

DESK-TOP COMPLIANCE REVIEW

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1. ACKNOWLEDGEMENT

- 1.1 The Civil Service Commissioners (Commissioners) would like to thank the staff of the Departments who were the subject of this Review, Corporate Human Resources (CHR) and HR Connect for their co-operation, assistance and positive response during this Review. Commissioners would also like to extend their thanks and appreciation to the Secretariat team who were responsible for conducting the fieldwork for the Review.

2. INTRODUCTION

- 2.1 Article 4(4) of the Civil Service Commissioners (Northern Ireland) Order 1999 confers power on Commissioners to audit the recruitment policies, procedures and practices followed in making appointments to situations in the Civil Service, with a view to establishing whether the Recruitment Code is being observed.
- 2.2 Following a pilot audit in 2011/12, which focused on the topic of inward secondments as an exception to merit, Commissioners decided that the focus for 2012/13 audit activity should be a Desk-top Compliance Review to examine a sample of competitions below SCS level. It was considered that an exercise of this nature would add value on the basis that the majority of recruitment to the NICS occurs below SCS level.
- 2.3 The topic for the Review was agreed with NICS as one which would examine the application of the Code in circumstances where neither Commissioners nor the Secretariat, through the operation of the four stage authorisation process, would have had previous direct involvement. The Review was conducted using the key principle-based questions and indicators set out in the Audit Guidance Framework.
- 2.4 The Review examined the recruitment and selection process, focusing on samples of both a generalist competition and a specialist competition in each Department selected. In addition, one generalist 'volume' competition, which resulted in multiple placements across NICS, was reviewed.
- 2.5 The Review looked for evidence that measures were in place to ensure that the Commissioners' recruitment principles were being applied in the recruitment and selection process within Departments and that adequate controls were in place to ensure that appropriate policies, procedures and practices were adopted and delivered in practice.

2.6 The original Terms of Reference for this Desk-top Compliance Review are set out in **Annex A**. However, due to the fact that the Department for Social Development did not undertake any external competitions in the time period under consideration, it was subsequently decided to consider the volume competition in so far as it had been used to fill two placements in this Department.

3. NATURE AND SCOPE

3.1 This Desk-top Compliance Review focused on two specific competitions within each identified Department namely one generalist competition and a specialist competition.

3.2 In deciding which Departments would be the subject or review the Commissioners selected the six Departments which were not directly involved in the 2011/12 Pilot Audit which were:

- Department of Agriculture and Rural Development;
- Department of the Environment;
- Department of Justice;
- Department for Regional Development;
- Department for Social Development; and
- Office of the First Minister and Deputy First Minister.

3.3 In relation to these six Departments, Commissioners sought access to all records and such information as was considered necessary to carry out the Review. It was established that there was no central source for file records as those that were retained were held both by Departments and by HR Connect.

3.4 The Terms of Reference for this Review, including the compliance template, were made available in advance to the People Issues Sub-Group of the Permanent Secretaries Group as well as to senior officials in the six Departments which were the subject of the Review. In order to facilitate preparation for the Review, Departments were notified that it would be acceptable for records to be viewed on screen.

3.5 The Review Team comprised two senior members of staff from the Office of the Civil Service Commissioners supported by a Link Commissioner. Both members of the Review Team had received audit training provided by the Chartered Institute of Public Finance and Accountability and were involved in the fieldwork for the Pilot Audit of Inward secondments carried out in Spring

2012. The role of the Link Commissioner was to provide oversight of the process and to quality assure the evidence and findings.

4. CONTEXT AND BACKGROUND

- 4.1 Commissioners are appointed under the Northern Ireland Constitution Act 1973. The Civil Service Commissioners (Northern Ireland) Order 1999 requires them to uphold the principle that selection for appointment to posts in the Northern Ireland Civil Service (NICS) should be on merit on the basis of fair and open competition, known as the Merit Principle. The Commissioners' primary concern is to regulate appointments made to the NICS by way of open competition by ensuring that the Merit Principle is adhered to both in spirit and in practice.
- 4.2 Commissioners are committed to the concept of a principle-based Recruitment Code. Section 4 sets out the requirements of the Code and how the Recruitment Principles are to be applied.
- 4.3 The guidance in the Code is structured under a number of headings. Each statement represents an expectation of what should happen in practice and illustrates the areas Commissioners will seek to review through their Audit Programme.
- 4.4 It was decided that a random sample from the 2011/12 list of competitions provided by CHR would be selected for review. The selection focused on the six Departments not included in the previous audit. One professional (specialist) and one general service competition was chosen in each Department, together with a sample of placements from a general service large scale recruitment competition from which placements were made in the year under review.
- 4.6 The Review was conducted as a desk-top exercise and was based on file records in existence. No interviews were conducted with Departmental officials or HR Connect staff.

