

CSC NI

CIVIL SERVICE COMMISSIONERS
FOR NORTHERN IRELAND

09-10
ANNUAL REPORT

CSC NI

Ensuring appointment on merit & safeguarding ethics

Feedback

Whilst this Report is a document of record it is important it is also relevant and informative to the public. Should you have any comments regarding any aspect of the Report (e.g. content, layout etc.) the Civil Service Commissioners would be happy to receive them. Any such comments should be sent to the following address:

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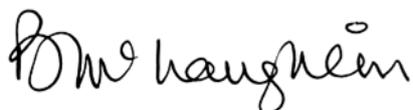
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09-10

CSC NICIVIL SERVICE COMMISSIONERS
FOR NORTHERN IRELAND

We, Your Majesty's Civil Service Commissioners
for Northern Ireland, present to Your Majesty
this report on our work during the period
1 April 2009 to 31 March 2010



Brenda McLaughlin CBE
Chairperson



Mr Brian Carlin OBE



Dame Joan Harbison



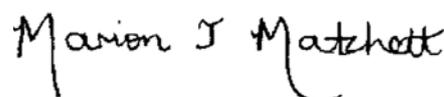
Mr Alan Henry OBE



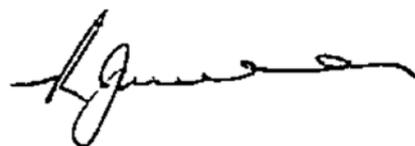
Mr Tony Hopkins CBE



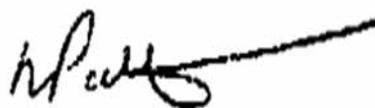
Mrs Ruth Laird



Ms Marion Matchett CBE



Dr Raymond Mullan OBE



Mrs Vilma Patterson MBE

SECTION	Page(s)
Chairperson's foreword	5
Role as regulator	9
Key strategic issues which arose during 2009/10	13
Recruitment to the NICS during 2009/10	17
Senior appointments during 2009/10	19
Exceptions to the Merit Principle	21
Promoting Equality and Good Relations	25
NICS Code of Ethics	29
Links with others	33
ANNEXES	
Annex A Commissioners in post during 2009/10	38
Annex B 2009/10 Business Plan – End year position	42
Annex C 2009/10 Resources and Budget Spend	56
TABLES	
Figure 1 Appointments made by exception to merit: April 2007 - March 2010	23

CSC NI

CHAIRPERSON'S FOREWORD

Ensuring appointment on merit & safeguarding ethics

CHAIRPERSON'S FOREWORD

It has been another busy and challenging year for Civil Service Commissioners.

In last year's Annual Report, I mentioned our intention to review our Recruitment Code, not least as the first principle-based Code had been in place since 2005. Our primary purpose in reviewing the Code was to reflect on, and take account of, changes in the wider political, business and social environment and, therefore, the context for recruitment to the Northern Ireland Civil Service (NICS). Commissioners were also keen to ensure there was a common and shared understanding of our role, responsibilities and expectations, as articulated in the Code.

The review of the Code has been a major area of our work during 2009/10. Following an internal review, which included consultation with Permanent Secretaries and the Department of Finance and Personnel (DFP), we determined that the vast majority of the Code remained relevant and appropriate – the overall thrust and broad principles were not, therefore, amended. We did, however, make a number of changes aimed at providing greater clarity so that all those involved in the recruitment process might understand better the requirements of the Code and how these might be satisfied in practice. A 12-week period of consultation on the draft Code was launched on 1 September and I am pleased to report that the level of response was good. At the time of writing, Commissioners have reflected on all the comments received and a number of further changes have been made to the Code. We look forward to publishing a revised Code during 2011/12 and are extremely grateful to all those who took the time to engage in the consultation process.

The Statistics and Registration Service Act 2007 created the UK Statistics Authority and empowered it to determine, and assess compliance with, a Code of Practice for Official

Statistics. The Code applies to all UK bodies that are responsible for official statistics. As regulators, it is vital for Commissioners to have access to relevant, accurate and timely information on recruitment-related activity. Our primary consideration remains to ensure that any data published is accurate, validated, meaningful to a public audience, and in full compliance with the Code of Practice for Official Statistics.

In our last Annual Report, we reflected on the difficulties encountered in securing details of recruitment-related activity during 2008/09 from the NICS. As a result, publication of our 2008/09 Annual Report was delayed significantly. Regrettably, validated official statistics on recruitment-related activity during 2009/10 have not been made available to us. Rather than delay publication still further, we took the difficult decision to publish our Report without the data. As regulators we find this situation unacceptable and we will pursue a satisfactory resolution of this difficulty with the Head of the Civil Service.

This year, as always, our meetings with GB and ROI colleagues proved to be invaluable learning opportunities. We shared experiences of a wide range of issues, including the impact on recruitment of reducing departmental budgets and the increasing need for efficiency savings. The highlight of the visit to London, however, was our inclusion at a reception hosted by Her Majesty the Queen and The Duke of Edinburgh in Buckingham Palace. As both GB and NI Commissioners are appointed by Her Majesty, this was a memorable occasion to recognise the contribution of Commissioners as regulators of recruitment to the Civil Service.

Once again, we have seen changes to the membership of our Commissioners during this period. I am delighted to welcome Raymond Mullan and Marion Matchett who joined us in October 2009 and March 2010 respectively.

Our new colleagues bring with them a wealth of experience from the public, private and voluntary sectors and I am sure that they will each make a valuable contribution to our work.

Finally, I would like to thank my fellow Commissioners for their diligence and commitment and also our loyal and dedicated Secretariat for the support, advice and guidance which they have continued to provide to each of us throughout the past year.

I very much hope that 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 any member of the Secretariat who will be happy to help.



BRENDA McLAUGHLIN CBE
Chairperson

CSC NI

ROLE AS REGULATOR

Ensuring appointment on merit & safeguarding ethics

Who we are

Civil Service Commissioners are independent of Government and the Civil Service. We are appointed under, and derive our powers and responsibilities from, the Civil Service Commissioners (NI) Order 1999. Commissioners are appointed on merit following public advertisement and fair and open competition and bring to the job wide experience from the public, private and voluntary sectors. The independence of Commissioners is fundamental to our role as regulator. Two new Commissioners, Raymond Mullan and Marion Matchett, were appointed during this reporting period. Details of all Commissioners in post during 2009/10 are provided in **Annex A**.



