

February 2018

DECISION NOTICE: PUBLIC BODY APPOINTMENT PROCESS, DEPUTY FURTHER EDUCATION COMMISSIONERS AND FURTHER EDUCATION ADVISERS

1. The Governance Code on Public Appointments dated December 2016 states that the Commissioner for Public Appointments should consider complaints made about a public appointments process.
2. Complaints should be raised with the appointing department in the first instance, which is responsible for having effective complaints handling procedures, for making applicants aware of their right to complain and for referring them to the Commissioner's complaints procedures. If, after investigation by the department, the complainant remains dissatisfied, they may bring their complaint to the Commissioner for Public Appointments.

METHODOLOGY

3. The Commissioner investigated the complaint through consideration of correspondence supplied by both the complainant and the Department for Education (DFE).

OUTLINE OF COMPLAINT

4. The complainant applied for appointments as both a Deputy Further Education Commissioner and a Further Education Adviser. The applications for both roles were assessed, however the complainant's covering letter was not. This was as a result of DFE losing the complainant's covering note. This error only came to light when the complainant requested feedback on the application.

CONSIDERATION

5. In the initial complaint the complainant highlighted that DFE have not met the principle of 'openness' laid out in the Government's Governance Code. The complainant was not able to apply to a vacancy which should have been open to all to apply.
6. Furthermore, the Code includes standards for Customer Care. Departments are responsible for providing a good service to individuals. DFE has failed to meet the required standard in this case.



The Commissioner for
Public Appointments

7. The Commissioner has noted that DFE has since put in place measures to improve their service and have committed to work with the Commissioner's Office to prevent any similar incidences in the future.

DECISION

8. There **is a breach** of the Governance Code in relation to the requirement to make processes for making public appointments open, and in respects of providing a good service for customer.

Peter Riddell

Commissioner for Public Appointments