

CIVIL SERVICE COMMISSIONERS

2015/16 AUDIT & REVIEW SUMMARY REPORT

Ensuring appointment on merit & Safeguarding Ethics

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Acknowledgement

Commissioners would like to express our appreciation for the positive engagement provided by staff in Corporate HR within the Department of Finance (DoF), the Northern Ireland Civil Service (NICS) Departments and their resourcing partner HR Connect during the conduct of our audit and review engagement process and the follow-up work arising from it.

1. EXECUTIVE SUMMARY

Commissioners audit NICS recruitment policies and practices under the Civil Service Commissioners (Northern Ireland) Order 1999. In discharging this important statutory duty, Commissioners consider that, rather than simply ensuring compliance with their Recruitment Code alone, they should also seek to promote best practice in the NICS selection and recruitment policies and processes. This is evident in the outcomes of the audits and reviews conducted during 2015/16.

During 2015/16 Commissioners continued to develop our approach to audit and review via engagement with the NICS. We have worked hard to strengthen our regulatory role and the strategic positioning of the statutory audit function. The flexibility afforded by our new approach to audit has elevated our focus to a much more strategic and purposeful level.

Based on the bulk of the evidence available from a wide range of regulatory work undertaken throughout the year, it is our opinion that the NICS selection and recruitment practices are in keeping with the requirements set out in the Recruitment Code. That said, we continue to engage with the NICS regarding matters of concern in relation to the appointment of staff into situations in the NICS which we consider should fall under Commissioners' Regulation 3 exception provisions, however we are hopeful that these will be resolved during 2016/17.

Commissioners have a range of oversight options and methodologies available under our Audit Framework and Guidance process. As well as desk top reviews and audit projects, resulting in an Audit Report with findings and recommendations, structured face to face engagement meetings have developed into a key mechanism for progressing issues of interest and concern identified under Commissioners' Audit & Review Plan.

During 2015/16 Commissioners examined a range of recruitment issues through these structured engagement meetings with Corporate HR, these are discussed in more detail in **Section 4.1**. Commissioners also completed two reviews and conducted Stage A of a third review which will conclude in 2016/17. More detail on each of the 2015/16 reviews can be found in **Sections 4.2–4.4** of the Report.

2015/16 Review of NICS Recruitment Related Information & Data (Section 4.2)

As an outcome of the review of the recruitment related information and data Review, Commissioners identified three high level issues which they wished to engage with the NICS upon, these were to seek: improvements to the clarity, significance and breadth of information reported in the statistical analysis of NICS recruitment competitions produced annually by Northern Ireland Statistical and Research Agency (NISRA); increased statistical analysis and reporting of Department led competition data; and corporate oversight in relation to recruitment related Departmental compliance statements.

2015/16 Review of NICS Recruitment and Selection Training (Section 4.3)

The review of recruitment and selection training provided to all NICS staff involved in the recruitment and selection process found that the objectives of the Recruitment & Selection training established by CHR in consultation with the Departmental Training Commissioners and CAL are in line with the expectations of Commissioners as set out in Section 4.6 of the Recruitment Code.

However, Commissioners identified three issues during the 2015/16 review they wanted to the NICS to consider the effectiveness of: training modelled to accommodate the circumstances of panel members from a wide range of public bodies who are trained together; knowledge gaps and training needs of attendees at SCS Refresher training are not fully considered by CAL prior to the delivery of the training; and there being no independent oversight and sufficient formal review of the content and effectiveness of the training.

2015/16 Management of Merit Lists below Senior Civil Service - Stage A (Section 4.4)

This Review will be conducted in two stages. Stage A was completed during this period and considered the policy and practical procedures and guidance available for NICS staff and HR Connect in relation to the management of merit lists for appointments to the NICS.

Stage A review examined: the process through which staff are drawn from a merit list; the timeframes for publishing and closing merit lists; exceptions; and the extension of merit lists or the circumstances where appointments are not made in strict merit order. The review identified a number of key aspects of the process which Commissioners considered merits more detailed examination through Stage B of the review, which is due to be completed in Autumn 2016.

The outcomes of Stage B of the review will be reported in Commissioners' 2016/17 Annual Report.