TONY HOPKINS, MARION MATCHETT, RUTH LAIRD, BRENDA MCLAUGHLIN (CHAIRPERSON), VILMA PATTERSON AND RAYMOND MULLAN

The independence of Commissioners is fundamental to our role as regulator.

What we do

Our primary role is to regulate recruitment to the NICS, at all levels, to ensure that the Merit Principle is adhered to, both in spirit and in practice.

We discharge our statutory responsibilities by:

- maintaining the principle of selection on merit on the basis of fair and open competition in relation to selection for appointment;
- making General Regulations which prescribe the circumstances in which the Merit Principle shall not apply;
- publishing and maintaining a Recruitment Code on the interpretation and application of the Merit Principle;
- auditing recruitment policies and practices followed in making appointments to the Civil Service to establish whether the Recruitment Code is being observed; and
- requiring the publication of such information as we may specify relating to recruitment and to the use of permitted exceptions to the Merit Principle.

We also have a role in hearing appeals made by existing civil servants under the NICS Code of Ethics. In exceptional circumstances, Commissioners may consider taking an appeal direct from the complainant.

Our primary role is to regulate recruitment to the NICS, at all levels, to ensure that the Merit Principle is adhered to, both in spirit and in practice.

Working with the NICS

As Commissioners, we work closely with the NICS to ensure that the Merit Principle is understood and upheld. This work is crucial to promoting public confidence in NICS recruitment. We meet regularly with the Head of the Civil Service, Permanent Secretaries and senior officials within Corporate HR (CHR), (formerly Central Personnel Group), and seek to shape and inform recruitment policy and encourage best practice.

Each NICS Department is linked to particular Commissioners who hold meetings with the relevant Permanent Secretary and, on occasion, other senior officials. These meetings take place once a year and focus on current issues of common concern. Issues explored during the most recent meetings included:

- the need to balance financial cuts while securing future talent pools;
- the importance of effective, appropriately tailored, training for panel members and all those involved in the recruitment process;
- the need to ensure that the role of HR is defined clearly and the added professional value is evident;
- the increasing demand for specialist technical staff; and
- the added value of devising sound selection and assessment methods, which allow the potential of candidates to be explored properly and effectively.

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KEY STRATEGIC ISSUES WHICH AROSE DURING 2009/10

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The following paragraphs set out the strategic issues we considered during 2009/10.

Review of the Recruitment Code

The current Recruitment Code – the first principle-based Code – has been in place since 2005. We felt it was timely and appropriate to review the Code to ensure it was still relevant and to reflect the new context within which it must operate (including, for example, the return of devolved powers to Northern Ireland; changes in the wider political and business environment; and the introduction of HRConnect as the body contracted by the NICS to provide a range of Human Resource services, including recruitment). After a detailed internal review of the Code by Commissioners, we determined that the broad thrust and main principles remained relevant and appropriate. We did, however, consider that a number of changes were required to provide greater clarity so that all those involved in the recruitment process could understand better the requirements of the Code and how these might be satisfied in practice.

It was timely and appropriate to review the Code to ensure it was still relevant and to reflect the new context within which it must operate.

Audit

Audit is one of the key regulatory tools available to Commissioners to establish whether or not the expectations of the Recruitment Code are being observed during NICS recruitment. It presents an important independent challenge function, the primary aim of which is to seek an assurance that the Merit Principle is being upheld.

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Effectiveness of Training

The 2008/09 Annual Report outlined the key findings of the Effectiveness of Training Audit. As Commissioners, we were anxious to ensure that the training provided covered the entire recruitment selection and assessment processes and the associated knowledge and skills required and did not focus solely on the mechanics of interviewing. We were also keen to ensure that all those involved in the recruitment process had a clear understanding of their roles and responsibilities and felt confident in their ability to contribute effectively to all relevant aspects of the process.

During 2009/10, we continued to pursue these important issues with the Head of the Civil Service and with senior officials in Corporate Human Resources (CHR) in the Department of Finance & Personnel (DFP). We were pleased with the very positive response to the findings of this Audit and the commitment of the NICS to re-design the

recruitment and selection training programme so as to address our concerns.

We joined senior NICS officials at a workshop to clarify roles and responsibilities and to identify an action plan of improvements. In October 2010, Commissioners, as chairs of selection panels for the appointment of Senior Civil Servants, attended the re-designed training programme to see for ourselves how this had been developed and improved. We have also received, from the NICS, an Action Plan setting out how each of the agreed recommendations of this Audit will be taken forward, along with the related outcomes and timescales. Progress reports on the implementation of the agreed recommendations have been received and discussed with the NICS on a regular basis.

Management Arrangements

Work commenced in 2009/10 on an audit to examine the Management Arrangements for recruitment to the NICS. In particular, this Audit was to look for evidence of: (a) measures to ensure that policies, procedures and practices comply with legislation and are consistent with the Merit Principle, the Recruitment Code and NICS recruitment procedures; and (b) adequate controls in place to ensure that appropriate procedures and processes are adopted and delivered. Unfortunately it did not prove possible to complete the Audit during this reporting period and we will reflect on this further, in our next Annual Report.

Publication of Recruitment-related Information

Commissioners have a statutory power to require the publication of information relating to recruitment. As regulators, we are mindful of the importance of access to accurate, relevant and timely information on recruitment-related activity. This is important in order to both inform

key business decisions within the NICS and also to promote public confidence in the process of recruitment to the NICS. During 2009/10, and following on from the introduction of the Statistics and Registration Service Act 2007, we have worked closely with representatives of the NI Statistics and Research Agency (NISRA) to understand better their enhanced role and remit under the Act and to identify the extent, type and nature of recruitment-related data which might meaningfully be produced.

2009/10 Business Plan

The objectives and targets set for 2009/10 were outlined in our Business Plan and published on our website. Progress against the Plan was monitored and reviewed regularly throughout the year and discussed on a quarterly basis. The key outputs achieved during the year are summarised in **Annex B**.

Training and Development

Commissioners are committed to their continuing professional development. During the year, Commissioners attended a number of training events, including sessions on strategic influencing, corporate governance and equality.

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RECRUITMENT
TO THE NICS
DURING 2009/10

RECRUITMENT TO THE NICS DURING 2009/10

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 regarding recruitment to the NICS. Placing this information in the public domain improves the accountability of Departments and Agencies, ensures openness and transparency and encourages public confidence in recruitment to the NICS. The detailed information is published in the NICS Appointments and Marketing Branch Annual Report.

