

THE CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND RECRUITMENT CODE

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Section 1

INTRODUCTION

The authority for this Code

1.1 The Civil Service Commissioners Order (Northern Ireland) 1999 ("the Order") lays down that - apart from a limited range of exceptions - a person shall not be appointed to a situation in the Civil Service unless the selection for appointment was made on merit on the basis of fair and open competition . This important precept is known as "the merit principle".

1.2 The Order provides for this principle to be maintained by the Civil Service Commissioners for Northern Ireland ("the Commissioners"), and assigns Commissioners a duty to prescribe and publish this Code. The Code sets out how the merit principle is to be interpreted and applied, and the circumstances in which any exceptions prescribed by the Commissioners may be exercised. Compliance with the Code is mandatory.

When does the Code apply?

1.3 This Code applies to all appointments within the meaning of the Order. In the latter, "appointment" is defined as an appointment to a post in the Northern Ireland Civil Service (other than by promotion or transfer from within the NICS, where that promotion or transfer was not made following competition for the post open to applicants from within and without the NICS). The merit principle - and with it, this Code - applies to all appointments made other than by purely internal transfer or promotion, irrespective of the terms of the appointment - regardless, for example, of whether the post is industrial or not, full- or part-time, temporary, fixed term or "permanent", and including inward secondments .

The Code's approach

1.4 This Code lays down a set of essential standards for various aspects of a recruitment exercise - standards which must be observed by all those involved in recruitment to any post within the NICS (including individual Departments and Agencies or other agencies carrying out recruitment on their behalf). Ultimate responsibility for ensuring compliance with the requirements of this Code rests with the employing Department. Compliance will be regularly assessed by auditors engaged by Commissioners for that purpose.

1.5 The Code deals only with those aspects of recruitment which are the responsibility of the Commissioners. It is not a complete guide to every conceivable factor affecting recruitment to the NICS. This Code must be used in conjunction with all current Codes of Practice issued under relevant employment equality legislation e.g. the Code of Practice on Fair Employment in Northern Ireland; the Equal Opportunities Commission's Code of Practice on Removing Sex Bias from Recruitment and Selection; the Employment Code of Practice issued under the Disability Discrimination Act 1995; and the Code of Practice for Employers issued by the Commission for Racial Equality (NI). The code will be reviewed in accordance with the Commissioners' Equality obligations under Section 75 of the Northern Ireland Act 1998. Recruitment to the NICS is also governed by all

current corporate NI Civil Service policy commitments including, in particular, the NICS Equal Opportunities Policy Statement. Appointments must also meet the service-wide 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 "DFP Eligibility Requirements" - further information on these may be obtained from DFP Recruitment Branch).

Structure of the Code

1.6 The Commissioners' recruitment code consists of the following:-

- i. the Commissioners' prescription of how the principle of selection on merit on the basis of fair and open competition (the merit principle) is to be applied in the various stages of the recruitment process (Section 2);
- ii. the circumstances in which appointments may be made other than in accordance with the merit principle (Section 3);
- iii. the arrangements for obtaining Commissioners' approval for appointments to the Senior Civil Service and certain other appointments (Section 4).

ANNEXES

- i. the Commissioners' arrangements for the audit of recruitment policies and practices (Annex A);
- ii. details of recruitment - related information which the Commissioners require to be published (Annex B); and
- iii. guidance on Ministerial consultation in cases where they have a particular interest in posts in the Senior Civil Service to be filled by open competition (Annex C).

Interpretation

1.7 In the Code, the words "must" or "must not" denote standards whose observance is compulsory. Where examples are given, these, by definition, are not definitive and are for guidance only. Similarly, the words "may",

"preferably" or " should" denote an acceptable (but not necessarily the only acceptable) practice.

Contact Point for Advice

1.8 Advice and information regarding the content and interpretation of the Code are available from the Office of the Civil Service Commissioners for Northern Ireland.

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Section 2

APPLYING THE MERIT PRINCIPLE

Introduction

2.1 The application of the recruitment principle of selection on merit on the basis of fair and open competition throughout the stages of the recruitment process must be in accordance with the procedures set out below.

