3(a)

Approved Appointments to Senior Civil Service

1 April 1998 - 31 March 2001

Period	Total	Gender		Community Background		
		Male	Female	Protestant	Roman Catholic	Not Determined
1 April 1998 - 31 March 1999□	13	12	1	8	4	1
1 April 1999 - 31 March 2000□	17	14	3	9	6	2
1 April 2000 - 31 March 2001	13	9	4	8	4	1

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

7. **AUDIT OF RECRUITMENT POLICIES AND PRACTICES IN THE NORTHERN IRELAND CIVIL SERVICE**

Article 4(4) of the Civil Service Commissioners (Northern Ireland) Order 1999 requires Commissioners to audit recruitment policies and practices within the NICS to establish whether the Recruitment Code is being observed.

During the reporting year PricewaterhouseCoopers conducted four audits on behalf of the Commissioners. Once again the auditors' findings have shown that departments and agencies are generally aware of their responsibilities under the Commissioners' Recruitment Code. In exercising their recruitment activities departments and agencies are conscientious in applying the principle of selection on merit on the basis of fair and open competition. General awareness of our Recruitment Code appears to have been enhanced by the issue of the revised Recruitment Code in December 1999.

The Auditor's Approach

The emphasis of the audits has been on providing help to Recruitment Service, departments and agencies to meet the requirements of the Recruitment Code, rather than on 'fault-finding'. The final reports have included not only breaches of the Code but also recommendations for improvements which audited departments and agencies have welcomed.

The audits took a three strand approach :-

- assessment of policies, procedures and stated practices against the requirements of the Recruitment Code;
- assessment of controls and their adequacy; and
- a compliance check against the stated process, based on examination of a sample of competitions.

Documentation was examined and interviews conducted, as necessary, with personnel involved in the recruitment process.

Common issues to be addressed

The four audits which were undertaken during this reporting period have resulted in the following main issues being brought to the attention of Personnel Directors:

- **AWARENESS OF RECRUITMENT CODE**

Commissioners are pleased that findings indicate an increased awareness of their Recruitment code at recruitment points.

- **SELECTION AND TRAINING OF PANEL MEMBERS**

Much attention continues to be given to the proper selection and training of panel members.

- **ADVERTISEMENTS**

Further consideration should be given to how vacancies that are suitable for students are filled to ensure that the vacancies are advertised through an open and fair procedure.

- **INTERVIEW ASSESSMENTS**

Findings continue to reflect:

- marked variations in the length of some interviews without any reason being recorded; and
- panel members failing to make an independent assessment before determining the agreed panel marking.

Commissioners are also concerned that findings indicated some instances where:

- there was no evidence of interview assessment forms being completed;

- orders of merit lists were not on file;
- order of merit lists stated applicants were successful and unsuccessful but no overall scores were recorded.

- **MAINTENANCE OF RECORDS**

Some recruitment points have proven to be exemplary in the maintenance of documents whilst others are giving little attention to this important aspect of recruitment procedures. For some recruitment points findings indicated: -

- application forms not being date stamped;
- certain documents missing from files or insufficiently completed; and
- haphazard collation of documentation.

When audit reports have been considered by the Commissioners, departments and agencies are asked to produce a report on action taken to remedy identified breaches of the Code.

Future Audit Programme

This series of four audits completes the cycle of audits for each department and agency using the methodology mentioned above. The Commissioners believe that this methodology has produced a robust and extensive exercise which has demonstrated that there is strong adherence to the Recruitment Code and to good practice across the Northern Ireland Civil Service. On this basis we have adopted a new approach to our audit programme. As the principles of the Recruitment Code appear to be understood and in the main followed we believe it is now possible to make use of a methodology which is targeted at specific issues.

Future audits will concentrate on various themes focussed around departments' and agencies' recruitment activities. The themes will be selected in consultation with the departments. The Commissioners look forward to the findings and recommendations which will result from this new approach to the audit process . These will be included in next year's Annual Report.