5. CRITERIA

5.1 The fieldwork for the Review was carried out in March 2013. It was conducted in accordance with the Commissioners' Audit Guidance, Framework and Protocol and in compliance with the Recruitment Code.

5.2 Part 2 of the Framework sets out the key performance questions and indicators used by the Review team to assess the extent of compliance with the requirements of the Code.

5.3 The four stages considered in the Review were:

- Job Analysis;
- Attracting Candidates;
- Selection and Assessing Candidates; and
- Appointing Candidates.

5.4 These were considered in relation to the four principles which underpin the Recruitment Code:

- Merit;
- Fit for Purpose;
- Fair; and
- Open and Transparent.

5.3 The Review team used the written records and documentary evidence in both paper and electronic format to review the recruitment procedures and practices followed in making appointments.

6. FINDINGS

Job Analysis

6.1 Based on the sample competitions reviewed, it was found that a job analysis was undertaken in relation to newly created posts. On the other hand, a job analysis was not considered prior to filling replacement posts. In relation to such competitions, no evidence was found of any explicit consideration of the nature of the post or whether the context or the requirements of the post had changed in the interim.

Attracting Candidates

6.2 Information about career progression and the potential for mobility across NI Departments was not included in recruitment documentation. Accordingly, the benefits of the wide variety of career development opportunities available within the NICS were not explained. This had the potential to impact on the attractiveness of the post and may have acted as an inhibiting factor in attracting the best candidates.

6.3 In all competitions reviewed, equal opportunities data collected by HR Connect was passed to NISRA for analysis at each stage of the competition.

6.4 In all competitions reviewed, Equal Opportunities staff were consulted and a Positive Action Assessment (PAA) determination made.

6.5 The Candidate Information Booklet and advert template were found to follow a standard format. Such standardisation meets the requirements of consistency but should not mean that there can be no provision to tailor the requirements to suit particular posts.

Selecting and Assessing Candidates

- 6.6 In none of the competitions reviewed was there any evidence of a discussion between panel members in relation to any potential conflicts of interest. It was not clear whether this was because none existed or because, even though a potential conflict arose, the terms of its resolution were not recorded.
- 6.7 In relation to those competitions from which multiple placements were made, the merit list, at particular points in time, could not be verified through audit, as only the then current version of the merit list was retained.
- 6.8 In none of the competitions reviewed was there evidence of innovation in terms of assessment and selection.
- 6.9 HR Connect records were found to be generally well organised and accessible.
- 6.10 In all competitions reviewed, the selection panel was appropriately constituted and refresher training provided, as appropriate, and recorded.
- 6.11 Communication with candidates was carried out using standard templates at defined stages in the process. The templates were not tailored to deal with particular situations, for example, to explain any delays in the process.

Appointing Candidates

- 6.12 Although feedback from applicants was usually sought by HR Connect (10% sample), none was received. This presents as a potential inhibiting factor to continuous improvement.
- 6.13 In the sample of competitions reviewed, the process was that any complaints were handled centrally by HR Connect and relevant documentation was not attached to the records relating to the specific competition. This makes it difficult to audit complaints specific to particular competitions, although it is

acknowledged that a monthly report is submitted to Enterprise Shared Services for audit purposes.

- 6.14 In relation to the volume competition reviewed, the merit list dating from 2009 was still being used to fill posts in 2011/12. In fact it is still being used in 2013. This practice is contrary to an explicit statement in the competition documentation that the merit list would have a one year lifespan.
- 6.15 Feedback to unsuccessful candidates was provided on request by HR Connect and followed a standard approach. There was no evidence available as to how useful candidates found this.

Good Practice

A number of examples of good practice were found, such as:

- An excellent, well documented job analysis and business case;
- Career progression information was made available in relation to one post (a graduate trainee);
- In one case there was explicit consideration of the potential field before a fourth placement was made from an existing merit list;
- There was evidence of tailored advertising and an extension of an advertising period to take account of the July holiday period.

7. RECOMMENDATIONS

7.1 Commissioners are committed to ensuring that the Recruitment Code Principles are being applied in the selection processes throughout the NICS. In light of the evidence gathered during this Desk-top Compliance Review, the following recommendations should be considered:

Recommendation 1:

Departments should consider reviewing existing Job Analysis documentation in relation to all posts to be filled to ensure it is still relevant and applicable. A statement should be recorded as to the outcome of this review even where the review confirms that no further job analysis is necessary. The need to review Job Analysis documentation has increasing importance in a rapidly changing social and economic environment.

Recommendation 2:

Departments should consider including in recruitment documentation information concerning the wide variety of career opportunities and the potential for mobility across Departments. Whilst the inclusion of information in relation to career opportunities on the NICS website may be of advantage it is considered that such information should be included with the documentation relevant to particular competitions.

Recommendation 3:

The consideration of potential conflicts of interest should be recorded in every competition.