Job Specification

2.2 A job specification must be prepared setting out the job title, the duties and responsibilities, and the conditions of work, including remuneration, location and whether the appointment is permanent, temporary or fixed term. If the post is suitable for a secondment opportunity this must be stated in the job specification. The description of the job or its title must not imply that the post would be particularly suitable for women or men, or single or married people, unless the job is such that it requires, as a genuine occupational qualification, that it be done by a person from one of those particular groups.

2.3 The specification must make clear whether there is any flexibility on pay such as performance pay or bonuses, and whether there is any possibility of settling above the quoted salary for an exceptional candidate. If the contract is fixed term, the job specification must include the length of the contract and whether it is renewable or may be made permanent. The job specification must also specify, for temporary appointments, whether there is a possibility that

the appointment may be made permanent. If appropriate, generic job specifications may be prepared for competitions which are being run to fill a number of similar vacancies. The level of detail of specifications should be appropriate to the nature of the job.

Determination of Job Criteria

2.4 All job criteria must be decided, clearly defined and recorded before the job is advertised. The criteria must be justifiable against the requirements of the job.

Use of Job Criteria in the Assessment and Selection Process

2.5 Before the selection process commences it must be decided how each of the job criteria identified will be used in the key stages of the selection process. In particular job information provided to candidates must state:

- a. which criteria will be used at eligibility sift stage ;and
- b. if it is considered that shortlisting may be necessary to reduce numbers to manageable proportions, which job criteria will be used and in what way.

Communication of Job Criteria to Candidates

2.6 The job criteria to be used in the competition must be specified in the advertisement and job specification issued in response to the advertisement. Additional criteria must not be introduced thereafter.

Content of Advertisements

2.7 Advertisements must make it clear that applications are welcomed from all eligible candidates and that selection will be on merit. The advertisement must set out the job title, remuneration, location and whether the appointment is permanent, temporary or fixed term and if the post is suitable for a secondment opportunity. Where candidates with disabilities, who do not hold the academic qualifications for the post, are eligible to apply, this must be specified. Where information contained in advertisements is available

in a range of alternative formats to ensure that people with disabilities can access relevant information, this should be specified in the advertisement. The Equal Opportunities statement should encourage applicants from under-represented groups.

2.8 The job information pack issued in response to the advertisement, must include the job specification which will contain the definitions of the criteria (as appropriate), and information about the selection process to be used including details of any arrangements made for shortlisting candidates and whether executive search consultants will be involved. The job information pack should also contain details of the nature and extent of any reasonable adjustments which may be made for candidates with disabilities.

Attracting Applications

2.9 A reasonable opportunity must be given to eligible persons to become aware of the appointments to be made through open competition. Where appointments are to be made to temporary lower paid jobs or to a small number of permanent lower paid jobs in a particular geographical area, and it would not be cost effective to advertise widely in the press, the appointments must at least be advertised in all the Training and Employment Agency offices in the catchment area for the job in question. In all other cases, including those where there is the possibility of temporary or fixed term appointments being made permanent, advertisements must be placed in at least the 3 daily Northern Ireland newspapers i.e. the Belfast Telegraph, the Irish News and the Newsletter.

Executive Search Consultants

2.10 To attract applicants who may not normally respond to an advertisement, executive search consultants may be used in addition to advertising in the media, subject to the prior approval of the Commissioners. Candidates identified by executive search consultants must complete the same application form and be treated in the same way as other candidates who respond to the advertisement for the post, i.e. they should be subject to exactly the same subsequent

selection process. No additional weight should be given to a candidate's application for a post on the grounds that he/she applied as a result of being contacted by an executive search consultant.

Application Forms

2.11 Application forms must be used as part of the objective assessment of candidates. Apart from seeking information for administrative and monitoring purposes, forms must seek from candidates only information which is relevant to the determination of eligibility and to the assessment of candidates against the criteria specified for the job. Application forms must be issued only in respect of specifically advertised competitions. A closing date for receipt of application forms must be specified in the advertisement and job specification. Applications must be issued and accepted up to the specified closing date.