8. REQUIREMENT FOR PUBLICATION OF RECRUITMENT INFORMATION

Under the Civil Service Commissioners (Northern Ireland) 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

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 while other departments and agencies have accepted the offer of the Northern Ireland Civil Service 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 2000 – 31 MARCH 2001

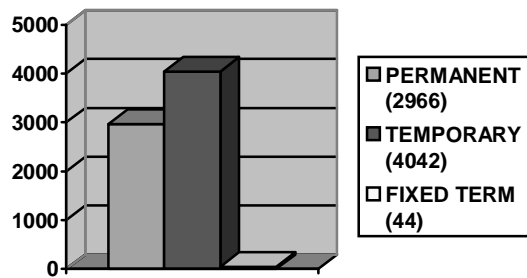


Figure4(a)

**Recruitment by job category
1 April 2000 - 31 March 2001**

Job Category*	Number of Applications	Number of Appointments
General Service Grades	19,903	6,103
Secretarial Grades	201	13
Scientific Grades	225	79
Technology Grades	989	128
Legal Grades	21	3
Computer Grades	192	39
Other Prof & Tech Grades	5,220	511
Centralised Services Grades	486	76
Industrial Grades	2,456	100
Total	29,693	7,052
*See Appendix D for examples of jobs in each job category		

Figure 4(b)

Appointments by job category

1 April 1998 - 31 March 2001

Job Category*	Number of Appointments 1 April 1998 - 31 March 1999	Number of Appointments 1 April 1999 - 31 March 2000	Number of Appointments 1 April 2000 – 31 March 2001
General Service Grades	2,634	2,346	6,103
Secretarial Grades	28	18	13
Scientific Grades	66	47	79
Technology Grades	33	72	128
Legal Grades	8	5	3
Computer Grades	23	39	39
Other Prof & Tech Grades	396	367	511
Centralised Services Grades	90	63	76
Industrial Grades	169	227	100
Total	3,447	3,184	7,052
*See Appendix D for examples of jobs in each job category			

9. APPEALS UNDER THE NORTHERN IRELAND CIVIL SERVICE CODE OF ETHICS

We cover 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. We are not civil servants and therefore do not have a vested interest in the issues within the compass of these appeals.

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

Further action on ongoing appeals

When we reported last year one appeal was currently ongoing for Commissioners' consideration. The case involved an appellant who alleged that he had been required to act in a way which had been in breach of the Code in relation to alleged fraudulent activity in the procurement and management of services. When we last reported Commissioners had requested that a fresh independent investigation be carried out. The new investigation has been completed and disciplinary action taken against three officers in that Department.

The investigation identified several areas of concern for the Department and as a result action has been taken to improve documentation, training and management controls. The appellant's allegation was upheld by the Commissioners and we were impressed by the tenacity and determination of the individual to see the appeal through to its conclusion.

This appeal was complex in nature and took some considerable time to bring to a conclusion. We would wish to ensure that any future appeals are processed more quickly.

Current Appeals – 2000/2001

We have noted that that no appeals were made to the Commissioners during the period to which this report relates. We are concerned that civil servants are not fully aware of the appeals mechanism and we 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, he or she may report the matter in writing to the Civil Service Commissioners.

10. EMERGING ISSUES

Over the next year we have several interesting challenges many of which we have incorporated into our Business Plan (attached at Annex C). The Commissioners are working within an ever changing environment in which we , along with other public bodies, have to consider our equality and good relations obligations under Section 75 of the Northern Ireland Act. We have consulted with the relevant representative groups and were disappointed with the level of response. In our revised Equality Scheme, which has been approved by the Equality Commission, we have provided at Annex E our progress report to the Equality Commission for the period January 2000 – March 2001.

Building Relationships

We are keen to establish good working relationships with the GB and Irish Commissioners so that we can share experiences and consider new approaches to common issues. It is our intention to set up meetings with both Commissions over the next few months.