2. COMMISSIONERS' STATUTORY AUDIT FUNCTION

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

Commissioners have a range of oversight options and methodologies available under our Audit Framework and Guidance process (**Section 6**). In 2015, following engagement with the NICS, we decided to develop our approach to obtaining assurance and influencing improvements to NICS recruitment policies and practices by establishing a structured engagement mechanism with Corporate HR and others.

As part of our strategic audit planning process, Commissioners identify and prioritise areas of NICS recruitment we wish to examine through a risk-based analysis approach. This results in a 3-year Audit Strategy that identifies recruitment themes, topics or issues to be examined over the three years of the Strategy that are then progressed through our Annual Audit Plans. Commissioners discharge their audit role through a range of mechanisms and approaches, including:

- review of recruitment procedures through field work, including where appropriate, desk-top reviews of practices and supporting policies. This results in key issues being identified for CHR and others to address via the structured engagement mechanism;
- engagement meetings are a process used to progress audit and review outcomes and operational issues Commissioners identify through their routine engagement with the NICS.
- themed discussions of a recruitment issue or topic with CHR and others to influence improvements and to explore the development of good practice; and
- audit projects, resulting in an Audit Report with findings and recommendations.

This offers Commissioners a more tailored and flexible approach to regulating NICS recruitment and selection processes and provides Commissioners with evidence that the requirements of the Recruitment Code are being met.

One of the key improvements in adopting this approach is a series of more strategic discussions with the NICS to progress key issues. Audit findings, conclusions and key issues which Commissioners have identified for discussion and action are communicated face to face which allows for better clarity and context and enables Commissioners to more effectively gain commitment from the NICS to address outstanding issues.

An Audit Matrix is used to support the process to ensure that robust monitoring of follow-up actions are managed and agreed actions are addressed in a timely manner.

3. COMMISSIONERS' 2015/16 AUDITS & REVIEWS

As outlined in **Section 3** Commissioners use a range of oversight options and methodologies to obtain assurance and influence improvements to NICS recruitment policies and practices under their statutory audit function.

During 2015/16 Commissioners examined a range of recruitment issues through the structured engagement meetings with Corporate HR, conducted two reviews and the Stage A of a third review which concludes in 2016/17.

4.1 Commissioners' Structured Engagement Meetings

During 2015/16, Commissioners' exercised their regulatory role under audit and review through structured engagement meetings with Corporate HR to examine a range of recruitment issues, including:

- adverse impact in NICS competitions;
- use of the regionalisation policy in the 2013 AO competition;
- recruitment related assurances and governance processes;
- NICS diversity and outreach;
- updates in relation to NICS resourcing initiatives such as the Marketing Strategy, People Plan and apprenticeships;
- the appointment of staff to situations in the NICS under exceptions provisions; and
- progression of the actions resulting from Commissioners' 2014/15 audits and reviews.

A key focus of the engagement process during this year has been the discussions with Corporate HR and the Permanent Secretaries Group to seek to improve and strengthen the evidence provided to Commissioners in support of assurance statements provided by the NICS.

As regulators, Commissioners consider high level assurances at Permanent Secretary level a fundamental element of the NICS assurance provisions. Commissioners welcomed the commitment of the PSG and agreement with the NICS that an assurance mechanism will be established by March 2017. In the event that this is delayed, it has been agreed that as an interim measure an evidence based assurance statement will be provided to Commissioners for the 2016 recruitment period.

Commissioners' 2016-19 Audit Strategy has identified evidence to support these NICS assurances as a key theme for a future review during this period.

4.2 Review of NICS Recruitment Related Information and Data

The aim of this review was to: develop a better understanding of recruitment related information gathered and analysed by the NICS; how it is used by the NICS, for example to identify issues and trends, inform recruitment decisions, policy

development; and strategies; and consider it in light of requirements set out in the Recruitment Code.

Within the Civil Service Commissioners (NI) Order 1999 and Commissioners' Recruitment Code there is a requirement for the NICS to publish recruitment related information and data as Commissioners may specify. Appendix C of the Recruitment Code specifies Commissioners' current requirements. This review dealt primarily with the recruitment related information and data specified in Commissioners' Recruitment Code.