Selection Panels

2.12 Selection panels must comprise at least two people, at a level of management (where possible) higher than that being selected. All members of selection panels must have received appropriate training, including equal opportunities training. They must be provided with guidance notes and oral briefing on the application of the recruitment principle by those responsible for running the competition in advance of carrying out the eligibility sift, short listing and interviews. The Chairperson and members of the selection panel, should normally attend the formal pre-advertisement discussions in respect of each competition. The Chairperson must attend eligibility and, where appropriate, shortlisting discussions for each competition, accompanied, where practicable, by other members of the selection panel. The Commissioners note and commend the established policy of the NICS that the membership of selection panels where practicable, should include male and female representatives and be composed of people from more than one community background. This is welcomed as an appropriate way of promoting confidence in the recruitment procedures. Selection panels must apply the specified criteria fairly and consistently. Names of candidates and other personal details

must not be made known to the panel until eligibility and (where appropriate) shortlisting sifts have taken place. Panels must record their decisions and reasons for decisions, in relation to the eligibility and shortlisting criteria.

Eligibility Sift

2.13 All application forms received by the publicised closing date must be considered. Candidates who do not satisfy those criteria which are being used for sift purposes must be disqualified from the competition at this stage and notified accordingly. If it emerges during the course of a competition that a candidate does not meet the eligibility sift requirements, that candidate must be disqualified from the competition.

Shortlisting

2.14 Shortlisting should be carried out only when the number of eligible candidates exceeds manageable proportions in relation to the number of appointments to be made.

2.15 If it is anticipated that shortlisting may be required, this must be stated in the advertisement or job specification issued in response to enquiries received, and must detail how shortlisting will be carried out, including the shortlisting criteria to be used and the order in which they will be applied.

2.16 If the shortlist is to be produced by selecting those candidates who best meet the criteria specified in the advertisement on the basis of additional information obtained e.g. through interviews or an assessment centre, all candidates must be given the same opportunity to be considered. If written tests are to be used as part of the selection process, they must be job related tests. For applicants with disabilities reasonable adjustments may be required e.g. they may require extra time to complete a test.

Interviewing

2.17 Where it has been decided that candidates will be assessed by interview, selection panels must hold a pre-board discussion to agree how they will assess candidates against the specified criteria and how the interview will be structured. All candidates must be given the same chance to demonstrate their abilities or potential abilities. For candidates with disabilities reasonable adjustments to the interview venue may be required. All candidates must be given the opportunity of interviews of equal length; start and finish times must be recorded by the Chairperson, and where, exceptionally, an interview falls short of or extends beyond the normal time, the reason must be recorded. The areas covered in questions asked by each panel member as well as the individual assessments of candidates must be recorded.

Order of Merit

2.18 Panel members must assess each candidate only against the specified selection criteria and only on the basis of the performance at interview and such information on the candidate presented to the panel as part of the selection process.

- a. Each panel member must record (without consultation with other panel members) a separate score for each criterion they are assessing and a resulting total score for each candidate.
- b. The panel must agree and record a separate score for each criterion and a resulting total score for each candidate.
- c. Where an individual panel member has substantially differed from the panel in his/her assessment of a candidate, he/she must record on the candidate assessment form the reasons for accepting the agreed panel mark.

2.19 Candidates must be recommended by the interview panel for appointment in order of merit reflecting the agreed overall marking awarded by the panel to each candidate. The overall mark must be distinct for each candidate who is found suitable for appointment. They must be offered

appointment in that order unless there are sufficient vacancies to appoint all immediately.

Confidentiality

2.20 The proceedings of selection panels should be held in confidence, subject only to the need to disclose papers to assist in the resolution of any complaint properly brought, or in the Commissioners' audit of recruitment.

Retention of Records

2.21 Recruitment competitions must be fully documented and the papers retained for 3 years after the date the last candidate is offered an appointment. For fixed term appointments over 3 years, the papers must be retained for the duration of the appointment so that the basis on which the post was publicised is known in the event of extension or permanency being considered.

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Section 3

EXCEPTIONS TO THE MERIT PRINCIPLE

Introduction

3.1 Under Article 4(2) of the Civil Service Commissioners (Northern Ireland) Order 1999 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. Subject to any conditions which the Commissioners may specify in a Recruitment Code, the merit principle shall not apply to a post in the Civil Service as set out in section 3.3 of this Code. This section of the code sets out the circumstances in which appointments may be made under Regulation 2 of the Commissioners' General Regulations. The objective of permitting such arrangements is to provide flexibility where it can be justified as necessary to meet the business needs of the NICS, and its obligations as a good employer. There must also be strong and compelling grounds why it is not reasonably practical to

make the appointment in accordance with the merit principle.