Keeping up to date

The Commissioners will continue to meet regularly with Ministers, members of the Senior Civil Service and recruitment practitioners to keep abreast of developments in recruitment and selection generally and to acquaint ourselves with the changing business pressures which the NICS is facing. The outcomes from these meetings, along with the findings from the new approach to the audits, will inform our decisions around issues relating to the Recruitment Code and exceptions to the merit principle.

It is our intention to host information seminars on relevant topics which may be of interest to those people involved in recruitment and selection to posts in the NICS. The first of these events was a presentation on the impact of the Human Rights Act on the recruitment process which was held in the late summer.

11. OFFICE OF THE CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

Support for Commissioners in carrying out their responsibilities is provided by staff in the Office of the Civil Service Commissioners for Northern Ireland (OCSC(NI)) based in **5th Floor, Windsor House, Bedford Street, Belfast.**

12. ACKNOWLEDGEMENTS

We are grateful to the staff of the Office of the Civil Service Commissioners for their support in all areas of our work and we particularly welcome Deirdre McMahon, the new member of the team. Since the responsibilities of the Commissioners are exercised on a part-time basis, the commitment of staff to the day to day running of the Commissioners' business and their willingness to accept new work as it arises are much appreciated.

We wish also to thank those people both from the Northern Ireland Civil Service, the Northern Ireland Office and elsewhere who are consulted when specialist knowledge or experience is required.

Our thanks also to the Office of the Civil Service Commissioners in Great Britain, for advice given.

To all these people, whose assistance is vital to our task, we are very grateful.

APPENDIX A

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.

- (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 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 -
 - (a) regulate their own procedure;
 - (b) 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
 - (c) make recommendations.

- (3) The Commissioners -
- (a) 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
 - (b) 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.

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:-

1. **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").
2. **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.
3. **Article 5** provides for Commissioners to consider and determine appeals to them by a civil servant under the Code of Ethics.
4. **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.
5. **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;

- (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
2000/01

POLICY/STAKEHOLDERS	RESOURCES						
<p>To provide support to the Civil Service Commissioners for Northern Ireland by:</p> <ul style="list-style-type: none"> • 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 	<p>To secure adequate resources for the efficient, effective and economic running of the Office of the Civil Service Commissioners with the following resources</p> <table border="1" data-bbox="1433 367 1881 478"> <thead> <tr> <th data-bbox="1433 367 1568 399">2001/02</th> <th data-bbox="1568 367 1702 399">2002/03</th> <th data-bbox="1702 367 1881 399">2003/04</th> </tr> </thead> <tbody> <tr> <td data-bbox="1433 430 1568 462">£206k</td> <td data-bbox="1568 430 1702 462">£213k</td> <td data-bbox="1702 430 1881 462">£220k</td> </tr> </tbody> </table>	2001/02	2002/03	2003/04	£206k	£213k	£220k
2001/02	2002/03	2003/04					
£206k	£213k	£220k					
PEOPLE	INTERNAL PROCESSES						
<p>Develop OCSC staff in line with our business aims and objectives by:</p> <ul style="list-style-type: none"> • 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 	<p>Improve the way in which we perform our functions by:</p> <ul style="list-style-type: none"> • 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 • Providing a seamless service during transfer to new Department 						

OCSC BRANCH PLAN - 2000/01

Function of Branch

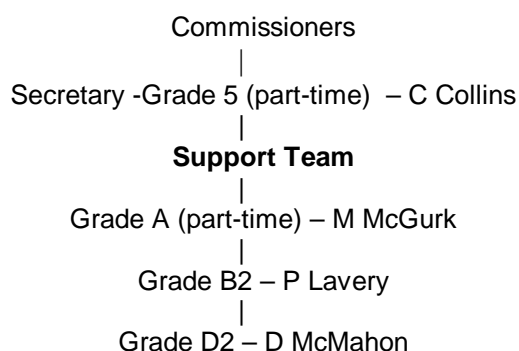
OCSC supports the Civil Service Commissioners for Northern Ireland, who are responsible for ensuring that appointments to the NICS are made on merit in fair and open competition.

