

CSC NI

CIVIL SERVICE COMMISSIONERS
FOR NORTHERN IRELAND

CSC NI

17-18

ANNUAL REPORT

Ensuring appointment on merit and supporting ethical standards

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We, Your Majesty's Civil Service Commissioners
for Northern Ireland, present to Your Majesty
this report on our work during the period
1 April 2017 to 31 March 2018



Brian Rowntree CBE
Chairperson

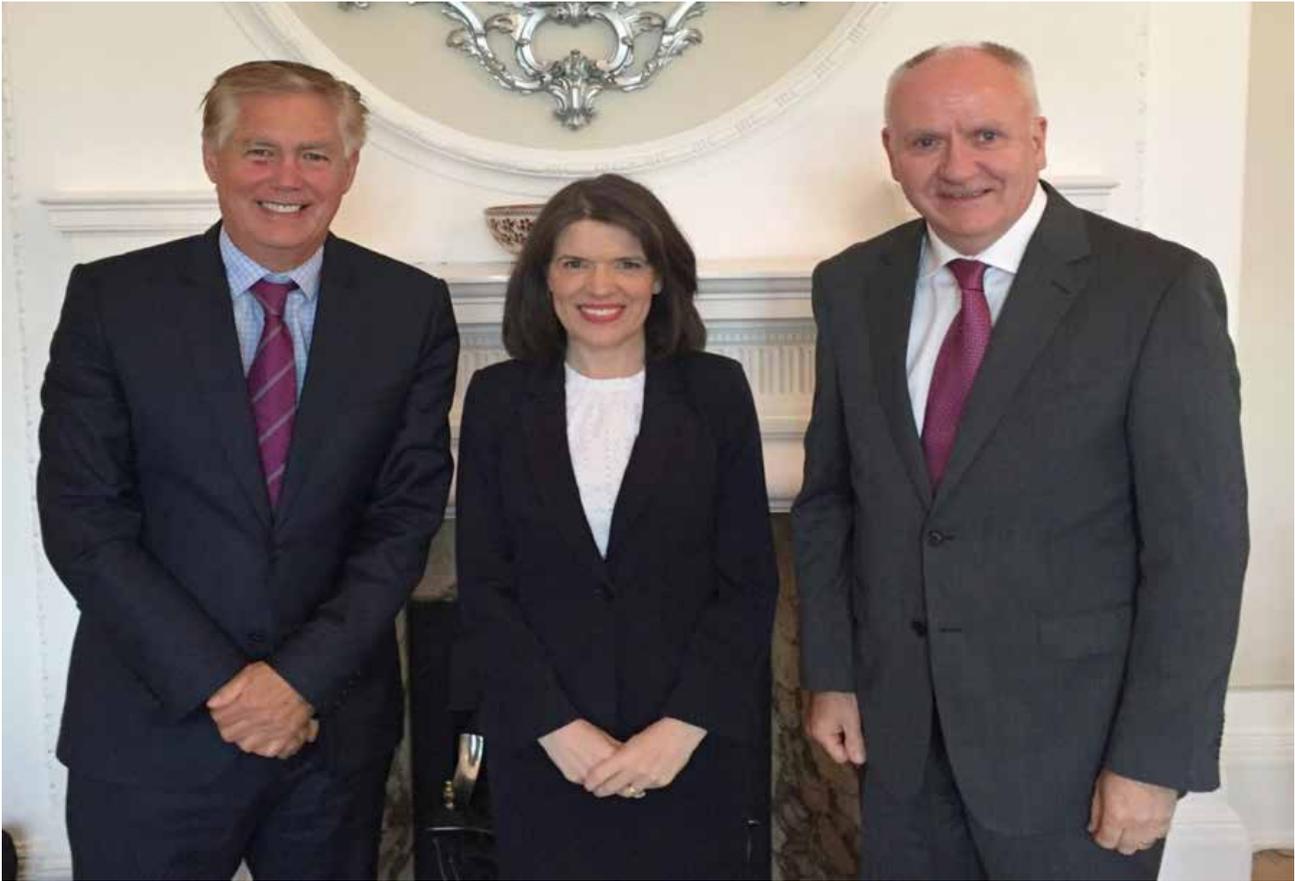


Sinéad Burns



Jim Scholes

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Jim Scholes, Commissioner Sinéad Burns, Commissioner Brian Rowntree, CBE, Chairperson

CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

As guardians of merit, we uphold the principle that selection for appointment to the Northern Ireland Civil Service (NICS) should be on merit, on the basis of fair and open competition. Our Recruitment Code interprets the Merit Principle and applies it to the NICS recruitment process. Our auditing of this process encourages confidence in recruitment procedures and helps ensure the most suitable candidate is appointed. We also have an independent role in hearing appeals from civil servants under the Code of Ethics to support the Civil Service core values of integrity, honesty, objectivity and impartiality.

CHAIRPERSON'S FOREWORD



On behalf of the Northern Ireland Civil Service Commissioners, I am honoured to present the 2017/18 Annual Report. This is my seventh and final Foreword as Chairperson. Having had the opportunity to reflect upon the many and varied activities entrusted to Commissioners and the manner in which we have sought to deliver our statutory role during my tenure, I am delighted with what we have achieved and actioned during that period.

The Civil Service Commissioners (Northern Ireland) Order 1999 established the Commissioners as independent guardians of appointment on merit to the Northern Ireland Civil Service (NICS) on the basis of fair and open competition and enabled us to hear appeals under the NICS Code of Ethics. We are an important part of the regulatory and transitional justice arrangements with a fundamental role in promoting public confidence in recruitment to the NICS and helping to create a better future for the citizens of Northern Ireland.

I am firmly of the view that in seeking to achieve our vision of **“A Civil Service for Northern Ireland which recruits and promotes the best and most diverse talent available in accordance with merit and free from personal and political patronage or partiality”**, Commissioners make a vital contribution to securing that objective of achieving a better future for all our citizens.

As guardians of merit, Commissioners have an important role to play in encouraging and supporting the NICS to develop and improve recruitment and selection processes to ensure, as far as possible, that they attract the widest pool of candidates of the calibre necessary to meet the business needs of the Civil Service. In this context, Commissioners have noted the increasing number of external recruitment competitions run during the year. They welcome the decisions by the NICS to advertise many of these vacancies to the widest possible pool of candidates, thereby enabling the selection of the best person for the post. Commissioners also welcome the enhancements that the NICS has introduced to ensure the robustness of assessment processes, particularly in relation to Senior Civil Service competitions.

Commissioners welcome the appointments arising from the Generic Permanent Secretary Competition held during the year. They note that the outcome of this particular competition will contribute towards the establishment of a cadre of female Permanent Secretaries. Commissioners are pleased to also note the emphasis being placed by the NICS on promoting and supporting diversity and inclusion in the NICS. We await with interest to see the impact that this will have in terms of the future make up and diversity of staff working in the NICS.

During the year, I was impressed with the commitment and efforts made by staff within the Prison Service and NICS HR, to meet the challenges faced by that particular organisation in attracting and retaining staff. They have adapted their approach to the recruitment process and are breaking new ground in their outreach work to promote the Prison Service as a career choice. Further information on this work is included under the Commissioners' Monitoring NICS Recruitment Section of the Annual Report.

Having reflected upon the past six years, I am pleased to observe that Commissioners have strengthened their regulatory role and introduced a more strategic approach in their engagement with the NICS. I also note that they have sought to work pragmatically to promote public confidence in recruitment to the NICS whilst at the same time supporting ethical standards and enhancing business continuity within the NICS.