3.2 In considering the application of exceptions to the merit principle, Departments should also bear in mind their continuing obligation to ensure compliance with relevant employment and equality legislation when carrying out their selection and appointment procedures. Regard should be paid to the potential for unfair treatment of those who are not given the opportunity to be considered for the appointment in question.

Categories of Exceptions to the Merit Principle

3.3 Regulation 2 of the General Regulations permits appointments to be made other than in accordance with the merit principle in the following categories:-

- a. Inward secondments;
- b. Re-appointment of former civil servants;
- c. Transfers of persons into the Northern Ireland Civil Service where the person holds a situation in another Civil Service of the Crown;
- d. Transfers of persons into the Northern Ireland Civil Service where the person is employed on functions being transferred to the Crown;
- e. Shortage of suitable candidates;
- f. Candidates with disabilities;
- g. Appointments for exceptional reasons, justified by the needs of the NICS; and
- h. Appointments under Government programmes to assist the long term unemployed.

3.4 Appointments within the above categories may be made only in the circumstances described in this Code.

3.5 When a Department makes an appointment under one of the categories at paragraph 3.3, the circumstances and the reasons must be clearly recorded. In addition, under Article 6 of the Civil Service Commissioners (Northern Ireland) Order 1999, no appointment (including those made under the above exceptions) may be made to any post in the Senior Civil Service without the written approval of the

Commissioners (for further details see Section 4 of this Code).

Inward Secondments

3.6 For the purposes of this exception, "secondment" means a voluntary transfer from a permanent employer for a fixed period which does not sever the employment relationship of the person seconded with the permanent employer.

3.7 It is possible to select a person for appointment on inward secondment on the basis of the merit principle i.e. where the option of secondment has been offered to candidates in an open competition. Secondments in any other circumstances can only be made in accordance with the provisions set out below. Observance of these provisions will be subject to scrutiny e.g. in the course of the Commissioners' audit of recruitment practices.

3.8 A person may be seconded to a post in the NICS, otherwise than on the basis of the merit principle, where:

- i. the secondment is arranged :
 - a. by approaching a number of suitable organisations and inviting them to nominate individuals for consideration, whereafter those nominated must be considered fairly and selected on merit; or
 - b. by participation in an exchange scheme with a specific organisation; or
 - c. by identification of a specific individual for a post requiring specific skills and knowledge ; and
- ii. the secondee is formally assessed as being capable of undertaking effectively the duties of the post he or she has been selected to fill, and records are kept as to how that assessment has been made.

3.9 A secondment which has been made under Regulation 2(i.e. not made through open competition) must be a short term arrangement and normally should not last longer than 2 years. In exceptional circumstances, such as the need to complete a piece of work, the Department or Agency may extend the secondment, but the total period of the

secondment must not normally exceed 3 years. Irrespective of grade, secondments (made under Regulation 2) must not be extended beyond 3 years unless the prior approval of the Commissioners has been obtained. Extension beyond 3 years will be permitted by Commissioners only when the secondee has performed to a high standard and where circumstances have changed to make an extension a significant advantage to the Department or Agency.

3.10 A person who has completed a secondment must not be re-appointed as a secondee by way of Regulation 2(a) (secondment) for a period of at least 2 years.

Re-appointment of former Civil Servants

3.11 All individuals who are re-appointed under this exception must have originally been selected on merit on the basis of fair and open competition and must meet the current standards required for the post applied for. Records should be kept on how the suitability of the candidate has been assessed against these standards. Re-appointment may take the form of reinstatement at the same or equivalent level as that held on resignation, or re-employment at a lower level.

Transfers into the Northern Ireland Civil Service of persons holding a post in another Civil Service of the Crown

3.12 This provision may be used to enable persons to be transferred to the NICS on compassionate or other exceptional grounds from another Civil Service of the Crown. Only those originally selected on merit on the basis of fair and open competition may be transferred under this provision.

Transfers into the Northern Ireland Civil Service of persons employed on functions being transferred to the Crown

3.13 This provision may be used to allow staff, engaged on work which is being transferred to the Crown, to be appointed to the NICS without adherence to the recruitment

principle of selection on merit on the basis of fair and open competition.