Branch work programme

OCSC'S work programme for 2000/01 is set out overleaf.

Branch organisation and resources

The organisation and compliment of OCSC at the start of financial year 2000/01 is illustrated below.



The budget allocations for OCSC are agreed as follows:

Item	Allocation	Remark
Commissioners' Fees	£25k	
Audit Contract	£30k	
Staff	£109k	
Accommodation and overheads	£ 35k	
Total	£199k	

OCSC Work Programme for 2000/01

Deliverables	Activity	Due Date	Current Status At 31 March 2000
Revised Commissioners' Code	Identify amendments to Code	Ongoing	Ongoing
	Consult with relevant bodies	Allow 8 weeks consultation period	Ongoing
	Finalise and clear amendments with Commissioners	As required	Ongoing
	Issue amendments	As required	Ongoing
Commissioners' Annual Report	Agree report format and content	1 Apr 00	Completed
	Draft report	1 Jun 00	Completed
	Obtain stats and comments from Commissioners	31 Jul 00	Completed
	Finalise report	31 Aug 00	Completed
	Publish and distribute report	31 Oct 00	Completed
Commissioners' Audit Programme	Child Support Agency - initiate audit Obtain report	1 Apr 00 15 May 00	Completed
	Department of Education - initiate audit Obtain report	14 Jun 00 31 Jul 00	Completed
	Department of Finance and Personnel- initiate audit Obtain report	1 Sept 00 15 Oct 00	Completed
	Northern Ireland Office - initiate audit Obtain audit report	1 Nov 00 15 Dec 00	Completed
	Seek tenders for new contract	1 Oct 00	Completed
	Evaluate tenders	30 Nov 00	Completed

Deliverables	Activity	Due Date	Current Status
Commissioners Development Programme	and select consultants		
	Agree development programme	23 Jun 00	Completed
	Arrange NIO seminars	30 Sept 00	Completed
	Arrange other relevant information seminars/ meetings	31 Mar 01	Completed
	Arrange appropriate refresher training	31 Mar 01	Completed

Support and advice to Commissioners	Provide all relevant support required for Commissioners' meetings	Produce papers 1 week in advance of meeting	Ongoing
		Respond to comments/ requests within 1 day of receipt	Ongoing
Approval for Senior Civil Service appointments	Review and approve 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	Draft Equality Scheme	By 1 Apr 00	Completed
	Agree with Commissioners and prepare final scheme for Equality Commission	By 23 Jun 00	On target
	Submit final scheme to Equality Commission	By 30 Jun 00	On target

Review of process for appointment of Commissioners	Identify process	By 31 Nov 00	
	Consult with Commissioners	By 31 Dec 00	
	Draft revised process for agreement with Commissioners	By 31 Jan 01	
	Finalise revised process	By 31 Mar 01	
	Prepare for change in Chairmanship	By 31 Mar 01	
Maintenance of Website	Update and promote website	By 30 Sept 00	Completed
Decisions on Code of Ethics Appeals	Assist Commissioners in deciding appeals	Ongoing	Ongoing
Relocation of Office of the Civil Service Commissioners	Move premises	By 7 Jul 00	Completed
Forward Job Plans and Personal Development Plans	Create and agree Forward Job Plans and Personal Development Plans for all OCSC staff	Ongoing	On target

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 IRELAND**

**PROGRESS REPORT ON THE IMPLEMENTATION OF THE EQUALITY AND
GOOD RELATIONS DUTIES UNDER S75 NORTHERN IRELAND ACT 1998**

1 JANUARY 2000 – 31 MARCH 2001

Foreword

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

In accordance with the commitment made by the Civil Service Commissioners for Northern Ireland in our Equality Scheme, this review details progress towards the effective implementation of the Section 75 duties for the period 1 January 2000 to 31 March 2001.

