



19<sup>th</sup> JUNE 2018

## **DECISION NOTICE: PUBLIC BODY APPOINTMENT PROCESS, INDEPENDENT OFFICE FOR POLICE CONDUCT**

### **AUTHORITY**

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 written, verbal and electronic evidence supplied by the complainant and the Home Office.

### **OUTLINE OF COMPLAINT**

4. The complainant raised concerns about the independence of a Senior Independent Panel Member (SIPM). The complainant was concerned that an appointment was not made fairly or on merit, and sought clarification on the process of appointment. The complainant did not take part in the competition process.

### **CONSIDERATION**

5. The SIPM subject to this complaint was initially chosen to sit on the recruitment panel. A potential conflict of interests was identified before the competition process had begun, and a new SIPM, Colleen Harris was selected as a replacement. The Commissioner therefore does not uphold this element of the complaint.

6. The complainant also approached the Commissioner on the grounds that the selection process for this campaign did not take into account candidates prior professional dealings with the Home Office.
7. In forming a decision, the Commissioner reviewed all of the following relevant documentation:
  - Advert and Candidate pack
  - Longlist note, which included candidates that had been sifted through to the next stage (preliminary interview with search consultants) and identified areas to probe
  - Shortlist note with details of candidates invited to interview, including comments from panel
  - Panel report with details of candidates who had been found appointable
  - Submissions to Ministers at every stage
  - Relevant email exchanges between officials, special advisers and/or ministers

## **DECISION**

8. In reviewing this case, the Commissioner noted that all candidates were asked to declare conflicts of interest both at application and at interview. No conflicts of interests were declared. Members of the panel were asked to declare details of any prior working relationships or contact with candidates, again no declarations were made. Two Home Office officials sat on the panel at long and short list. At the time interview, one official had transferred to another Government department, however the Home Office retained the same panel membership to achieve consistency and preserve the principal of fairness.
9. The Governance Code enables Ministers to be involved in various stages of the competition. Both Ministers and relevant stakeholders are able to suggest names of individuals who should be invited to apply. In this competition, the Commissioner has not seen any evidence that suggestions were made, and the Home Office confirmed that this was the case. The Home Office engaged an external, independent consultancy firm to search for appropriate candidates.
10. The Commissioner has not seen any evidence that the assessment of candidates was affected by any existing relationships with the Home Office. The assessment was made against the essential criteria, taking into account the working experience and skills of each candidate. The Commissioner has concluded that this campaign resulted in an appointment made on merit, after a fair and open competition

11. In considering the evidence in relation to this complaint, the Commissioner commented separately to the Home Office on the quality of record keeping for this campaign.

**Peter Riddell**

Commissioner for Public Appointments