In our last Annual Report, we reflected on the difficulties encountered in securing details of recruitment-related activity during 2008/09 from the NICS. As a result, the publication of our 2008/09 Annual Report was delayed significantly.

Regrettably, validated official statistics on recruitment-related activity during 2009/10 have not been made available to us. Rather than delay publication still further, we took the difficult decision to publish our Report without the data. As regulators we find this situation unacceptable and we will pursue a satisfactory resolution of this difficulty with the Head of the Civil Service.

Our primary consideration remains to ensure that any data published is accurate, validated, meaningful to a public audience, and in full compliance with the Code of Practice for Official Statistics. Since the introduction of the Statistics and Registration Service Act 2007, Commissioners are working closely with NISRA and the NICS to specify our data needs and agree how these can best be met.



RUTH LAIRD, BRENDA MCLAUGHLIN AND MARION MATCHETT WITH JOHN MCKERVILL, CHR

CSC NI

SENIOR APPOINTMENTS DURING 2009/10

SENIOR APPOINTMENTS DURING 2009/10

As Commissioners, we chair the recruitment panels for all Senior Civil Service (SCS) open competitions and our involvement begins at the very early planning stages. We attend initial scoping meetings with senior Departmental representatives to discuss the job descriptions and person specifications. We are involved closely in all aspects of the competition design, including agreeing the eligibility and short-listing criteria, the assessment process and interview questions and associated indicators. This direct involvement enables Commissioners to ensure that all aspects of the competition process support and promote the Merit Principle and gives us first-hand experience of how the process works in practice.

Validated official statistics in relation to senior competitions were not available from the NICS at the time of publication. Based on our internal records, during 2009/10, Commissioners chaired 15 open competitions, which resulted in 17 appointments to the SCS. In the previous year we chaired 15 competitions which resulted in 21 appointments to the SCS. Commissioners were unable to approve one competition process as, following examination of the paperwork, we concluded that the requirements of the Recruitment Code had not been satisfied fully. The Department concerned initiated a new competition to fill the post and an appointment was made.

The Recruitment Code makes provision, on an exceptional basis, for Ministerial involvement in senior appointments. It is important that any such involvement should be accommodated within a system which ensures that individual appointments are made on the basis of merit, free from personal or political partiality, so that the public may be reassured that the appointees may serve Ministers of different political backgrounds. This is important in order to safeguard the non-partisanship of the Civil Service and to ensure that recruitment decisions are free from political

influence. Commissioners' approval was sought for Ministerial involvement in two of the 15 senior competitions. Both requests related to endorsement of the lead candidate only. After detailed scrutiny of each request, we were persuaded that the business cases put forward were relevant and appropriate and we were, therefore, content to grant approval.

CSC NI

EXCEPTIONS TO THE MERIT PRINCIPLE

EXCEPTIONS TO THE MERIT PRINCIPLE

The Recruitment Code recognises that there may be circumstances which warrant appointments being made as exceptions to the Merit Principle. Any such appointments must be rare and there must be strong and compelling grounds to justify such an appointment. Commissioners actively scrutinise and challenge all requests from Departments on a case-by-case basis and grant approval only when we are satisfied fully that this is both necessary and appropriate. While it is more helpful to consider the number of appointments made by way of exception to the Merit Principle within the context of overall recruitment, this is not possible in this Annual Report in the absence of validated official statistics from the NICS. Given the importance of monitoring and reporting on exceptions, Commissioners considered it appropriate, nevertheless, to publish the information available to us in this area.

There was one case during the period of this Report where, following detailed consideration of the circumstances presented, we concluded that the requirements of the Recruitment Code had not been satisfied and we did not, therefore, grant approval.

During 2009/10, we were asked to consider five requests to approve appointments by way of exception to the Merit Principle. These included:

- a request for a secondment to fill, temporarily, a SCS vacancy within a Department to meet an urgent need. After careful consideration of the business case, we were persuaded of the urgent need to fill this specialist professional post and were assured that an open competition would be initiated as soon as possible. We were, therefore, content to grant approval;
- two requests for extensions to existing

secondments. One request sought an extension to a SCS secondment for a further 12 months. The second related to a retrospective request to extend a secondment, below SCS-level, for a further two year period. After careful and detailed scrutiny of both requests, we were persuaded that the business cases put forward were relevant and appropriate and were, therefore, content to grant approval;

- a request to transfer a number of SCS staff into the Civil Service from the Northern Ireland Court Service as a result of the devolution of Policing and Justice¹. After consideration of the case presented, we were content to grant approval; and
- a request sought approval to appoint an individual on the basis of their proven distinction and exceptional reasons relating to the needs of the Civil Service. After careful consideration of the information presented in this case, we were not persuaded that either proven distinction or exceptional reasons justified by the needs of the NICS had been established and so approval was not granted. For us to consider granting approval, there would need to be strong and compelling evidence explaining why it would not be possible to meet the business need via an open competition and therefore make the appointment in line with the Merit Principle.

While the specific approval of Commissioners is required for some appointments by exception to merit, the Recruitment Code does permit Departments to make appointments via exception to merit in certain limited circumstances. Under delegated authority Departments may make appointments as exceptions to the Merit Principle at grades below Senior Civil Service for periods of up to two years. Departments and Agencies

¹ This request was approved in March 2010 but, given that the devolution of Policing and Justice came into effect on 12 April 2010, the appointments were made during 2010/11.

EXCEPTIONS TO THE MERIT PRINCIPLE

09-10

are required to publish, annually, details of such appointments. During 2009/10, Departments and Agencies reported a total of 26 appointments made as exceptions to the Merit Principle. The comparable figures for 2008/09 and 2007/08 were 16 and 28, respectively. Figure 1 presents a breakdown of the appointments made by exception to merit, by category.

Commissioners actively scrutinise and challenge all requests from Departments on a case-by-case basis and grant approval only when we are satisfied fully that this is both necessary and appropriate.