The findings of the review were used to consider how recruitment related information might better inform Commissioners' regulation role and the publication of information in their Annual Report.

Review Findings

As an outcome of the Review Commissioners identified three high level issues which they wished to engage with the NICS upon, these are detailed below.

Clarity of Statistical Information: The review identified the need for improvements to the clarity, significance and breadth of information reported in the statistical analysis of NICS recruitment competitions produced annually by Northern Ireland Statistical and Research Agency (NISRA).

- The review found that in any one calendar year the data from over 100 individual NICS competitions may be grouped and analysed together in the NISRA statistical report on NICS recruitment. Potentially summary statistics analysed in this way may not identify issues at individual competition level.
- The grouping of the competition data in the report also meant it was not possible to determine the statistical significance of the results.
- The review also found that the annual NISRA Report did not include all appointments made from the competitions included in the report, as the appointments made from one competition can straddle a number of years. The final appointment figures from NICS competitions can therefore go unreported.

Department Led Competition Analysis: The review identified a need for increased statistical analysis and reporting of Department led competition data.

- Although equality data is gathered for all NICS open competitions, with the exception of the NI Prison Service, only data gathered for corporately run recruitment exercises are subject to analysis from an equality perspective at key stages of the competition.

Declaration of Compliance Statements: Corporate HR obtains declaration of compliance statements from Departmental Establishment Officers for appointments made under Regulation 3 (Exceptions) of the General Regulations 2007. These statements signal Departmental compliance with the Commissioners' Recruitment

Code and NICS policies and procedures and that the application of recruitment policies and practices within the Department are subject to regular internal monitoring.

- The review noted that these compliance statements are not scrutinised or monitored by Corporate HR. Commissioners are progressing the corporate oversight of compliance statements with the NICS during 2016/17.

Following engagement on the issues identified during the course of the review the NICS are introducing new procedures for the collection, assessment and reporting of recruitment related information and data.

4.3 Review of NICS Recruitment and Selection Training 2015/16

The purpose of this review was to examine, and provide Commissioners with an understanding of, the current recruitment and selection training provided by the NICS and to assess the extent to which the expectations in Commissioners' Recruitment Code are being met.

The review was conducted under two Strands. Strand A revisited the outcomes of Commissioners' 2008/09 Training Audit to establish the position in relation to the implementation of the audit recommendations accepted by the NICS at the time. Strand B reviewed the current training provided for selection and recruitment panel members.

Review Findings – Strand A

Commissioners were pleased to note that, based on the last NICS Progress Report provided by Corporate HR, the NICS have responded very constructively to the 30 recommendations made in Commissioners' 2008/09 Training Audit Report. The review found significant improvements in the approach and content of Recruitment Training Courses and in the management of the function, since 2009.

Commissioners welcomed the key developments reported by the NICS. These included:

- the introduction of a modular approach to recruitment training;
- the development of an e-learning package to cover the legislation module as a pre-requisite to the Interview Standards course;
- the publication of a Reasonable Adjustment policy;
- the development of an awareness training module for HR Connect Resourcing Team on legal and compliance considerations;
- Departmental HR have become responsible for the consideration of the formal training requirements for panel members;
- the introduction of regular reporting of competition data to NISRA for analysis; and
- SCS refresher training is now provided for panel members who have previously completed the full training course.

Review Findings – Strand B

Commissioners were pleased to note the Review found evidence to support the progress reported above and that improvements have been made in the overall management and delivery of recruitment training since the 2008/09 Training Audit.

The review team found that the current Recruitment & Selection training objectives established by Corporate HR in consultation with the Departmental Training Commissioners and CAL are in line with the expectations of Commissioners as set out in Section 4.6 of the Recruitment Code. Commissioners did identify three issues during the review they wanted to progress with the NICS.