Commissioners are pleased to note the improvements made in the past year to the quality of NICS documentation submitted in support of their applications to seek Commissioners' approval of appointments made by way of exceptions. We are also pleased that NICS has expressed a commitment to strengthening the detail of its policy on secondments, particularly in relation to obtaining staff from Arm's Length Bodies, including the Strategic Investment Board. Furthermore, Commissioners welcome the intention of NICS HR to undertake a skills audit of its workforce. I would particularly encourage the NICS to maximise their use of Commissioners' exception provisions and to consider how best to address recruitment issues both in the short and longer term in support of its commitment to be an innovative employer.

As a sponsored body of the Northern Ireland Office, Commissioners have continued to be effectively supported, albeit within a reducing budget profile. Commissioners and the Secretariat have streamlined and improved processes to maximise efficiencies going forward and continue to deliver their business objectives and meet their statutory obligations.

I wish to thank my fellow Commissioners and the Secretariat for their professionalism, commitment and support. It has been a privilege and honour to chair the organisation. I would particularly wish to acknowledge and thank Joanne Dowling, Secretary, for her considerable contribution and support to Commissioners and to wish her well for the future.

I would also like to acknowledge the sustained positive and constructive relationship that the NIO has developed with Commissioners and the Secretary.

Looking forward

Our key focus over the next year will be to ensure continuity through the exercise of our statutory functions, to maintain the principle of selection on merit on the basis of fair and open competition and to hear appeals under the NICS Code of Ethics.

I wish to take this opportunity to welcome the new Chairperson, Deirdre Toner who brings a wide range of skills and experience to this challenging and important role. I wish Deirdre every success in her new role.

We recognise that recruitment to the NICS, particularly in the year ahead, may at times be difficult and give rise to new considerations by the NICS. I believe that Commissioners are in a good position to respond positively to future recruitment developments and challenges.

I consider that strong foundations are in place to support the new Chairperson and Commissioners in continuing to protect the Merit Principle and in being responsive when considering any changes to the Recruitment Code proposed by the NICS.

I hope you find this Annual Report both interesting and informative. If you would like further information about any aspect of our work, you can visit our website at www.nicscommissioners.org or contact the Secretariat who will be happy to respond to your queries.

A handwritten signature in black ink, appearing to read 'Brian Rowntree', with a long horizontal flourish extending to the right.

BRIAN ROWNTREE, CBE
CHAIRPERSON

KEY DEVELOPMENTS IN 2017/18

Commissioners have seen positive progress in relation to a number of important areas during 2017/18, in particular with regard to: the NICS management of merit lists; the conclusion of the review relating to appointments made through exceptions to merit; and the centralisation of NICS HR.

Management of Merit Lists

Following Commissioners' Review of the Management of Merit Lists, we are pleased to have arrived at an agreed policy position with NICS HR in regard to the extension of merit lists.

Commissioners recognise that decisions relating to recruitment and selection processes are a management and control issue for the NICS, however, Commissioners may require to be satisfied with regard to their 4-Stage Authorisation Process for appointments to the SCS, that there is a valid basis for appointing from a merit list beyond the period stated within the Candidate Information Booklet. Accordingly Commissioners welcome the agreement that NICS HR will inform Commissioners of any decision to approve an extension to an SCS competition merit list as soon as possible. NICS HR will also provide supporting evidential information for Commissioners to consider in relation to any request for authorisation to make an appointment from a merit list which has been extended.

Commissioners are satisfied that the revised NICS HR processes and procedures now demonstrate adequate assessment and monitoring of the operation of merit lists and address the findings of the review.

Appointments made by way of Exception to the Merit Principle

Throughout the year, Commissioners retained a focus on the consideration of appointments made by way of exception to the Merit Principle. Commissioners acknowledge that there may be particular circumstances whereby the NICS seek to make appointments by way of exception to the Merit Principle, and these permitted exceptions are outlined in the Commissioners' Recruitment Code. Commissioners scrutinise and challenge NICS requests for appointments to be made by way of exception to the Merit Principle on a case-by-case basis. Departments must justify to Commissioners why it is not reasonably practicable to make the appointment in accordance with the Merit Principle, in order that Commissioners may be satisfied that appointment by exception is warranted.

Commissioners first highlighted in the 2015/16 Annual Report the establishment of a review to examine the placement of a number of staff from the Strategic Investment Board, who were working in the NICS.

Commissioners' completed their review during the year, and the findings of the review and the proposed way forward are outlined in more detail under the Commissioners' Regulatory Framework Section of this report.

NICS HR

Commissioners commend the NICS on its management and implementation of the centralisation of the NICS HR functions from April 2017 and the seamless delivery of service within the new structures. The Strategic HR Director has engaged with Commissioners setting out her vision and aspirations in relation to transforming the delivery of strategic HR within the NICS.

Commissioners note the progress and the positive developments introduced over the year, including the development of a new NICS People Strategy and engagement on actions to improve NICS people management and leadership capability across all levels of operations and complementary planned action such as the NICS wide Skills Audit.

Commissioners are pleased to note a more proactive approach to diversity and inclusion within the NICS workforce. We have identified diversity and inclusion as a key theme for engagement with the NICS Permanent Secretaries Group during 2018/19 where we will explore and seek to encourage the NICS in their endeavours to broaden its diversity and outreach initiative, particularly in terms of its recruitment activities to ensure the NICS better reflects the community it serves.

OUR REGULATORY FRAMEWORK

Commissioners' Statutory Audit Function

Article 4(4) of the Civil Service Commissioners (Northern Ireland) Order 1999, requires Commissioners to audit recruitment policies and practices followed in making appointments to situations in the Northern Ireland Civil Service (NICS) to establish whether or not the four key principles set out in the Commissioners' Recruitment Code have been upheld both in spirit and in practice.

In discharging this important statutory duty, Commissioners seek to strike a balance between ensuring compliance with the Recruitment Code and delivering a proportionate and effective approach to our oversight role. A key focus for the delivery of Commissioners' regulatory functions is the audit and review of recruitment activities and regular engagement with the NICS, in particular NICS HR within the Department of Finance (DoF).

Under Article 4 of the Civil Service (Northern Ireland) Order 1999, the Department of Finance is responsible for the general management and control of the Civil Service, making regulations or giving directions relating to the recruitment of persons to situations in the Civil Service in a manner consistent with the Merit Principle.

Commissioners would like to express our appreciation for the positive engagement from staff in NICS HR, the NICS Departments and their resourcing partner HR Connect during the conduct of our audit function and the follow-up work arising from it.

Approach to Audit and Review

Commissioners have developed a range of options which they consider when auditing and reviewing processes and policies which underpin recruitment to the NICS. Through our Strategic Audit and Review Planning process, Commissioners identify and prioritise areas of recruitment we wish to examine as part of our 3-year Audit and Review Strategy, which are progressed through our Annual Audit Plans.

Commissioners' approach to audit is set out in [Regulating for Improvement - Audit Framework and Guidance](#), which requires that audit and reviews undertaken on behalf of Commissioners adhere to agreed standards and produce robust, evidence-based and reliable audit findings. This is also available from our website www.nicscommissioners.org.

Commissioners support the principle of proportionate regulatory oversight and therefore decided in 2015/16 to adopt a revised approach to audit and review, underpinned by assurances and improved structured engagement to influence improvements to NICS recruitment policies and practices, but reserving the right to initiate a more formal audit process should we consider it appropriate or necessary.

Commissioners undertook a review of this revised approach in 2016/17 and were satisfied that the approach remained effective in fulfilling our statutory duties and remained consistent with the Audit Framework and Guidance.