Figure 1

Appointments made by exception to merit: April 2007 - March 2010²

Exception Category	Number of appointments: April 2007 - March 2008	Number of appointments: April 2008 - March 2009	Number of appointments: April 2009 - March 2010
(a) Secondment	21	12	6
(b) Transfer from another civil service of the crown	2	2	0
(c) Transfer of persons employed on functions being transferred	5	0	19
(d) Exceptional needs of the NICS	0	1	1
(e) Appointments made under Government initiatives/programmes	0	1	0
(f) Reinstatement	0	0	0
Total	28	16	26

The notable increase in the number of appointments made by way of exception under category (c) in 2009/10 reflects the decision, as part of the Review of Public Administration, to abolish the Fisheries Conservancy Board and transfer its functions and 19 staff to the Department of Culture, Arts and Leisure.

² The data presented in this table is management information provided by NI Departments and does not fall within the requirements of the Code of Practice for Official Statistics.

CSC NI

PROMOTING
EQUALITY
AND GOOD
RELATIONS

PROMOTING EQUALITY AND GOOD RELATIONS

As a public authority, we are committed to fulfilling our obligations to promote equality of opportunity and good relations under Section 75 of, and Schedule 9 to, the Northern Ireland Act 1998. Our Equality Scheme and related Implementation Plan set out how our obligations will be fulfilled. Copies of both documents are available from our website at www.nicscommissioners.org

In May 2010, we presented our annual report to the Equality Commission demonstrating the progress made in implementing the Equality Scheme during 2009/10. New guidance has been produced by the Equality Commission regarding the revision of Equality Schemes and our Scheme will be updated, in due course, in line with these new requirements. As part of the Equality Commission's planned phased introduction of the new arrangements, we have been invited to submit our revised scheme during 2011. Initial preparatory work has commenced and, in the meantime, we will continue to operate the existing Scheme and monitor progress accordingly.

Our Good Relations Strategy was refreshed and updated in November 2007 and relevant targets and objectives have been reflected, as appropriate, in our 2009/10 Business Plan. Progress against the Strategy continues to be monitored on a regular basis.

Diversity, inclusivity and equality of opportunity are at the very core of all our activities.

Our first Disability Action Plan was produced in 2007 and revised in 2009. We are committed to fulfilling our statutory disability duties and have incorporated appropriate objectives and targets into our Disability Action Plan. In addition, disability considerations are taken into account when developing the Terms of Reference for our Audit Programme. Members of the Secretariat have also reflected the disability duties within their personal performance agreements and development plans, as necessary. In June 2009, we invited a disability-led group, the Omnibus Partnership, to provide a training session tailored specifically to our needs. This provided much useful advice and insight, all of which will help ensure we reflect appropriately on the needs of people with disabilities in all our activities.

Diversity, inclusivity and equality of opportunity are at the very core of all our activities. In addition, we seek actively to use our influence as regulators, to encourage the NICS to take proactive measures to promote equality of opportunity and good relations throughout all stages of the recruitment process. During this reporting period, we took the opportunity to review and comment on the first progress report on implementation of the NICS Employment Equality and Diversity Plan. Commissioners welcome very much the vision aspired to in the Plan for the NICS to be an employer of choice and are interested to hear of the strategy and activities to achieve this and to attract a wider pool of applicants for NICS vacancies. We look forward to continued close working with the NICS in monitoring delivery of the Plan.



VILMA PATTERSON WITH DEPARTMENTAL HR REPRESENTATIVES

CSC NI

NICS CODE OF ETHICS

Ensuring appointment on merit & safeguarding ethics

The NICS is governed by a Code of Ethics which requires civil servants to act with integrity, honesty, objectivity and impartiality. If a civil servant is aware of actions by others which s/he considers to be in conflict with the Code, s/he can raise this within the Department under an internal complaints process. If the civil servant is unhappy with the outcome of the internal process we, as Commissioners, may decide to hear an appeal. In exceptional circumstances, we may consider taking a complaint direct from a civil servant without the person first going through the internal process.

During this reporting period, two direct approaches were made to Commissioners regarding potential breaches of the Code of Ethics. After detailed consideration of each case, and following any necessary legal advice, we concluded that the information, as presented, did not provide evidence that the Code had, in fact, been breached. One of the cases related to an appointment to a non-NICS organisation and, as such, did not come within the remit of either the Commissioners or the Code of Ethics. The other case raised concerns about alleged irregularities in internal procedures and processes – these were matters for the relevant Department to consider and were not issues for consideration under the Code of Ethics.

Commissioners are concerned primarily about issues which have a public interest dimension. We have no remit in relation to internal employment issues. Where there is an overlap or ambiguity as to whether a complaint should be considered under the Code of Ethics or other employment-related procedures, such as those relating to harassment, bullying or discrimination, Commissioners consider it prudent, in most cases, to await the outcome of any internal or external procedure before making a determination

regarding a possible breach of the Code. This approach is considered important so as not to jeopardise any ongoing process, regardless of the outcome of that process.

Commissioners are concerned primarily about issues which have a public interest dimension. We have no remit in relation to internal employment issues.



RAYMOND MULLAN, BRENDA MCLAUGHLIN (CHAIRPERSON), VILMA PATTERSON, RUTH LAIRD, MARION MATCHETT AND TONY HOPKINS

CSC NI

LINKS WITH OTHERS

As Commissioners, we place a great deal of importance on establishing and maintaining effective relationships with key stakeholders in order to share experiences, expertise and learn from existing good practice. In addition to our links with the Head of the Civil Service and the NI Permanent Secretaries we also work closely with our counterparts in GB and ROI to explore issues of mutual interest and concern.

Our meeting with the GB Commissioners was particularly special this year as it included an invitation to a reception at Buckingham Palace hosted by Her Majesty The Queen and The Duke of Edinburgh. A key focus for discussion at the March 2010 meeting was the review of the Recruitment Code and the introduction of the GB Commissioners' Recruitment Principles. We very much value our close contact as work on these important issues develops further.

In September 2009, we met the ROI Commissioners. This meeting was a useful opportunity to learn about recent experiences of ROI colleagues and examine their approach to tackling similar issues, particularly in relation to audit, diversity and outreach considerations during recruitment. The impact of public sector cuts on recruitment was also discussed.

Our respective Secretariats continued to keep in regular contact and met during the year, as necessary, to keep up-to-date on developments and the strategic agendas in GB and ROI. We recognise the value of continued and regular engagement with our counterparts and the opportunity it offers to share ideas and exchange views on relevant and important issues.