Shortage of suitable candidates

3.14 From time to time it may prove difficult to fill certain posts because of the scarcity in the labour market of the relevant professional or specialist skills. Where experience has shown that external competition has not brought forward suitable candidates, such posts may be filled by appointing an applicant who has reached an appropriate standard in a fair and open competition for an equivalent or higher position in the relevant discipline, but has failed to secure an appointment.

Candidates with Disabilities

3.15 This exception allows appointments to be made on those occasions where the person has been selected under arrangements where assistance was given to disabled persons.

3.16 "Disabled person" as defined in the Disability Discrimination Act (DDA) 1995 is "someone with a physical or mental impairment which has substantial and long-term adverse effect on his/her ability to carry out normal day to day activities."

3.17 Any competition in which assistance is offered to disabled candidates must also be open to all other eligible people. Apart from the assistance given to disabled candidates, the application of the merit principle throughout the stages of the recruitment process must be in accordance with the procedures set out in Section 2 of this code.

Appointments for exceptional reasons relating to the needs of the NICS

3.18 A person may be appointed to employment in the NI Civil Service without open competition, where

- i. the person is of proven distinction; and

- ii. the appointment is justified by exceptional reasons relating to the needs of the NI Civil Service.

3.19 Appointments under this category of exception *must not* be made without the prior and express agreement of Commissioners. The Commissioners will require to be satisfied, by the Department wishing to make the appointment, as to all the factors in paragraph 3.18 above.

Appointments under Government programmes to assist the unemployed

3.20 This exception allows appointments to be made on those occasions where the person has been selected for appointment under Government programmes to assist the unemployed. The Commissioners will determine from time to time which programmes and initiatives fall within the scope of this category.

3.21 The selection procedures used in determining whom to appoint within the specified programmes or initiatives must be demonstrably fair and based on the requirements of the post. Records must be kept on how suitability for appointment has been assessed.

3.22 Appointments under this category must be for no longer than 3 years and must not be renewed beyond the initial 3 year period, nor made permanent.

Section 4

COMMISSIONERS' APPROVAL OF APPOINTMENTS TO SENIOR GRADES

Introduction

4.1 Under Article 6 of the Civil Service Commissioners (NI) Order 1999, no appointment may be made to any post in the Senior Civil Service, or any post 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. This section sets out the

procedures to be followed in seeking that approval, and the criteria for obtaining it.

Obtaining approval for open competition appointments

4.2 As with all other recruitment to the NICS, recruitment to senior posts must be carried out in accordance with the Commissioners' Recruitment Code.

4.3 The Commissioners must be notified in writing at the earliest opportunity about the intention to hold a recruitment competition for a post requiring their approval. The notification must include the job specification; the definitions of the job criteria; the proposed advertisement and the media to be used; the job information pack; any reasonable adjustments to be made for disabled candidates; any proposal to use search consultants, together with the instructions to be given to them; and the proposed shortlisting methodology. The Commissioners' approval to proceed on the basis of the information supplied must be obtained before the job is advertised.

4.4 All selection panels for posts at senior level in the Civil Service must be approved by the Commissioners.

4.5 When the order of merit has been determined and the highest scoring eligible candidate has been identified, the appointing Department should write to the Commissioners seeking approval to offer an appointment to that person. An offer of appointment must not be made until the Commissioners' letter of reply giving their approval to appoint has been received. The above procedure must be repeated for each successive candidate in order of merit if the highest scoring candidate declines the offer of appointment.

Consultation with Ministers

4.6 Ministers should be consulted where they have a particular interest in open competitions for posts in the Senior Civil Service. However in order to demonstrate such appointments to the Senior Civil Service are free from

personal or political partiality the requirements of this Code continue to apply, unless the appointments are made under the provisions for the appointment of Special Advisers to Ministers. Further guidance on the management of competitions in which there might be a particular Ministerial interest is at Annex C. Job specifications should state if an appointment is to be subject to the approval of a Minister. In the rare event that a Minister decided not to agree to the appointment of the lead candidate in order of merit, a fresh competition would need to be run before an appointment could be made.