NICS Recruitment Assurances

Commissioners consider it essential that the revised approach to audit and review is complemented by an evidence based assurance framework. Under Appendix C of the Recruitment Code Commissioners require:

- (a) evidence to provide assurance that systems are in place in the NICS to ensure that selection for appointment is made in accordance with the Recruitment Code; and
- (b) evidence to provide assurance that recruitment policies and practices in the NICS are subject to regular internal monitoring.

Permanent Secretary Assurance Statements

In 2016/17 Commissioners were pleased to report on the introduction of '*Permanent Secretary Statements of Compliance*' to confirm adherence to the Commissioners' Recruitment Code for all appointments made to NICS Departments and the Public Prosecution Service (PPS) during the 2016 reporting period.

Commissioners view the new arrangements to be a very positive development in strengthening evidence based assurances and improving formal accountability at the most senior levels within the NICS with regard to recruitment and selection practices.

Commissioners continued to engage with NICS HR during 2017/18 to revise the framework to take account of the introduction of NICS HR and the changes in the structure and centralised delivery of the HR function. Commissioners commend the very positive and constructive approach taken by NICS HR to ensure Commissioners' expectations were met.

The revised assurance framework is managed by the NICS and is comprised of the following key components:

- regular reviews of external competitions;
- monitoring of exceptional appointments and extensions to merit lists;
- assurance statements signed by HRConnect and Competition Leads when running an external competition;
- annual assurances from all Grade 7s within the Vacancy Management Team;
- annual confirmation from Permanent Secretaries/Accounting Officers that all appointments have been managed by NICS HR Resourcing;
- the above evidence is collated by NICS HR and provided to the DoF Permanent Secretary for consideration and, if satisfied, issue of the annual statement of compliance to Commissioners.

Commissioners are content that this revised approach maintains an appropriate level of accountability and is underpinned by adequate evidence to support the assurances and improved NICS monitoring and review processes.

Commissioners, in accordance with the revised approach, welcomed the consolidated 2017 Statement of Compliance, from the DoF Permanent Secretary, who confirmed that all appointments made to the NICS and the PPS during the 2017 reporting period complied with the Commissioners' Recruitment Code.

In particular, Commissioners are pleased that the NICS has responded positively to our invitation to publish details of the revised assurance framework in their 2017 Annual Report on Recruitment to the NICS. Commissioners intend to review the assurance framework and supporting evidence under the next 3-year Audit and Review Strategy.

Commissioners' 2017/18 Audit & Review Opinion

Commissioners have examined a range of evidence gathered in the course of pursuing our statutory functions throughout the year, including the assurances provided on behalf of the NICS by the DoF Permanent Secretary in the Statement of Compliance. It is Commissioners' opinion that the NICS selection and recruitment practices are in keeping with the requirements set out in the Recruitment Code.

A key focus of Commissioners' 2017/18 audit programme was OCSC processes which support Commissioners' statutory role in upholding the merit principle in relation to appointments to the Senior Civil Service (SCS). Commissioners have also continued to perform their scrutiny role and liaise with NICS HR on a range of recruitment and selection matters.

Commissioners' Audit & Reviews

Commissioners' Audit and Review Strategy 2016-19 sets out the planned programme of audit topics over the period, supplemented each year with an annual audit plan.

In 2017/18 Commissioners decided that, in order to allow an appropriate period of consolidation for the newly established NICS HR service under the DoF, the Commissioners' audit and review programme in 2017/18 would concentrate on a Review of the Assurances which underpin the SCS 4-Stage Authorisation and Approval Process and support the statutory approval role of Commissioners with regard to senior appointments to the NICS.

The 2017/18 audit plan was also revised in-year to reflect ongoing developments as set out below.

2017/18 Review of Assurances Required under Commissioners' Senior Civil Service Appointments Authorisation & Approval Process

Commissioners have a statutory role under Article 6 of the Civil Service Commissioners (Northern Ireland) Order 1999 to approve appointments to the Senior Civil Service (SCS) made by open competition. To support the approval process, the NICS, via HR Connect, is required to provide a number of specific assurances to Commissioners at four key stages for all senior external competitions to confirm compliance with NICS recruitment policy and procedures and the Commissioners' Recruitment Code. This process is managed by the OCSC Secretariat on behalf of Commissioners and is known as the 4-Stage Authorisation Process.

Commissioners undertook a review of the assurances provided as part of the 4-Stage Process in 2017 to assess if they continue to appropriately address the risks associated with the current NICS recruitment process and provide adequate assurance in relation to adherence to the Recruitment Code. The review was principally focused on the relevance and wording of the assurances sought by Commissioners from the NICS which underpins the process.

Key Findings

The review found that the SCS 4-Stage Authorisation Process provides satisfactory information and assurances in support of Commissioners' decision making on whether authorisation to proceed with a SCS appointment to the NICS should be given at each stage of the process.

The review also identified where a number of improvements could be made to strengthen and update the process, these included:

- the wording of specific assurances should be revised and additional statements included to augment the evidence on which Commissioners base our approval;
- documentation associated with the SCS 4-Stage Approval Process should be revised to improve functionality and presentation, where possible; and
- a dedicated annual meeting between the OCSC and end-users of the 4-Stage Process would provide for improved communication and understanding with regard to the process.

Outcomes

- OCSC Secretariat, on behalf of Commissioners, have commenced a Review of 4-Stage Process documentation to implement the findings of the Review of Assurances; and
- a dedicated annual meeting has been agreed by all parties involved in the management and operation of the SCS 4-Stage Process.

Next Steps: Review of the SCS 4-Stage Authorisation Process Documentation

Following on from the 2017 Review of Assurances, Commissioners have commenced a review to consider and apply a recommendation from this earlier review to seek further improvements and refinements to the functionality and presentation of the 4-Stage Authorisation Process documentation.

In the early stage of this review and as a result of matters arising from associated casework, it has been identified that a more in-depth review may be required to ensure there is a common interpretation of the definitions associated with the Recruitment Code as pertaining to the SCS 4-Stage Process. It is therefore anticipated that the outworking of this documentation review may be broader in scope than originally intended and will continue into the 2018/19 reporting year. The findings of this review will be reported in the Audit Summary Report in due course.

Commissioners' Review of SIB Staff working in the NICS

The Strategic Investment Board (SIB) is an arm's length body of The Executive Office (TEO) formerly the Office of the First Minister and deputy First Minister (OFMDFM). SIB was established by the enactment of Part 2 of the Strategic Investment and Regeneration of Sites (Designation) Order (Northern Ireland) 2003 (SIRS Order 2003). Regulation 3 of the General Regulations 2007 prescribes the circumstances in which appointments may be made to the Northern Ireland Civil Service (NICS) other than in accordance with the Merit Principle. An appointment by an exception to the Merit Principle means an appointment to a situation in the Civil Service in circumstances prescribed by Commissioners in Regulation 3, subject to any conditions specified in the Code, where the Merit Principle does not apply.

In July 2014, Commissioners received information from the NICS which appeared to suggest that staff from SIB were working in various departments in the NICS. Commissioners wished to establish why approval had not been sought under the relevant exceptions provisions for SIB staff working in NI Departments. Accordingly, they decided to undertake a review in order to ascertain the number of SIB staff that were working in NICS Departments, their status in the NICS, the period during which they were in post and the nature of the engagement between SIB and the NICS.

As part of the review, Commissioners were provided with details of persons from SIB working in the NICS as of March 2015, together with some supporting documentation. The review highlighted a number of key issues, including the following:

- there was a lack of consistency in the manner in which the status of SIB staff were referred to by Departments;
- supporting documentation was, on occasions, incomplete and generic;

- in some circumstances the appointment was for an extended period;
- a number of SIB staff were permanent SIB employees while others were recruited by SIB specifically to fulfil a role in the NICS; and
- a number of individuals, recruited because their skills were said to match a particular role had, on the completion of that assignment, moved to fill a different role in another Department.