Throughout 2009/10, we continued to look for opportunities to engage with a wide range of stakeholders to learn of their work and to help inform and influence our activities. During the year, this included meeting with representatives from the Equality Commission, NI Statistics and Research Agency (NISRA), the Assistant Crown Solicitor and senior officials in the Northern Ireland Office. Each of these sessions proved to be very fruitful in terms of a two-way exchange of views and experiences and they were also an effective means of sharing information about our roles and responsibilities. Commissioners and members of the Secretariat also attended the conference to celebrate the 40th Anniversary of the Ombudsman's Office, which was particularly interesting in terms of developing a better understanding of how the Ombudsman's Office exercises its regulatory responsibilities.



RECEPTION AT BUCKINGHAM PALACE WITH THE GB COMMISSIONERS

CSC NI ANNEXES

COMMISSIONERS IN POST DURING 2009/10



Chairperson: Brenda McLaughlin, CBE

Brenda was first appointed in May 2006 and reappointed in May 2009 for a further period of 3 years. She is a graduate of Queen's University Belfast, where she served as a member of Senate and then as Pro-Chancellor for eight years, until December 2007. She was appointed to the Public Service Commission in 2006 and retired as a Director of Ulster Bank in June 2009.

Brenda was the first Chair of South and East Belfast HSS Trust, a position she held for nine years until 2001, and also served as a non-executive Director on the Departmental Board of the Northern Ireland Office for five years, until June 2006.

She was Chair of the Opportunity Now Campaign (NI) for nine years, is a former Board Member of Business in the Community and of the BBC (NI) Broadcasting Council.

Brenda was appointed to the Board of the Ulster Orchestra in 2008 and has also served on the Executive Councils of Action Cancer, Northern Ireland Chest Heart and Stroke Association and Extern.



Brian Carlin, OBE (until September 2009)

Brian, appointed in 2002, worked for 43 years in Bombardier Shorts, before retiring as an Executive Vice-President in 1996. In October 1996 he was appointed Chairman of the Central Services Agency and served for a period of seven years. He also served on the Northern Ireland Council for Curriculum, Examinations and Assessment (CCEA) from 1997-2006. Brian was appointed to the Equality Commission in August 2003.

He serves on the Board of Maydown Precision Engineering in Derry and other interests include acting as a Trustee for the Bytes Project, the Bombardier Shorts Charitable Foundation and the Bombardier Shorts Pension Fund.



Dame Joan Harbison (until October 2009)

Joan was appointed on 1 October 2006. She was a teacher and lecturer professionally and has extensive experience of public and voluntary service in Northern Ireland. She was the Chief Commissioner of the Equality Commission for Northern Ireland until July 2005 and previously Vice Chair of the Eastern Health and Social Services Board and the Standing Advisory Commission on Human Rights (SACHR). She was a member of the General Dental Council for the United Kingdom and of the Human Fertilisation and Embryology Authority as well as serving on the Financial Services Authority Consumer Advisory Panel.

Joan was actively involved in the Northern Ireland Association of Citizen's Advice Bureaux for many years and was its Chair from 1994 to 1995. She was a member of the NI Judicial Appointments Commission until January 2009 and a member of the Health and Personal Social Services Regulation and Quality Improvement Authority until March 2009. She was, until her appointment as Older People's Advocate for Northern Ireland in December 2008, Chair of Age Concern Northern Ireland and a Trustee of Age Concern England.



Alan Henry, OBE (until September 2009)

Alan, appointed in 2002, was Head of Human Resources at Royal Mail. He is currently an HR consultant, specialising in recruitment and selection, equal opportunities and diversity. Alan is a Human Rights Commissioner and a former Commissioner of the Equality Commission. He is an Industrial Tribunal panel member and an assessor for the Office of the Commissioner for Public Appointments (CPANI). He is also an Assessor for the National Patient Safety Authority.



Anthony Hopkins, CBE (appointed 2 February 2009)

Dr Tony Hopkins chaired the Northern Ireland Higher Education Council from 2002 until late 2009. He was Chair of Laganside Corporation from 1997 until 2007 when Laganside completed its task of securing the regeneration of the riverside area of Belfast and Cathedral Quarter. He was a public servant for 21 years working in the field of industrial development first in the Northern Ireland Development Agency and later with the former Industrial Development Board for Northern Ireland where he was Chief Executive from 1988 until 1992.

From 1992 – 2001 he became Senior Partner of Chartered Accountants Deloitte in Belfast. He was NI Chair of the Chartered Institute of Management for six years. He has served on the Boards of the Northern Ireland Tourist Board and of the NI Probation Service. He is currently Chair of Ulster Garden Villages, a large local charitable and philanthropic organisation.



Ruth Laird

Ruth was first appointed on 1 June 2006 and reappointed in June 2009 for a further period of 3 years. She has over 25 years experience in the field of human resource management and organisational development, working in the public, private and voluntary sectors. She was formerly Director of the National Trust NI, Head of Personnel, BBC (NI) and a Fair Employment Commissioner until June 1999.

Ruth is a chartered member of the Institute of Personnel and Development. She is currently a member of the NI Judicial Appointments Commission; a NI Parole Commissioner; a Board member of the Health and Personal Social Services Regulation and Quality Improvement Authority and a non-executive Director of the NI Transport Holding Company. Ruth is also a member of the Council of the University of Ulster (appointed from 1 October 2009).



Marion Matchett, CBE (appointed 8 March 2010)

Marion was appointed on 8 March 2010. Marion has spent all of her working life in the public sector and has been involved in education and training at a number of levels. As a former teacher, adviser, lecturer and inspector Marion's professional experience extends across the education and training sectors in Northern Ireland and beyond. Marion was Chief Inspector of the Education and Training Inspectorate until her retirement in 2008 and was also a member of the Chief Inspector's Forum (UK) and the Standing International Conference of Inspectorates. Marion has a particular interest in the contribution of regulation and inspection to the promotion of improvement in services.



Raymond Mullan, OBE (appointed 1 October 2009)

Dr Raymond Mullan, appointed in October 2009, was Director & Chief Executive of Newry & Kilkeel Institute of Further & Higher Education from 1991 to 2007 and was Interim Director and Chief Executive of Belfast Metropolitan College during 2008 and 2009. He is also a lay Commissioner of the Northern Ireland Judicial Appointments Commission and is a non-executive Director of the Southern Health & Social Care Trust. Dr Mullan has also served on the Northern Ireland Economic Development Forum and is a member of Newry Chamber of Commerce and Trade.