Recommendation 4:

CHR, in consultation with HR Connect, should consider what processes can be put in place to obtain feedback from candidates at different stages in the recruitment and selection process.

Recommendation 5:

CHR, in consultation with NISRA, should consider how maximum use can be made of the data captured in competitions.

Recommendation 6:

CHR, in consultation with HR Connect, should consider what steps can be taken to ensure that relevant documentation in relation to a complaint is explicitly connected to the particular competition to which it relates.

Recommendation 7:

CHR, in consultation with HR Connect, should consider taking appropriate steps to ensure that the merit list relating to competitions, from which multiple placements are made, can be verified through audit. This should include evidence of the original list, together with the destination of each person on the list who has been offered a post, as well as the reason where any person does not accept a post. A date should also be recorded against the names of those who were appointed from the merit list.

Recommendation 8:

CHR should consider the extent to which there is scope to adopt a wider or more innovative menu of selection methodologies, such as assessment centres, online testing, psychometric testing etc.

Recommendation 9:

The merit list for competition SB 52\08 should be closed with immediate effect and the guidelines from the Equality Commission Northern Ireland followed in future competitions.

Recommendation 10:

CHR, in consultation with HR Connect, should consider the adequacy of the existing methods of providing feedback to candidates.

Recommendation 11:

CHR, in consultation with HR Connect, should consider carrying out a review of the adequacy of all current methods of communication with candidates including whether the use of standardised templates meets all the needs of candidates or whether more scope should be provided to tailor communication as necessary.

8. MOVING FORWARD

- 8.1 Commissioners urge NICS colleagues to use the findings from this Desk-top Compliance Review to inform, influence and improve procedures and practice in relation to NICS recruitment competitions below that of SCS. Commissioners note that the recommendations within this report will require a programme of work, together with the necessary resources to facilitate implementation. Commissioners hope that this report will provide a basis for continued engagement in relation to the issues raised and Commissioners look forward to the next phase of that engagement.



CIVIL SERVICE COMMISSIONERS
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ANNEX

ANNEX A

DESK-TOP COMPLIANCE REVIEW: TERMS OF REFERENCE

Introduction

1. Article 4(4) of the Civil Service Commissioners (Northern Ireland) Order 1999 requires Commissioners to audit recruitment policies, procedures and practices followed in making appointments to situations in the Civil Service in order to establish whether the Recruitment Code is being observed.

Purpose

2. The purpose of this Desk-top Compliance Review is to examine and provide Commissioners with a consolidated Statement of Compliance with the Recruitment Code, in relation to a sample of competitions from 6 NICS Departments. The Review will be based on the application of the Recruitment Code to ensure that the selection process used and the manner in which it is deployed in practice is consistent with upholding the Merit Principle.

Objectives

3. The objectives of this compliance review are to:
 - a. consider the extent to which the application of processes connected to job analysis; attracting candidates; selecting and assessing candidates; and appointing candidates meet the purpose of the review as detailed in paragraph 2;
 - b. bring to the attention of Commissioners and the relevant Department where evidence would indicate that policies, procedures or practices are insufficient to meet requirements of the Code; and
 - c. produce a report detailing the findings of the Compliance Review for each Department and a consolidated Summary Report for publication on Commissioners' website.

Scope

4. This Desk-top Compliance Review will focus on a generalist competition with one placement and a specialist competition within 6 NICS Departments. One generalist competition that resulted in multiple placements within the NICS will also be reviewed.

Compliance Review Requirements

5. The review team will require access to all records and such information and as considered necessary to fulfil the review responsibilities.

Conduct of Compliance Review

6. The review will be carried out in accordance with the Commissioners' Audit Guidance, Framework and Protocol, and in compliance with the Recruitment Code.
7. In particular Part 2 of the Audit Framework contained within the Guidance will be used to identify compliance questions based on the key performance questions and indicators. These will be used by the review team to assess the degree to which the requirements of the Code are being met. See attached at **Appendix 1**.

Methodology

8. The review team will comprise two members of the Secretariat to the Civil Service Commissioners who will be supported by a Link Commissioner.
9. Initially the review team will review all documentation relating to the processes employed. The review will therefore consider the following aspects of the processes:
 - Competition planning
 - Job specification
 - Person specification
 - Initial screening of applications
 - Choice of selection methods
 - Application of selection methods
 - Appointment process
10. The attached template (**Appendix 2**) will be completed in relation to each competition and a Report for each Department will be provided for Commissioners' consideration.
11. Following a factual accuracy check by Departments and final approval by Commissioners, the Report will be issued to each Department respectively and a follow-up meeting will be conducted by the Link Commissioner supported by the review team. A consolidated overall summary report will be prepared and published on Commissioners' website.

Timetable

12. The time commitment for the fieldwork is 8 days X 2 staff and will take place between 4 March and 31 March 2013.