Commissioners met with the NICS on several occasions during the course of their review. In addition, the NICS made available the report of an external review which it had commissioned into its own procedures. During the course of their engagement with Commissioners, the NICS accepted that the circumstances of the recruitment of a number of the SIB staff working in Departments fell under Commissioners' statutory role. These appointments were subsequently regularised pursuant to prescribed exceptions identified as relevant in those cases. It was also noted that a number of SIB staff had by then left their roles in the NICS. Whilst Commissioners were satisfied that there were circumstances in which SIB staff could be said to be legitimately working alongside Departmental staff in the NICS under the provisions of the SIRS 2003 Order, without the necessity to satisfy the requirements of the 1999 Order, difficulties of definition and the unavailability of relevant documentation contributed to an inability to reach an agreed view in relation to a number of other cases. In all the circumstances, Commissioners were satisfied that the appropriate way forward was to seek to identify and consolidate the corporate learning to be gained from an overall review of the cases under consideration.

Arising from the adoption of this approach the NICS have committed to the following programme of work:

- review relevant NICS policies to include: a clearer definition of secondees and internal consultants including associated governance – to include monitoring and reporting processes; clearer guidance on the options available to meet a skills gap and the criteria for choosing how these options are considered; process to ensure knowledge transfer; and clear terms of reference and timescales for the assignment;
- review existing documentation to ensure the contractual relationship between the individual, SIB and the Department is clearly set out;
- issue revised guidance to departments (supplemented by training/workshops as required);
- propose any consequential changes required to the Recruitment Code; and
- work with Departments and Commissioners in light of new guidance/policies to agree the categorisation of current assignments and regularise as necessary.

Commissioners will continue to engage with the NICS in relation to this matter and will consider the outcomes of the programme of work being undertaken in due course.

Review of Exceptions Provisions

Commissioners decided in September 2017 to further postpone the Review of NICS appointments made under Commissioners' 2007 General Regulations (Exception) provisions, which set out the limited circumstances in which the NICS may seek to make appointments by way of exception to the Merit Principle, due to the ongoing review of casework set out above. Commissioners are pleased that the casework relating to the Strategic Investment Board Review has now been concluded and NICS HR has commenced a comprehensive update of the associated policy and guidance at our request. Commissioners expect that this will help to provide greater clarity and consistency in the use of exceptions in future.

Consequently, we consider it would be premature at this stage to commence a more detailed and specific review of exceptions until the updated NICS policy and guidance is in place and has been operating for a sufficient period of time. Commissioners thus decided that, following completion of the Review of Assurances, a Review of the SCS 4-Stage Authorisation Process Documentation should commence in place of the planned exceptions review.

Commissioners will also continue to engage with NICS HR on exception provisions in the interim and maintain our monitoring and challenge function with regard to any request from NICS HR to make an appointment by way of exception to the merit principle.

Follow Up Engagement with the NICS during 2017/18

2015/16 Review of NICS Recruitment and Selection Training

As guardians of merit, Commissioners regard appropriate and effective training for all those involved in recruitment as fundamental in ensuring adherence to the Recruitment Code.

Commissioners completed an audit review of NICS Recruitment and Selection Training in 2015/16 and concluded that the objectives of the NICS Recruitment and Selection training modules are in line with the expectations of the Commissioners' Recruitment Code. The review identified a number of issues for the NICS to consider in relation to the content and delivery of training. In response, NICS HR committed to undertaking a review of this training in 2017/18.

Commissioners acknowledge that the NICS HR transformation project has impacted on the commencement of this work, however we are very encouraged that, following further discussion on this matter, NICS HR has prioritised their review of the effectiveness of recruitment and selection training and this is now underway.

Commissioners welcomed the opportunity to consider and discuss the scope of the NICS review and the further assurances from NICS HR that Commissioners' observations will be given appropriate attention in the NICS Review.

Furthermore, Commissioners are pleased to note the NICS training review will also consider issues identified in the course of Commissioners' audit work relating to feedback to candidates and improvements associated with the completion of Candidate Information Assessment Booklets by panel members.

Commissioners will consider and report on the outcomes of the NICS review in their 2018/19 Annual Report.

2015/16 Review of the Management of Merit Lists

Commissioners' Review of the Management of Merit Lists was completed in two stages, commencing in 2015 and we continued to engage with the NICS on the outworking of the review to reach an agreed policy position with regard to the management of merit lists in 2017. The review examined the policies and processes the NICS have in place to ensure that the NICS management of merit lists is in line with the Commissioners' Recruitment Code. The Code requires that measures are in place to ensure that appointments are made in order of merit and due regard has been paid to the potential for unfair treatment of those who are not given the opportunity to be considered for appointment.

Commissioners were pleased to report last year that the Review of Merit Lists found that the routine operation of merit lists in the NICS, insofar as it is a systems driven process, is well managed by HR Connect and is compliant with NICS Policy and Procedures and Commissioners' Code. In relation to the non-routine operation of NICS merit lists, a number of issues were identified with regard to the recording and reporting of decisions to extend a merit list on which we continued to engage with NICS HR over the course of 2017/18.

As acknowledged earlier, the decision to extend a merit list is a management and control issue for the NICS. However Commissioners retain an interest by virtue of our 4-Stage Authorisation Process applicable to SCS appointments. We are pleased to now be informed of NICS decisions to approve an extension to an SCS competition merit list and to be provided with the following supporting information:

- the original closing date of the merit list;
- the revised closing date of the list;
- the cogent and practical reasons for extending the list;
- the reasons why all appointments have not been made before the original closing date of the merit list;
- the number of expected further appointments to be made from the list;
- the outcomes of the competition diversity considerations conducted by Equality and Diversity Branch; and
- the reasons why a new competition cannot be run from which to make further appointments.

This information will inform Commissioners' consideration of any request via the SCS 4-Stage Authorisation Process to approve an appointment from a merit list which has been extended and ensure that the principle of merit is upheld. We also welcome agreement from NICS HR to publish details of any extensions to merit lists below SCS in their Annual Report on Recruitment to the NICS.

Use of Agency Workers to fill positions in the NICS

Commissioners have continued to engage with the NICS regarding the use of agency workers to fill positions in the NICS. While the use of agency workers sits outside of Commissioners' statutory remit in relation to appointments to the NICS through open competition, we consider that we have a valid interest in the use of agency workers insofar as there may be potential to impact on open recruitment to the NICS.

Commissioners recognise that the use of agency workers is a legitimate mechanism for the NICS to manage short term and unexpected business needs. Having engaged with the NICS on this matter, Commissioners welcome that the use of agency workers is being closely monitored and controlled by the NICS and, in the interests of public confidence, we are pleased to see that NICS HR responding positively to our invitation to publish commentary on the use of agency workers in their most recent annual report.

Looking Forward

Commissioners commend the NICS on its management of the significant changes the NICS Government Reform Programme has achieved in recent years, in particular following the reduction in the number of departments from twelve to nine and the centralisation of NICS HR. Commissioners look forward to seeing the benefits of streamlining and consolidating of HR functions into a more agile and modern HR service.

Commissioners are pleased to note that the NICS HR has commissioned an independent review of the NICS HR transformation project, which will consider the current and future models of delivery with regard to the centralised HR functions and services. Commissioners look forward to receiving regular updates as this work progresses and we will continue to engage with NICS HR to ensure that the role and requirements of Commissioners are taken into account in any proposed changes to service delivery or to recruitment and selection policies and procedures as appropriate.