He is an Economics graduate of Queens University, Belfast, holds a Masters Degree from the University of Ulster and is a Doctor of the University of Ulster. Dr Mullan received an OBE in 2000 for his services to education in Northern Ireland.



Vilma Patterson, MBE (appointed 2 February 2009)

Vilma has spent over 30 years in the construction industry, in sports ground construction, consultancy, research and network development and is Director of John G Duff (Annadale) Ltd. She was previously a member and Chair of the Independent Monitoring Board for HMP Maghaberry and Chair of the Association of Members of Independent Monitoring Boards for Northern Ireland. She is also the former Chair of the Women in Business Network and was a member of the Parades Commission 2006-2010. She is currently a Member of the Probation Board for NI and a non-executive member of the Audit Committee of the Police Ombudsman for NI.

1. POLICY & OUTPUTS

Objectives	Targets	Actions	End Year Position
1.1 To be an exemplary regulator.	During 2009/10, ensure that key stakeholders have a clear understanding of the Commissioners' regulatory role and what this means in practice.	By June 2009, establish a short and concise articulation of the Commissioners' regulatory responsibilities and how these are delivered in practice. When the above-mentioned articulation is established, agree how this should be communicated to key stakeholders.	On track – work on this will continue during 2010/11. Deferred in line with the action above.
	During 2009/10, continue to exercise the Commissioners' independence and challenge function.	Throughout the year, continue to make effective use of the regulatory tools at the Commissioners' disposal including the Recruitment Code; monitoring and, where appropriate, approval of appointments by way of exception to the Merit Principle; the audit programme; and ensuring the publication of relevant information.	Addressed.
	During 2009/10, continue to work closely with the NICS to understand key issues and use the Commissioners' influence to help shape and inform recruitment policy and practice.	Facilitate 3 meetings with representatives of Corporate Human Resources (CHR). Facilitate 1 formal meeting with the full Permanent Secretary Group (PSG). Facilitate 1 formal meeting with the PSG Sub-group.	Addressed. Addressed. Addressed.

Objectives	Targets	Actions	End Year Position
	<p>During 2009/10, continue to build on the relationship between Commissioners and the NI Permanent Secretaries.</p>	<p>Maintain the regular programme of Links meetings between Commissioners and NI Permanent Secretaries, following the agreed common agenda, to communicate other relevant key messages and to promote the Commissioners' role as regulator.</p> <p>Commissioners to produce a short record of each Links meeting and share with colleagues.</p> <p>Secretariat to scrutinise the records of Links meetings and draw Commissioners' attention to key concerns and any emerging trends.</p>	<p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p>
	<p>During 2009/10, promote and encourage partnership working with similar bodies to share knowledge and experience and develop closer relationships with other regulators.</p>	<p>Liaise, on a regular basis with GB and ROI Commissioners to share knowledge, experience and expertise on issues of common concern.</p> <p>Arrange a formal annual meeting with GB Commissioners.</p> <p>Arrange a formal annual meeting with ROI Commissioners.</p> <p>Invite representatives of other regulatory bodies to attend Commissioners' business meetings to share experience and knowledge.</p>	<p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p>

Objectives	Targets	Actions	End Year Position
<p>1.2 To guard the Merit Principle.</p>	<p>During 2009/10, ensure that appointments to the NICS are made in line with the Merit Principle.</p>	<p>Agree and implement the 2009/10 Audit Programme to ensure compliance with the expectations of the Recruitment Code.</p> <p>Liaise with the NICS to ensure implementation of the agreed recommendations contained in audit reports.</p> <p>Monitor and report on (in the Annual Report) all appointments made by way of exception to the Merit Principle and scrutinise and challenge any such requests which require Commissioners' approval.</p> <p>Ensure that the NICS publishes the information required under Appendix C to the Recruitment Code.</p> <p>Commissioners to chair all SCS open recruitment competitions and ensure commonality of approach by using the agreed Chairperson's Checklist.</p> <p>Secretariat to scrutinise all SCS appointments in line with the agreed 4-stage approval process.</p> <p>On an annual basis, monitor trends in SCS appointments, including, for example, timescales and the use of internal – v – external approaches.</p>	<p>On track – but with some delay. Work on Audit One commenced in February 2010.</p> <p>Addressed.</p> <p>Addressed.</p> <p>Addressed - but with some delay.</p> <p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p>

Objectives	Targets	Actions	End Year Position
	During 2009/10, undertake a review of the 2005 Commissioners' Recruitment Code and consider the extent to which it may need to be refreshed.	By September 2009, complete a review of the current Code and consider if there is a need to consult relevant stakeholders on any proposed amendments.	On track – this work will continue into 2010/11.
	During 2009/10, encourage the NICS to develop guidance on effective short-listing and assessment methods for use in NICS recruitment competitions and, in particular, on the effective use of the Professional Skills for Government.	Continue to encourage CHR to develop appropriate guidance, drawing on the experience and best practice in other organisations, and ensure this is appropriately reflected in relevant training programmes.	Addressed – but with some delay. The NICS have developed a new training module on recruitment and assessment techniques.
1.3 To promote public confidence in recruitment to the NICS.	During 2009/10, encourage the NICS to establish: (a) current levels of public confidence in recruitment to the NICS; and (b) a sound understanding of the recruitment experiences of candidates.	Encourage CHR to: (a) measure current levels of public confidence; and (b) examine the scope for research into the recruitment experiences of candidates with a view to understanding better their expectations / concerns and, in particular, to identifying barriers for applicants from under-represented groups.	Addressed – Commissioners contributed questions to the NICS survey on Public Perceptions of the NICS as an Employer and will continue to encourage the NICS to research the recruitment experiences of candidates.
	During 2009/10, seek to raise awareness of the Commissioners' role and responsibilities.	Produce and publish an Annual Report by 31 August 2009.	Addressed – but with some delay. The Annual Report was held back to wait for validated official statistics. The 2008/09 Annual Report was published on 10 June 2010.