We will soon begin an Equality Impact Assessment of our Recruitment Code and we look forward to the process of consulting in a meaningful and constructive way with all those affected by the Code.

Judith Eve

JUDITH EVE

Chairperson
Civil Service Commissioners
for Northern Ireland

Section 1: Preparation of the draft Equality Scheme

The initial draft of the Civil Service Commissioners' Equality Scheme was completed by 21 April 2000. The availability of the draft Scheme was advertised in the three main local newspapers. A copy of the Scheme was also issued for comment to relevant representative groups and individuals. The draft Scheme was made available in Braille format. At the end of the eight week consultation period the various comments received were analysed and the draft Scheme was amended as deemed appropriate by the Commissioners. The Scheme was forwarded to the Equality Commission on 30 June 2000 for formal approval.

The feedback from the Equality Commission and the findings of their desk audit indicated that the Commissioners' 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:

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

The Commissioners also produced a document, which provided information in a simplified manner, on their roles, responsibilities, functions and policies. This was widely distributed to include all interested parties and representatives from the Section 75 categories. A questionnaire was enclosed with the document seeking an indication of the level of interest in the Commissioners' s policies and functions.

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

Equality and business planning

Equality targets have now been included in the Commissioners business plan in line with the timetable stipulated in the Equality Scheme. These targets have led to the formation of related objectives for staff within the Commissioners' secretariat and objectives have been included within the individuals' Forward Job Plans.

Section 2: Screening Report

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

Annex A (attached) lists all the Commissioners' policies and functions. Over the next two years (1 July 2001 to 30 June 2003) an Equality Impact Assessment will be undertaken on the Commissioners' Recruitment Code. In doing this Impact Assessment, 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.

The Commissioners are committed to ensuring that any new policies or proposed changes to existing policies are subjected to the required process for Equality Impact Assessment.

Section 3: Training Programme

The Commissioners and their secretariat have attended several seminars/workshops during the period 1 January 2000 to 30 March 2001. These have included:-

- overviews of Section 75 of the Northern Ireland Act and the resulting statutory obligations for organisations;
- conferences on effective consultation with groups/individuals in the Section 75 categories; and
- events promoting the need for organisations to build good community relations and the benefits achieved by doing so.

The Commissioners recognise that to fulfil their Section 75 responsibilities the need for training will be an ongoing process. A detailed training plan for the Commissioners and their secretariat will be developed which will have the following objectives:-

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 4: Information Provision and Data Collection

The existing systems within the office have been reviewed in order to ascertain the availability of statistical and qualitative data. The findings indicate that information is currently minimal and focuses on gender and community background only.

The Commissioners' secretariat is 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. Through attending conferences on effective consultations, the Commissioners and their secretariat fully recognise that meetings/workshops will be required with the representatives from the Section 75 categories at mutually suitable times and venues.

Staff within the secretariat have been trained in designing and developing databases where information can be stored and readily retrieved in various formats. The names, addresses and telephone numbers of all consultees are now stored on a database which will help to ensure that relevant representatives will not be overlooked in any future consultation exercise.

The Commissioners will liaise over the next twelve months with the Northern Ireland Statistical Research Agency and the Equal Opportunities and Appointments Division within the Department of Finance and Personnel. It is expected that these organisations will be developing systems to provide statistical and qualitative data which will be of interest also to the Commissioners.

Section 5: Additional Information

The Civil Service Commissioners' Equality Scheme has recently (14 June 2001) been approved by the Equality Commission. The Commissioners' secretariat are now in the process of advertising the approval of the Scheme and distributing it to the agreed list of consultees. Arrangements are currently being made to include the approved Scheme and the annual review update on the Commissioners' website. Work will now begin on the full implementation of the Scheme and a progress report will be made available in twelve months time.

APPENDIX A

COMMISSIONERS' POLICIES/FUNCTIONS

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.