Commissioners were also pleased to receive an update from NICS HR on planned improvements to the approach to Strategic Workforce Planning in the NICS. Commissioners consider that this model will enable NICS HR to develop a consistent, corporate approach to workforce planning across the NICS, which in turn will help to address some of the audit and resourcing issues identified in the course of Commissioners' work. Commissioners also commend the improved use of data and modelling information to assist with planning and forecasting, which should complement data monitoring improvements implemented in response to Commissioners' 2015 Review of Recruitment Related Data.

Commissioners are pleased to note a key focus on diversity and inclusion in the development of the NICS People Strategy which we consider to be central to the merit principle. Commissioners have worked closely with NICS HR to improve data monitoring related to recruitment competitions and we welcome the consideration NICS HR is giving to outreach measures, which will help to address areas of under-representation in the NICS. We are particularly pleased to note the intention to apply a 'diversity and inclusion lens' to everything the NICS HR does, which we consider will help to build on the positive internal work of the NICS Diversity Champions Network reported last year and we await the publication of the People Strategy with interest.

Commissioners also look forward to continuing positive engagement with NICS HR across the full range of recruitment and selection matters in pursuance of our statutory function to uphold the principle of merit and adherence to the Recruitment Code.

Commissioners' 2018/19 Audit & Review Plan

In line with Commissioners' 2016-19 Audit and Review Strategy, the following areas of NICS selection and recruitment have been identified for review with the NICS during 2018/19:

- Recruitment Related Complaints; and
- Desk-top Compliance Review of a number of non-Senior Civil Service NICS Recruitment Competitions.

Recruitment Related Complaints

Commissioners consider complaints to be a valuable indicator of the success of any system and the Recruitment Code sets out our expectation that complaints relating to NICS recruitment are dealt with in an efficient, appropriate and timely manner. NICS HR commenced publishing statistical data on the number of recruitment related complaints in their 'Annual Report on Recruitment to the NICS 2016', which covers the 2015 reporting year. Commissioners have therefore decided to undertake a review of this area to improve our understanding of the nature of the complaints received and consider if they point to any areas Commissioners would wish to examine with regard to compliance with the Code. The review will also consider the NICS process for determining that an issue should be treated as a complaint and how complainants have been dealt with in terms of expectations set out in the Code. We will report on the outcome of this review in the 2018/19 Annual Report.

Desktop Compliance Review of non-Senior Civil Service NICS Recruitment Competitions

Commissioners will conduct a desk-top compliance review to determine the extent to which the Commissioners' Recruitment Code has been complied with at all stages of the

NICS recruitment and selection process. While Commissioners have a statutory role to approve all appointments to the SCS, this Review will provide an opportunity to examine a sample of non-SCS competitions to assess the application of the Code in circumstances where Commissioners have had no prior scrutiny role. Commissioners will report progress on this review, and as appropriate, outcomes of this review in our 2018/19 Annual Report.

Senior Civil Service (SCS) 4-Stage Authorisation Process

Commissioners have a statutory role to approve all appointments to the SCS through open competition.

In support of the request for approval, relevant recruitment information is provided by HR Connect or Departments to Commissioners at four key stages of the SCS recruitment process. The process also requires a number of assurances from HR Connect in relation to the competition process.

Detailed information on the Commissioners' SCS 4-Stage Authorisation Process can be found on our website www.nicscommissioners.org.

During this year Commissioners oversaw 12 SCS external recruitment competitions. These are listed in **Table 1**.

Table 1: Senior Civil Service (SCS) Competitions dealt with in 2017/18¹

POST	LEAD NICS DEPARTMENT
Director of Rivers (Grade 5)	Department for Infrastructure
Office of the Legislative Council (Grade 3)	The Executive Office
Director of Communications (Grade 5)	Department of Health
Deputy Chief Medical Officer (Grade 5)	Department of Health
Senior Medical Officer - Health Protection (Grade 5)	Department of Health
Director of Common Agricultural Policy (Grade 5)	Department of Agriculture, Environment and Rural Affairs
Chief Executive Forest Service (Grade 5)	Department of Agriculture, Environment and Rural Affairs
Permanent Secretary Competition	Department of Finance lead on behalf of all departments
Director of Strategic Planning (Grade 5)	Department for Infrastructure
Deputy Chief Veterinary Officer (Grade 5)	Department of Agriculture, Environment and Rural Affairs
Director of Rehabilitation (Grade 5)	Northern Ireland Prison Service, Department of Justice
Healthcare Policy Deputy Secretary (Grade 3)	Department of Health

These competitions were scrutinised under Commissioners' 4-Stage Authorisation Process and any appointments made from these competitions have been approved under this process.

In the spirit of good governance and to ensure robust delivery of the Secretariat's management of the 4-Stage Authorisation Process on behalf of Commissioners, we undertake an annual internal audit of the process to ensure that it is being operated in line with procedure. The audit found that procedures were satisfactorily applied by OCSC Secretariat at each stage of the process and Commissioners were reassured that the 4-Stage Authorisation Process is operating in line with the Recruitment Code.

¹ SCS competitions handled by Commissioners and Secretariat between April 2017 and March 2018, some of which remain live processes. The average period for the NICS to manage a SCS recruitment competition from Stage A to appointment during 2017/18 was 83 days, which is similar to the two previous years. Note that NISRA report on a calendar year basis from January to December therefore the competition data reported in the Monitoring section of this report may differ.

MONITORING NICS RECRUITMENT

The Civil Service Commissioners (NI) Order 1999 and the Commissioners' Recruitment Code require NICS Departments and Agencies to publish a wide range of information and statistical summaries in relation to recruitment to the NICS.

To effectively discharge their statutory duties, Commissioners are reliant on a range of recruitment-related information and statistical data collated and analysed by DoF, the Northern Ireland Statistical and Research Agency (NISRA) and other organisations.

The NICS publish their Recruitment-related information for the calendar year of 2017² in the [Recruitment to the NICS Annual Report 2017](#). The report also includes the [NISRA Analysis of NICS Competitions 1 January 2017 to 31 December 2017](#) published by DoF.

Each year Commissioners determine how the information published in the NICS Annual Report on recruitment fulfils Article 4(5) of the Civil Service Commissioners (NI) Order 1999 as set out in Appendix C of the Recruitment Code.

Developments in Recruitment Monitoring and Reporting

Commissioners, through our regular engagement with NICS HR, highlighted a number of areas which in our view are a matter of public interest which would merit mention within the 'Recruitment to the NICS Annual Report'. Commissioners are therefore pleased to note that commentary has been included on the following areas:

- Extensions to the merit lists;
- Agency Workers in the NICS; and
- Revised arrangements for Recruitment Related Assurances to Commissioners.

NICS Recruitment during 2017 and Trends in Recruitment

The number of recruitment competitions, applications and appointments for 2015-17 reporting periods are included in **Table 2** on the next page.

² NICS recruitment-related data has been reported on a calendar-year basis to bring the reporting period into line with other reports on equality information.

Table 2: NICS Open Recruitment Competitions, Applicants³ and Updated Appointment Figures for 2015 to 2017

Detail	2015	2016	2017
Open Competitions	21	51	88
Applicants	4,579	4,131	5,794
Appointees*	274	419	284

*Figures as at 1 February 2018

Following the end of the recruitment embargo in April 2016, the level of NICS recruitment has continued to rise. As noted in the table above, 88 NICS recruitment competitions were held in 2017, attracting 5,794 applications. The number of competitions and applicants was higher than in 2016, increasing by around 70% and 40% respectively.