Objectives	Targets	Actions	End Year Position
		<p>Scrutinise and, as appropriate, comment publicly on information published by the NICS in line with the requirements of Appendix C to the Recruitment Code.</p> <p>Maintain the regular programme of meetings with PSG, the PSG Sub-group, CHR and Links meetings with NI Permanent Secretaries.</p>	<p>Addressed – but with some delay.</p> <p>Addressed.</p>
<p>1.4 To promote equality, diversity and good relations in line with Section 75 of the Northern Ireland Act 1998.</p>	<p>During 2009/10 encourage the NICS to ensure that equality, diversity and good relations are effectively promoted in NICS recruitment processes.</p>	<p>Continue to encourage the NICS to define the diversity information to be made available to panels at the outset of competitions (in line with the expectations of the Commissioners' Recruitment Code and the requirements of the NICS Recruitment Policy and Procedures Manual) with a view to improving the quality and reach of outreach measures.</p>	<p>On track – this work will continue during 2010/11.</p>
		<p>Review and, as necessary, comment on progress reports on implementation of the NICS Employment Equality & Diversity Plan insofar as it relates to recruitment.</p> <p>Consider NICS Article 55 Review Reports and, as appropriate, invite the NICS to comment on recruitment-related</p>	<p>Addressed.</p> <p>Addressed.</p>

Objectives	Targets	Actions	End Year Position
		actions planned to address any areas of under-representation.	
	Throughout 2009/10, ensure that Commissioners effectively fulfil all their statutory equality responsibilities.	<p>Within the required timescales, undertake a review of the Commissioners' Equality Scheme following the publication of relevant guidance by ECNI.</p> <p>By end September 2009, submit to ECNI an Annual Report on the implementation of the Commissioners' 2008/09 Equality Plan and include a report on the implementation of the Commissioners' Disability Action Plan.</p> <p>Monitor implementation of the Commissioners' Good Relations Strategy.</p>	<p>Deferred – as part of the ECNI phased introduction of the new Scheme, Commissioners have been invited to review the scheme during 2011.</p> <p>Addressed.</p> <p>Addressed.</p>
1.5 To safeguard the NICS Code of Ethics.	During 2009/10, ensure a considered and timely response to any requests to Commissioners to consider potential complaints under the NICS Code of Ethics.	<p>Working jointly with GB Commissioners, establish a clearer understanding of the role of Commissioners in dealing with potential complaints under the Code.</p> <p>Develop and implement improved procedures for the handling of potential complaints under the Code and, when finalised, arrange appropriate training for all Commissioners and staff.</p> <p>Ensure all potential complaints are dealt with promptly.</p>	<p>Addressed.</p> <p>Deferred – this has been scheduled into the 2010/11 programme of work.</p> <p>Addressed.</p>

2. PEOPLE

Objectives	Targets	Actions	End Year Position
2.1 To provide effective strategic leadership and direction.	By April 2009, ensure that the strategic priorities and annual objectives for 2009/10 are finalised and effectively communicated to all Commissioners, staff and other key stakeholders.	<p>Publish the Business Plan on the Commissioners website no later than 1 April 2009.</p> <p>Ensure that all staff understand fully the commitments in the Plan and their role in contributing to its effective delivery – this should be reflected appropriately in all Forward Job Plans.</p>	<p>Addressed.</p> <p>Addressed.</p>
	Ensure regular and effective monitoring of progress towards agreed 2009/10 targets.	Establish and implement quarterly reviews of progress towards in-year targets for consideration by Commissioners.	Addressed.
	Ensure effective and timely forward planning beyond 2009/10.	Facilitate a business planning day in Autumn 2009 to review and refresh the strategic priorities and develop annual objectives for 2010/11.	Addressed.
2.2 To provide appropriate training and continuous professional development for Commissioners and staff and maintain a well-managed and motivated Secretariat.	By end April 2009, develop and begin to implement an appropriate training and development plan to meet the needs of Commissioners and staff.	By June 2009, implement an appropriate induction programme for newly appointed Commissioners and make arrangements for any specific training requirements, as necessary.	Addressed.
		By April 2009, identify training needs of Commissioners and staff and develop a Plan to address these during 2009/10.	Addressed.
		Monitor in-year changes in training needs and adjust Plan accordingly, paying particular attention to any emerging issues in relation to equality / legislative responsibilities.	Addressed.

Objectives	Targets	Actions	End Year Position
<p>2.3 To ensure line managers fulfil their people responsibilities effectively.</p>	<p>Throughout 2009/10, ensure that all managers and staff effectively fulfil their responsibilities in line with NIO performance management processes.</p>	<p>Establish Forward Job Plans by 15 April 2009, then undertake in-year reviews and complete annual appraisals within agreed NIO timescales.</p> <p>Facilitate regular team meetings to review progress and provide guidance and support to staff in the delivery of their responsibilities.</p> <p>Line managers to provide support, recognition and guidance to individuals, as appropriate.</p> <p>Ensure staffing levels are maintained and any necessary succession planning is managed effectively.</p> <p>New staff joining the team should be provided with effective induction training and have Forward Job Plans agreed within 2 months.</p> <p>The Chair should undertake regular reviews of performance with individual Commissioners, in line with agreed procedures.</p>	<p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p> <p>On track.</p>
<p>2.4 To fully comply with the requirements of the Health & Safety at Work (Northern Ireland) Order and other relevant employment legislation.</p>	<p>To provide a safe and healthy working environment for all staff and visitors.</p>	<p>Ensure that all operational and emergency procedures are in place and communicated effectively.</p>	<p>Addressed.</p>

Objectives	Targets	Actions	End Year Position
	To ensure safe access and egress to and from the place of work.	Ensure that staff are trained adequately, fire drills are practised and safety procedures are circulated to staff and displayed publicly.	Addressed.
	To ensure compliance with relevant employment legislation.	Ensure that staff are aware of all relevant employment legislation and attend appropriate training in line with NIO requirements.	Addressed.

3. FINANCE

Objectives	Targets	Actions	End Year Position
3.1 To make the best possible case to secure the resources needed to enable Commissioners to achieve their 2009/10 business objectives.	Throughout 2009/10, secure the necessary resources to support delivery of the Commissioners' 2009/10 Plan.	Establish resource requirements.	Addressed.
		Submit timely bids in appropriate NIO financial monitoring rounds in line with the Comprehensive Spending Review process.	Addressed.
3.2 To shape, steer and challenge the deployment and management of available resources so as to secure maximum efficiency and value for money in the achievement of business objectives.	Throughout 2009/10, to live within baseline allocation.	Monitor expenditure in-year through analysis of reports and monthly meetings.	Addressed.
	Throughout 2009/10, report in line with monitoring timescales and participate in efficiency reviews to achieve savings where possible.	Monitor current and future resource requirements and provide early warning of potential problems.	Addressed.