- Training Model: Training is modelled to accommodate the circumstances of panel members from a wide range of public bodies who are trained together. This has, as a consequence, the potential to detract from the particular requirements of the NICS panel members.
- SCS Refresher Training: Knowledge gaps and training needs of attendees at SCS Refresher training are not fully considered by CAL prior to the delivery of the training. Particular needs/issues could be identified in advance so that the trainer is in a position to address the issues and, if necessary, provide supplementary supporting information during the event; and
- Oversight & Review: There is no independent oversight and insufficient formal review of the content and effectiveness of the training. Any formal evaluation in this regard should include a review of the content and delivery of the relevant training modules and ensure learning objectives are met.

4.4 Review of the Management of Merit Lists below SCS Level (Stage A)

The proper management of Merit Lists in NICS competitions is fundamental to the operation of the Commissioners' four Recruitment Principles as it ensures that successful applicants are appointed through a meritorious, suitable, consistent and accountable process. Commissioners expect to find practices which include: appointments to positions made on an order of merit basis, including those competitions which result in more than a single appointment.

This Review will also take place in two stages. The first stage, Stage A, was completed during 2015/16.

The aim of Stage A of the review was to consider the policy and practical procedures and guidance available for NICS staff and HR Connect in relation to the management of merit lists for appointments to the NICS.

Review Findings - Stage A

Stage A of the review examined: the process through which staff are drawn from a merit list; the policy in relation to timeframes for publishing and closing merit lists; the circumstances when exceptions would occur; and the extension of merit lists or the circumstances where appointments are not made in strict merit order.

As a result of the information reported to Commissioners at Stage A of the review, a number of key aspects of the process which were identified by Commissioners as meriting more detailed examination through Stage B of the review. This included the operation of merit lists in non-routine situations; the circumstances where the NICS have extended merit lists beyond the expected closing date; and merit lists impacted by the recent NICS embargo.

The outcomes of Stage B will be reported in Commissioners' 2016/17 Annual Report.

4. COMMISSIONERS' 2016/17 AUDIT AND REVIEW PLAN

In line with Commissioners' 2016-19 Audit and Review Strategy, the following areas of NICS selection and recruitment have been identified for review with the NICS during 2016/17:

- Management of Merit Lists below SCS Level (Stage B);
- NICS Selection and Assessment Methodologies; and
- Exceptions Provisions.

Management of Merit Lists below SCS Level (Stage B)

Following Stage A of the 2015/16 Review of Management of Merit Lists below SCS Level (**Section 4.4**) Commissioners identified a number of key aspects of the process which they would like to examine in more detail as Stage B of the review. The outcome of this second stage of the review will be reported in Commissioners' 2016/17 Annual Report.

Assessment Methodologies

Assessment Methodologies will be examined through a review of the outcome of a previous audit on selection and assessment methodologies, a review of information provided by the NICS in relation to current assessment methodologies deployed during recruitment and selection for appointment to the NICS, including a presentation to Commissioners followed by a themed discussion topic through the structured engagement process.

Exceptions Provisions

As an outcome of Commissioners' consideration of casework during 2015/16 in relation to the appointment of staff into situations in the NICS which we consider should fall under Commissioners' Regulation 3 exception provisions, Commissioners plan to conduct a review of NICS appointments made under the 2007 General Regulations (Exception) provisions. The timing of this review will be considered in light of the outcome of the ongoing casework.

5. RELATED LINKS

NI Civil Service Commissioners Website

www.nicscommissioners.org

Regulating For Improvement – Civil Service Commissioners’ Audit Framework & Guidance Document

http://www.nicscommissioners.org/wp-content/uploads/2015/03/Auditing_For_Improvement_-_Framework_and_Guidance.pdf

NI Civil Service Commissioners Recruitment Code

[http://www.nicscommissioners.org/wp-content/uploads/2015/07/pdf_-_recruitment_code_april_2012_\(revised_july_2015\).pdf](http://www.nicscommissioners.org/wp-content/uploads/2015/07/pdf_-_recruitment_code_april_2012_(revised_july_2015).pdf)

NI Civil Service Commissioners Order

<http://www.nicscommissioners.org/wp-content/uploads/2011/06/CSCNI-Order-1999.pdf>

NI Civil Service Recruitment Policy and Procedures Manual

<https://irecruit-ext.hrconnect.nigov.net/resources/documents/n/i/c/nics-policy-and-procedures-manual-version-14.pdf>