NISRA reports that there were no general service corporate recruitment competitions advertised during 2017. The only competition held which attracted a high volume of applicants was the Northern Ireland Prison Service competition for Custody Prison Officers, Night Custody Officers and Prisoner Custody Officers, which had 1,697 applicants. Twenty five appointments were made in 2017 and NICS HR expect the appointments from this competition to continue into 2018. NISRA will conduct an evaluation at the close of this competition, which Commissioners will consider in due course.

While Commissioners have no regulatory role in relation to internal competitions, we consider that it provides context and a helpful comparative perspective to publish this information alongside the open recruitment data. NICS internal recruitment competitions and appointment figures for 2015 to 2017 are therefore detailed in **Table 3** below.

Table 3: NICS Internal Recruitment Competitions and Appointment Figures for 2015 to 2017

Detail	2015	2016	2017
Internal Competitions	4	42	76
Internal Appointments*	16	116	413

*Figures as at 1 February 2018

³ Applicant data presented reflects the total number of applications rather than 'eligible' applications as published in previous annual reports.

Internal recruitment activity has also continued to increase in 2017 following the end of the embargo on recruitment and promotion in April 2016. Four of the 76 internal competitions (promotions and trawls) during 2017 were for Senior Civil Service positions. Two appointments to the SCS had been made by 1 February 2018. Commissioners continue to encourage the NICS to address diversity issues within the NICS through open competition wherever possible.

Summary of applicants for the periods 2015-2017 by equality grouping

Table 4 details the NICS applications for 2015, 2016 and 2017 by equality groupings (extracted from NISRA's '[2017 Analysis of NICS Recruitment](#)' and the '[Recruitment to the NICS Annual Report 2017](#)'). Commissioners note that the profile of applicants may be significantly influenced by the occupations for which jobs were advertised and the numbers of applications for each competition.

Commissioners note the following with regard to the NISRA analysis of recruitment activity in 2017:

- more applications were received from males than females;
- for permanent jobs there were more applications from Protestant than Catholic or not determined community backgrounds;
- there were slightly fewer applications from applicants declaring a disability than in the previous year as a percentage of the respective totals;
- applications from LGBT applicants were in line with previous years as a percentage of the respective totals; and
- applications from ethnic minority groups have increased on previous years as a percentage of the respective totals.

Commissioners, in view of the fact that 37.4% of civil servants are aged over 50 (NISRA, November 2017), are encouraged to see a continuing trend towards a high proportion of applications (76%) from applicants aged under 40.

Commissioners note that 4,061 of the 5,581 applicants for permanent jobs in 2017 (72.8%) were deemed to be eligible for the competition for which they had applied and that in general, NISRA analysis revealed only relatively small differences between the actual and expected numbers of eligible applicants. In terms of the equality categories, the largest differences were in relation to community background and gender, with Protestant and female applicants more likely to meet the eligibility criteria. Current NICS employees were also more likely to be eligible.

Table 4: The breakdown by equality grouping of applicants for NICS posts from 1 Jan 2015 to 31 Dec 2017⁴

		2015	2016	2017
Total number of applicants		4,579	4,131	5,794
Equality Category	Description	% Applicants		
Gender⁵	Male	62	59	60
	Female	38	41	40
Community Background⁶	Protestant	59	44	47
	Catholic	29	46	41
	Not Determined	12	10	12
Ethnicity⁷	White	99	99	98
	Minority Ethnic Groups	1	1	2
Disability	With a declared disability	2	4	3
	Without a declared disability	98	96	97
Age group⁸	16-24	33	22	22
	25-39	48	55	54
	40-49	13	15	17
	50+	6	8	7
Sexual Orientation⁹	Both sexes / Same sex	5	5	5
	Different sex	95	95	95
NICS employment history¹⁰	Current	2	14	3
	Previous	1	10	13
	None	16	74	6

Updated Summary of NICS appointments

The NICS Annual Report presents recruitment data for NICS competitions with a closing date in a particular calendar year, currently 2017. The appointment figures are for all appointments made from these competitions by 1 February of the following year. The figure reported may not be the final number of appointments which will be made. NICS competition merit lists usually remain live for a period of one year, with the possibility of extension where there are cogent and practical reasons for this.

4 This information is based on data provided by NISRA in the Analysis of NICS Recruitment Competitions 2015- 2017. The full reports are available on the NISRA website. Note that totals may not sum due to rounding or missing information.

5 NISRA reports that Gender information is missing for 1 applicant in 2017.

6 NISRA reports that Community background information is missing for 1 applicant in 2017.

7 NISRA reports that Ethnicity information is missing for 2 eligible applicants in 2017.

8 Based on age at closing date for applications. NISRA reports that Age information is missing for 1 applicant in 2017.

9 NISRA reports that Sexual orientation information is missing for 2 eligible applicants in 2017.

10 NISRA reports that Employment history is not available for a number of 2015, 2016 and 2017 applicants.

Following a recommendation from Commissioners, the NICS publish updated appointment figures for the three prior reporting periods in order to address the issue of unreported appointments. The [Recruitment to the NICS Annual Report 2017](#) therefore provides updated NICS appointment figures for 2014, 2015 and 2016, taken from the [NISRA Analysis of NICS Recruitment Competitions 2017](#).

Table 5 below compares the actual number of appointments against the expected appointments by equality group for 2015, 2016 and 2017. In 2017 there were 284¹¹ appointments made from 59 of 88 competitions held. No appointments had been made from the remaining 29 competitions as at 1 February 2018. NISRA analysis reveals some disparities between the number of actual and the number of expected appointees if applicants within each category had been equal in merit. This is explained in detail in the [NISRA Analysis of NICS Recruitment Competitions 2017](#).

Commissioners note the following with regard to the NISRA analysis of permanent appointments to the NICS in 2017:

- the gender profile of permanent appointees was broadly in line with what would be expected if male and female applicants were equal in merit (for the two competitions for temporary appointments slightly fewer males and slightly more females were appointed than expected);
- there were more appointees from a Protestant community background and fewer than expected from a Not Determined background;
- the profile of appointees declaring a disability was in line with the expected profile;
- there were more appointees than expected in the 25-39 and 50+ age categories and fewer than expected in the 16-24 and 40-49 age categories; and
- the number of appointees with NICS experience was higher than expected.

Commissioners acknowledge that, on an individual competition basis, disparities between the actual and expected numbers of appointees in each equality category are generally small (typically less than 3) and the appointment of a further candidate from a different category could change the overall profile of appointees. Updated figures for 2017 will be reflected in our 2018/19 annual report.

¹¹ 264 permanent appointments were made, plus a further 20 temporary appointments. Temporary appointment data is too small to publish for certain equality groupings.