Objectives	Targets	Actions	End Year Position
3.3 To effectively fulfil responsibilities to account for the expenditure of resources and performance against objectives.	Throughout 2009/10, monitor progress against achievement of objectives and report quarterly to Commissioners.	Review expenditure on a monthly basis.	Addressed.
		Comply will all appropriate financial monitoring requests from NIO within agreed timescales.	Addressed.
		Provide Commissioners with a quarterly report on progress towards annual business plan.	Addressed.

4. PROCESSES

Objectives	Targets	Actions	End Year Position
4.1 To enable Commissioners to deliver on their statutory responsibilities by providing high-quality, timely support and advice.	Throughout 2009/10, provide appropriate support to facilitate Commissioners' meetings.	Produce and circulate agendas, papers and briefing material no less than one week prior to meetings.	Addressed.
		Produce and circulate draft minutes promptly following meetings.	Addressed.
		Liaise regularly with the Chairperson to ensure Commissioners' needs are being met.	Addressed.
		Formally seek feedback from Commissioners, on an annual basis, to review the service delivery and support provided by the Secretariat and encourage Commissioners to provide informal feedback throughout the year.	Addressed.

Objectives	Targets	Actions	End Year Position
	Throughout 2009/10, provide accurate and timely advice to Commissioners in relation to requests from the public, civil servants, the NIO, NICS Departments and others, as and when required.	<p>Produce high-quality submissions to Commissioners which take account of key issues and which, at all times, seek to protect and promote the Commissioners' integrity, independence and professionalism in regulating NICS recruitment and safeguarding the Code of Ethics.</p> <p>Obtain legal advice, as required.</p> <p>Develop and implement appropriate arrangements to record and monitor response times.</p>	<p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p>
	To ensure that an appropriate contract is in place to facilitate the 2009/10 Annual Audit Programme.	Consider extending the current contract for one year, as permitted, or, if required, liaise with Central Procurement Division to tender for a new contract.	Addressed.
4.2 To facilitate effective corporate governance.	Throughout 2009/10, establish and implement effective corporate governance arrangements.	<p>By April 2009, develop, and agree with Commissioners, a 2009/10 Risk Register.</p> <p>Review the Risk Register, in terms of completeness and the status of risks, and report to Commissioners on a quarterly basis.</p> <p>Ensure that all staff are trained in, and effectively operate, all appropriate NIO financial management procedures.</p>	<p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p>

Objectives	Targets	Actions	End Year Position
<p>4.3 To evaluate the Commissioners' effectiveness and learn from other relevant organisations.</p>	<p>During 2009/10, seek to ensure that key policies, processes and procedures are sufficiently robust and fit for purpose.</p>	<p>Maintain regular engagement and exchanges with GB Commissioners to continue to learn from shared experiences and best practice.</p> <p>Consider the need to consult key stakeholders regarding the Commissioners' effectiveness and to understand better their perceptions and expectations [following stakeholder analysis at 4.4].</p> <p>Ensure that all existing policies, processes and procedures are documented properly.</p>	<p>Addressed.</p> <p>Addressed.</p> <p>On track – work on this will continue into 2010/11.</p>
<p>4.4 To facilitate effective communication with key stakeholders.</p>	<p>To ensure effective lines of communication with key stakeholders are established and maximised throughout 2009/10.</p>	<p>By 30 June 2009, undertake a stakeholder analysis exercise to inform potential consultation during 2009/10.</p> <p>Implement the agreed annual schedule of meetings with PSG, the PSG Sub-group, Permanent Secretaries (via Links meetings), CHR and GB and ROI Commissioners.</p> <p>Maintain a professional web presence, regularly reviewing and updating content to ensure relevance, appropriateness and ease of access.</p>	<p>Addressed.</p> <p>Addressed.</p> <p>Addressed.</p>

Objectives	Targets	Actions	End Year Position
		Engage with other relevant key stakeholders as and when the need / opportunity arises including: the NI Executive; MLAs; trade union representatives; NIO; other regulatory and public bodies (for example, the Office of the Commissioner for Public Appointments (CPANI); the ECNI; the Human Rights Commission; the NI Consumer Council); the media and the public.	Addressed.
	Throughout 2009/10, ensure that Commissioners effectively fulfil their obligations in relation to a Publication Scheme.	Undertake an annual review of the Commissioners' Publication Scheme.	Addressed.
4.5 To continually seek to improve internal electronic records management, particularly with a view to responding to requests for information.	To continue to develop branch information processes to make best use of OASIS.	Proactively keep up-to-date with developments in relation to the Oasis filing system and effectively manage and maintain the system.	Addressed.
	To deal effectively with any Freedom of Information requests within agreed NIO timescales.	Establish and ensure staff are trained effectively in the management of FOI requests. Maintain efficient monitoring and information retrieval arrangements.	Addressed. Addressed.

Objectives	Targets	Actions	End Year Position
	To comply fully with NIO data handling requirements.	<p>Ensure appropriate use of protective markings on all data (both electronic and hardcopy) and ensure it is stored and transmitted securely in line with the relevant classification.</p> <p>Maintain a high level of awareness among both Commissioners and staff of the importance of this issue and, as required, provide NIO encrypted laptops and confidential storage facilities.</p>	<p>Addressed.</p> <p>Addressed.</p>
4.6 Review files in line with NIO requirements.	To ensure all paper and electronic files are updated and disposed of as necessary.	Periodically review / dispose of files in line with NIO guidelines.	Addressed.

2009/10 RESOURCES AND BUDGET SPEND

09-10

To deliver our statutory responsibilities we receive support from a Secretariat which comprise the following officials:

Secretary: Rosemary Crawford

Grade 5 (part-time)

Deputy Secretary: Joanne Dowling

Grade A (part-time)

Iris Lovell (until December 2010)

Hugh Todd (appointed on 10 January 2011)

B1

Gareth Wright

B2

Jacqui Dawson

Grade C

Mae Hamilton

D1 (part-time)



COMMISSIONERS AND SECRETARIAT

Item	(£000s)
Commissioners' Fees*	69
Audit Contract	5
Staff Salaries	221
Accommodation and overheads	76
Training (Commissioners and Staff)	4
Total	375

* Includes fees related to attendance at training events, travel and subsistence



**CIVIL SERVICE COMMISSIONERS
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