Obtaining approval where open competition is not held

4.7 Any proposal to make an appointment under the arrangements set out in Section 3 of the code (apart from the arrangements relating to disabled candidates) for a post requiring Commissioners' approval must be notified to the Commissioners at the earliest opportunity, setting out the reasons why the appointment is justified, and giving details of the job and the person proposed for appointment.

4.8 An appointment must not be made until the Commissioners' written **approval to appoint** has been obtained

ANNEXES Annexe A

COMMISSIONERS' AUDIT OF NICS RECRUITMENT POLICIES AND PRACTICES

Introduction

1 Article 4(4) of the Civil Service Commissioners (NI) Order 1999 requires Commissioners to audit recruitment policies and practices within the NICS to establish whether the Recruitment Code is being observed. Audits will be carried out either directly by the Commissioners or by persons authorised by Commissioners.

2 The objective of the audit will be to ensure that NICS recruitment systems are designed and operated in

accordance with the Commissioners' recruitment code. The audit may include an examination of any part of the recruitment systems, including details of an individual competition. The main areas for examination are set out below.

Scope of Commissioners' Audit

3 The audit will scrutinise NICS recruitment systems to ensure that:-

- i. those who carry out recruitment to the NICS adhere to the Commissioners' recruitment requirements;
- ii. instructions and guidance notes provided to those carrying out recruitment are consistent with Commissioners' requirements;
- iii. the distribution of such instructions and guidance is sufficient to ensure that they reach all those involved in recruitment;
- iv. there is a programme of appropriate recruitment training, incorporating equal opportunities training, in place for all those involved in the recruitment process, including those serving on selection panels;
- v. an internal programme to monitor recruitment policies and practices is in place;
- vi. action has been taken to correct any practices where internal monitoring has revealed that Commissioners' requirements have not been followed;
- vii. recruitment policies and practices are consistent with the Recruitment Code;
- viii. appointments under Regulation 2 of the Commissioners' General Regulations have been made in accordance with Section 3 of the Recruitment Code; and
- ix. information has been published in accordance with Section 6 of the Recruitment Code;

4 The audit will also include the scrutiny of a sample of individual recruitment competitions. The following aspects of specific competitions will be included as part of that scrutiny:

- i. job specifications and job criteria;

- ii. text of advertisements, the media used, and the length of time allowed for response;
- iii. application forms of successful and unsuccessful candidates;
- iv. papers relating to the eligibility sift and shortlisting of candidates for interview including the selection panel's comments;
- v. interview records, including individual panel members' rating forms and the mark frame demonstrating the order of merit;
- vi. details of how the competition was organised, for example, the stages at which candidates were notified of their progress in the competition, and the means of preserving candidates' confidentiality.
- vii. statistical analyses of applicants and appointees and of those successful at the short listing and interview stages of the competition by gender, community background, disability and race.

Audit Arrangements

5 Audits will be carried out every three years in Recruitment Service, and in each Department and Agency which carries out recruitment either in-house or using private sector recruitment agencies. A rolling programme of audits will be carried out.

Audit Procedures

6 Advance notice will be given of the intention to examine a particular area of recruitment. Information on the questions to be posed during the course of the audit will be provided. Such arrangements should not only provide sufficient time to prepare all necessary documentation and statistics, but also permit the review to take place with the minimum of disruption.

7 The findings of an audit will always be discussed with the body being audited before a report is submitted to the Commissioners. Where shortcomings in recruitment systems have been identified, the review team will make recommendations to address them. The emphasis will be on providing help

Publication of Audit Findings

8 The Commissioners shall include an account of the audit of recruitment policies and practices in any annual report which they may publish.

Annexe B

COMMISSIONERS' REQUIREMENTS FOR THE PUBLICATION OF RECRUITMENT INFORMATION

Introduction

1 Under Article 4(5) of the Civil Service Commissioners (NI) Order 1999 information relating to recruitment must be published in accordance with any requirements which the Commissioners may specify in a recruitment code. This section of the Recruitment Code sets out the minimum information to be published.

2 The NICS Recruitment Service should publish information on the competitions which it runs and Departments and Agencies should publish information on all recruitment which they carry out in-house or using a private sector agency. The most appropriate form of publication and the publication period is a matter for determination by Commissioners. A copy of the published information should be sent to the Commissioners for compilation of NICS-wide information.