Table 5: The number and breakdown by equality grouping of appointees for NICS posts 2015 to 2017 (Comparison of actual and expected number of appointments)¹²

		2015			2016			2017 ¹³		
Total NICS appointments¹⁴		274			419			264		
Equality Category	Description	Expected	Actual	Difference	Expected	Actual	Difference	Expected	Actual	Difference
Gender	Male	176	177	1	241	230	-11	165	167	2
	Female	98	97	-1	178	189	11	99	97	-2
Community Background	Protestant	161	165	4	182	206	24	116	121	5
	Catholic	79	64	-15	199	183	-16	119	118	-1
	Not Determined	33	45	12	38	30	-8	30	25	-5
Ethnicity¹⁵	White	269	274	5	413	#	#	259	#	#
	Minority Ethnic Groups	5	0	-5	6	*	#	5	*	#
Disability	With a declared disability	7	8	1	17	12	-5	10	9	-1
	Without a declared disability	267	266	-1	402	407	5	254	255	1
Age group¹⁶	16-24	97	92	-5	93	82	-11	45	37	-8
	25-39	129	143	14	237	250	13	146	156	10
	40-49	35	28	-7	56	58	2	50	42	-8
	50+	13	11	-2	32	29	-3	22	29	7
Sexual Orientation¹⁷	Both sexes / Same sex	16	12	-4	21	22	1	11	9	-2
	Different sex	258	262	4	398	397	-1	253	254	1
NICS employment history¹⁸	Current	4	13	9	65	88	23	46	64	18
	Previous	3	4	1	47	43	-4	20	16	-4
	None	46	56	10	296	270	-26	147	137	-10

number has been suppressed to avoid disclosing another number that is too small to publish

* number too small to publish (ie below 5)

12 As of 1 February 2018. NISRA has reported that totals within an equality category may not sum to overall total due to rounding or missing information. Further appointments may be made from these competitions, which may change the profile.

13 2017 data is for permanent appointees only, a further 20 temporary appointments were made.

14 NISRA has reported that further appointments may be made from these competitions, which may change the profile.

15 NISRA reports Ethnicity information missing for 1 appointee in 2017.

16 Based on age at closing date for applications.

17 The 'both sexes' and 'same sex' categories were combined due to small numbers of appointees. NISRA reports that Sexual orientation information missing for 1 appointee in 2017.

18 NISRA reports that NICS employment history missing for a number of appointees in 2015, 2016 and 2017.

Senior Civil Service (SCS) Recruitment 2017

Of the 88 competitions advertised by NICS HR in 2017, nine were for Senior Civil Service (SCS) competitions, attracting 198 applications and resulting in six appointments by 1 February 2018. Commissioners were invited to chair the panels of seven SCS competitions and note that, given the small number of SCS appointments, no analysis is presented by NISRA. However we are pleased to note that NICS HR has reported that equal numbers of males and females were appointed.

NICS Recruitment - 2017 Developments

Commissioners monitor ongoing developments within the NICS and meet regularly with the NICS to discuss key issues relating to recruitment and selection. We are pleased to note a number of additional achievements and advancements reported by the NICS during 2017/18:

- successful implementation of the NICS HR transformation project to centralise the NICS Departmental HR functions and a cohesive first year of operation;
- continued development of improved recruitment monitoring and reporting arrangements in NICS HR;
- further improvements to the breadth of recruitment information and data presented in the NICS Annual Report on Recruitment including merit list extensions and commentary on agency workers;
- an update to the NICS Policy and Procedures Manual to reflect the revised policy position on extensions to merit lists following the Commissioners' review;
- development of improved assessment methodologies for ongoing and planned recruitment and promotion competitions and consideration of future approaches and tools capable of supporting more flexible and agile recruitment processes;
- ongoing development of a new outreach strategy and implementation of changes to Positive Action Advertising statements used in recruitment to reflect engagement with the Equality Commission NI and the findings of the Article 55 and Gender Reviews;
- the roll-out of mandatory unconscious bias training course across the NICS; and
- ongoing development of a new NICS People Strategy, Diversity Action Plan, Gender Action Plan and a Disability Diversity Action Plan, as well as new training and guidance on equality, diversity and inclusion.

Diversity and Inclusion in the NICS

Positive Action in the Northern Ireland Prison Service (NIPS)

The overall aim of the NIPS is to help build a safer community by supporting and challenging people in custody to change. Playing a key role in the justice system in Northern Ireland, the Prison Service, through its staff, serves the community by keeping in secure, safe and humane custody those committed by the courts and, by working with prisoners and with other organisations, seeks to reduce the risk of re-offending.

As guardians of merit, Commissioners consider that they have an important role in encouraging and supporting the NICS in developing and improving recruitment and selection processes to ensure, as far as possible, that they attract the widest pool of candidates of the calibre to meet the business needs of the Civil Service and the society it serves.

A key challenge for the NIPS continues to be the recruitment and retention of staff from diverse backgrounds that are able to grow and develop over time into senior management positions within the Prison Service.

While general service recruitment usually achieves a largely balanced pool of applicants, the NIPS has understandably experienced particular challenges in attracting applications from the Catholic community and, to a lesser degree, females.

Having engaged with the Prison Service in 2014 regarding work being taken by NIPS and the NISRA following the 2012 Custody Officer competition, Commissioners met with representatives from NIPS and NICS HR to learn more about developments in recruitment and selection. This also presented an opportunity for Commissioners to be updated on the NIPS outreach activities and their progress in terms of Prison Reform Programme.

The Prison Reform Programme launched in 2011 put rehabilitation at the core of the work, leading to the transformation of Hydebank Wood into the first Secure College in the UK, for example. The Director General launched the discussion document 'Prisons 2020' in July 2017 which set out how the Service would build on the work of the reform programme and continue to improve in the years ahead.

This strategic change process requires the Prison Service to recruit high calibre staff with the right skills-set to undertake important and challenging roles in order to effectively contribute to the rehabilitation of those imprisoned.

In an engaging and informative session with the NIPS and NICS HR representatives, Commissioners welcomed the proactive approach being taken in relation recruitment and selection. Following detailed evaluation of the Prison Service's recruitment process, they identified what worked and where they could improve and strengthen outcomes. For example, using assessment tools which have disparate impact or do not add value to the

selection process only to find that 50% of candidates then failed at the interview stage suggested that key interpersonal skills needed to be assessed earlier in the process. To improve the outcome, such tools have been removed and candidates who fulfil the eligibility criteria proceed to tests validated by NISRA and then to an interview. The NIPS have found that better quality candidates are now coming through the process as a result of a proactive and adaptive approach to recruitment procedures. The NIPS regularly review their recruitment processes.

The Prison Service have also undertaken a significant range of outreach activities engagement and promotional activities involving political representatives, the education sector, community and church organisations and sporting organisations, however a key challenge remains the recruitment of staff from the Catholic Community.



(Left to right Brian Rowntree CBE, Brendan Giffen NIPS, Jacqui Wallace NICS HR, Sinéad Burns, Jim Scholes).

Commissioners wish to commend the NIPS for the very positive strides they are taking regarding their recruitment and selection process and the innovative outreach measures to attract a more diverse pool of applicants. This work is being done by a very committed and passionate team of staff and should be supported and encouraged by the wider public sector, private and voluntary sectors who have a vested interest in supporting the normalisation of the justice sector in NI. NIPS need the consolidated effort and support of community champions to effectively make inroads on this societal issue.

Appointments made by way of Exception to the Merit Principle

While specific approval of Commissioners is required for some appointments by way of exception to merit, the Recruitment Code does permit Departments to make appointments via exception to merit in certain limited circumstances at grades below SCS level for a period of up to two years. However, any extension beyond two years requires Commissioners' approval.

During 2017/18, Commissioners approved one appointment at SCS level to a position in the NICS under Commissioners' **2007 General Regulations, Regulation 3(a) Secondment**.

As mentioned above, under **Regulation 3(a)** Departments can make appointments below SCS level for periods of up to two years. In line with the Code, Commissioners' approval was sought, and granted, for extensions to secondments for one post at Grade 6, one post at Grade 7, five at Deputy Principal and one post at Staff Officer grade.

Table 6: Appointments made by Exception to Merit: January 2015 – December 2017¹⁹

Exception Category	Appointments: January 2015-December 2015	Appointments: January 2016-December 2016	Appointments: January 2017-December 2017
(a) Secondment	12	12	12
(b) Transfer from another civil service of the crown	0	0	0
(c) Transfer of persons employed on functions being transferred	126	6	3
(d) Exceptional needs of the NICS	0	1	0
(e) Appointments made under Government initiatives/ programmes	0	0	0
(f) Reinstatement	0	0	0
Total	138	19	15

¹⁹ This information is sourced from the NICS Annual Reports 2015- 2017.

COMMISSIONERS' ENGAGEMENT

A focus for Commissioners is to build and develop effective relationships with stakeholders. This ensures that the role of Commissioners is understood and promoted, where possible, and provides an opportunity to learn and develop from others. During 2017/18 we held a series of outreach meetings to engage with experts from public, professional and regulatory bodies.

Building on the close relationship with the Civil Service Commission in the UK, Commissioners met with the UK Chief Commissioner, Commissioners and Chief Executive to discuss and share issues of common interest. The Commission was able to share with us their experience in relation to senior appointments and arrangements for recruitment by way of exception to merit to support the work of the Civil Service in relation to exiting Europe.

In a programme of routine engagement, we met with our Irish colleagues in the Commission for Public Service Appointments to share experience and best practice in relation to monitoring and auditing recruitment and selection activities. As with the UK Commission, we discussed the changing recruitment environment and the increasing use of psychometric assessment methodology at senior level recruitment competitions.



(Left to right Jacqui McCrum, Chief Executive CPSA, Brian Rowntree CBE, Peter Tyndall, Ombudsman and Commissioner CPSA, Sinéad Burns, Jim Scholes)

Such meetings are particularly beneficial as they provide opportunities to discuss and share strategic developments and issues of common concern. Commissioners have a particular interest engaging with the NICS in relation to diversity and inclusion activities to ensure that where possible barriers to recruitment are identified and that strategies are developed to address such barriers. In an engaging and detailed session, Commissioners were provided with an update on outreach measures from the Northern Ireland Prison Service. Further information on the *Positive Action in the Northern Ireland Prison Service* is available in the section 'Monitoring NICS Recruitment'.

In our annual engagement with the NICS Permanent Secretaries Group (PSG), Commissioners welcomed the support demonstrated at the most senior level to the Commissioners' statutory role and our regulatory approach to maintaining the merit principle. PSG highlighted key strategic priorities and achievements by the NICS, in the face of a wide range of challenges facing the Civil Service. Commissioners commended the PSG representatives on their plans set out in the NICS of the Future, and encouraged their leadership and direction in building capacity and skills to meet the future demands in terms of the ongoing NICS reform programme.

Our meeting with the Northern Ireland Public Services Ombudsman this year focused on best practice for managing complaints. The Ombudsman provided an overview of the human rights based approach and principles adopted by her Office in relation to investigations into complaints. As a result of this meeting Commissioners arranged to be provided with formal development by way of an internal training event to develop investigative skills and knowledge of handling complaints, for Commissioners and the Secretariat.

During the year our engagement included meetings with:

- Head of the Civil Service;
- Permanent Secretaries and senior officials;
- NICS HR;
- Senior Officials in the Northern Ireland Office;
- Crown Solicitor's Office;
- Civil Service Commission (UK);
- Commission for Public Service Appointments (ROI)
- Northern Ireland Public Services Ombudsman;
- Equality Commission for Northern Ireland;
- Northern Ireland Human Rights Commission;
- Northern Ireland Commissioner for Children and Young People;
- Northern Ireland Prison Service; and
- Institute of Professional Legal Studies, Queens University.

THE NICS CODE OF ETHICS

Commissioners have a statutory role to hear appeals under the NICS Code of Ethics.

In the reporting year there were no Code of Ethics appeals investigated by Commissioners. Five concerns were raised with Commissioners and after full and detailed consideration, it was determined that two of the concerns raised were not matters which fell to be considered under the Code of Ethics.

Commissioners' expectation in hearing Code of Ethics appeals is that an existing civil servant should first raise their concern with their Department under the Code of Ethics. In this regard, two concerns have not progressed under the Code of Ethics appeals process; and the remaining concern is the subject of Departmental internal review and investigation processes.

The NICS is required to provide annually the number of concerns dealt with by Departments under the Code of Ethics.

During the 2017 calendar year the NICS reported that 2 complaints were received under the Code of Ethics. In one case, the outcome of the investigation concluded that there were no grounds that would warrant further investigation; the second case is ongoing.

The NICS has confirmed that a complaint which was ongoing and reported in the 2016/17 Annual Report has since concluded and the complaint was not upheld.

In January 2018 Commissioners and the Secretariat attended a tailored training event in relation to investigative skills and techniques. We consider this type of development extremely important in terms of supporting Commissioners' effectiveness in exercising their statutory duty to consider and determine appeals brought to them by civil servants under the NICS Code of Ethics.

In the upcoming year, Commissioners plan to review their approach and associated guidance material in relation to bringing an appeal to Commissioners under the Code of Ethics.

PROMOTING DIVERSITY

Commissioners attach particular significance to issues of diversity, inclusivity and equality of opportunity which are central to the Merit Principle and embedded within our Recruitment Principles.

We have sought to reflect our commitment to fulfilling our obligations to promote equality and good relations. Commissioners also seek to influence and encourage the NICS to take proactive measures to promote equality of opportunity and good relations throughout all stages of the recruitment process. Commissioners' Equality Scheme and related Implementation Plan set out how our obligations will be fulfilled. Copies of current documents are available from our website at www.nicscommissioners.org.

Annex A

COMMISSIONERS IN POST DURING 2017-2018



Brian Rowntree, CBE

Chairperson,
appointed 1 June 2012
for a 5 year period.
Extended for 1 year,
until 31 May 2018.



Jim Scholes

Commissioner,
appointed 1 July
2012 for a five a year
period. Extended for
5 years, until 30 June
2022.



Sinéad Burns

Commissioner,
appointed 8 March
2016 for a five year
period.

COMMISSIONERS' SECRETARIAT AND RESOURCES

To deliver our statutory responsibilities we receive support from a Secretariat which comprises 6 members of staff, 5 of whom are part-time and 1 is full-time:

2017/2018 Budget Expenditure

Item	(£000s)
Commissioners' Fees	30
Staff Salaries	212
Accommodation and overheads	24
Training (Commissioners and Staff)	7
Total	273

WEBSITES AND RESEARCH MATERIAL

The Civil Service Commissioners for Northern Ireland www.nicscommissioners.org

NICS HR <https://www.finance-ni.gov.uk/nics-hr>

NICS Recruitment <https://irecruit-ext.hrconnect.nigov.net/>

Northern Ireland Statistics and Research Agency www.nisra.gov.uk

Civil Service Commission <http://civilservicecommission.independent.gov.uk/>

Commissioner for Public Appointments for Northern Ireland www.publicappointmentsni.org

Northern Ireland Human Rights Commission www.nihrc.org

Equality Commission for Northern Ireland www.equalityni.org

Office of the Northern Ireland Public Services Ombudsman www.nipso.org.uk

Labour Relations Agency <https://www.lra.org.uk/>

Chartered Institute of Personnel and Development www.cipd.co.uk

Commission for Public Service Appointments www.cpsa.ie

The Commissioner for Public Appointments

<https://www.gov.uk/government/organisations/commissioner-for-public-appointments>

Public Appointments Service www.publicjobs.ie

'Recruitment to the Northern Ireland Civil Service' Annual Report 2017

[NICS Recruitment Annual Report 2017](#)

'Analysis of NICS Recruitment Competitions 1 January 2017 – 31 December 2017'

[NISRA Analysis of NICS Recruitment Competitions 2017](#)



CIVIL SERVICE COMMISSIONERS
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