Minimum Information To Be Published

3 The minimum information to be published is set out below. The information should relate to all appointments, including appointments which require the Commissioners' approval.

- i. A statement that systems are in place to ensure that selection for appointment is made in accordance with the Recruitment Code.
- ii. A statement that recruitment policies and practices are subject to regular internal monitoring.
- iii. Details of the appointments made under Regulation 2 of Commissioners' Regulations.
- iv. Statistical summaries, in a format which the Commissioners may specify, of all recruitment activity

during the publication period, including analyses by gender, community background, disability and race.

Annexe C

CONSULTATION WITH MINISTERS ON APPOINTMENTS TO POSTS IN THE SENIOR CIVIL SERVICE

1. This Annex sets out guidance on Ministerial consultation in cases where they have particular interest in posts in the Senior Civil Service to be filled by open competition
2. Ministers will have a legitimate interest in the filling of certain posts in the Senior Civil Service. Those interests must be accommodated within a system which ensures that individual appointments are made on the basis of merit, free from personal or political partiality so the appointees are able to continue to serve Ministers of different backgrounds. The Recruitment Code is designed to provide these safeguards, and applies to appointments to the SCS, within the context of the following guidance which is designed to accommodate Ministerial involvement in that process.
3. Before planning of the competition for a particular post begins, the extent and nature of Ministerial Interest must be established by the relevant Department. The competition must be discussed with the Minister at the outset and if the Minister chooses he/she may discuss, agree or otherwise take part in any of the following:
 - the planning of the recruitment exercise;
 - the development of recruitment literature including the advertisement(s), selection criteria, job specification;
 - composition of the selection panel (whose membership should be chosen with reference to the selection criteria);
 - terms of engagement for any executive search consultants (whose use is subject to prior Commissioners' approval);
 - the endorsement of the lead candidate.

If Ministerial endorsement of the lead candidate is required this must be identified in the job information.

4. During the process the Minister may also choose to:
 - meet the top candidate after the conclusion of the selection process, before endorsing the appointment if that is a requirement.
5. Once a competition has been launched and, after the eligibility sift has taken place, the Minister may see the names of all applicants, including those sifted out. Where shortlisting has been carried out in accordance with the requirements of this Code, the Minister may see the names of all applicants and the names of applicants shortlisted for interview.
 - a. If the Minister concludes after the eligibility sift stage that the competition has produced an insufficiently wide range of candidates for the post, then he/she may direct that the post should be re-advertised, possibly with different job criteria.
 - b. If the Minister concludes that an insufficient number of applicants has been shortlisted for interview against the shortlisting criteria specified for the competition, he/she may ask the selection panel to increase the number of candidates to go forward to the next stage of the competition. This may then be done only by the panel adjusting the application of the shortlisting criteria specified for the competition to produce a larger field of candidates for the next stage of the competition. The size of the shortlist must not be reduced below the level it has already been determined is manageable for the remaining stages of the competition.
6. Following the selection process, all requisite documentation must be referred to the Commissioners (Stage C) for approval before referral to the Minister. If an appointment is subject to the formal endorsement of the Minister, then whether or not he/she has chosen to become involved in the recruitment process as at paragraph 3, he/she must decide whether he/she wishes to endorse the appointment before

promulgation. Commissioners' final approval (Stage D) must be sought after the Minister has endorsed the lead candidate.

7. The candidate recommended for appointment must be the one placed first in order of merit by the selection panel. The minister may not require the appointment to be offered outside of merit order. Only that candidate will be approved by the Commissioners for appointment, unless he/she turns down the offer of appointment. In that event the position may be offered in order of merit to reserve candidates considered suitable for appointment, but only after Ministerial endorsement and Commissioner approval have been obtained.
8. In the unlikely event that, despite having been consulted about the planning and operation of the competition, the Minister decides not to endorse the appointment of the lead candidate, the current competition must be terminated. If it is still desired to fill the appointment by open competition, a fresh competition must be initiated.

1 The Order also requires that appointments observe such requirements as may be prescribed by DFP (eg minimum standards for health, age, character etc).

2 the only appointments not covered are the specific exemptions provided in the Order eg "special advisers" to Ministers