



Ministry of Defence

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To: Rt Hon Peter Riddell CBE
Commissioner for Public Appointments
G/07, 1 Horse Guards Road
London, SW1A 2HQ

Dear Peter,

Thank you for the opportunity to comment on your decision notice regarding a complaint in relation to the public body appointment process for the Defence Nuclear Safety Committee.

I welcome your decision not to uphold the complaint, based on your finding that the Advisory Assessment Panel did examine the specialist skills both at sift and interview, and your judgement that, on balance, there is not a case for reopening the competition at this stage.

However, I also recognise the shortcomings that your report highlights: the inconsistencies in and absence of key documents, making external scrutiny of the appointment process difficult to follow, and the inability to demonstrate transparency and to provide ministers a full assessment of the candidates interviewed. I am committed to acting on the issues your decision highlights and welcome your offer for my officials to work with your secretariat to improve quality and consistency of competitions in the Ministry of Defence.

I enclose at Annex A responses to your detailed comments. Let me assure you that all teams that sponsor public appointments will be informed of the recommendations and the work that follows from the engagement with your secretariat. As an immediate first step we have updated our recruitment programme plan to make it clear that the final Ministerial submission and Panel Report is to include whether any conflicts of interest were declared and must not show any rank or score of candidates. Additionally, going forward we will review our documentation templates provided to sponsor teams to ensure all records are fully transparent and include supplementary information explaining how they relate to the Governance Code. We have recently appointed a new Assistant Head for Public Appointments who will lead on following up the department's driving of improvements in this area.

DAVID GOLDSTONE CBE
MOD Chief Operating Officer
on behalf of the Permanent Secretary

RESPONSE TO DETAILED COMMENTS IN COMMISSIONER FOR PUBLIC APPOINTMENTS' DECISION NOTICE

- Paragraph 9: "The Commissioner questions the departure from usual practice to ask for 'essential criteria' and 'desirable criteria' in relation to an advertised role. **The MOD accepts this comment and agrees these terms would have been preferable to the 'essential qualities' and 'highly desirable qualities' which were used in the advert.**
- Paragraph 10: "From the records supplied, the Commissioner was unable to establish how many candidates originally applied, which competencies were sifted against or the scoring mechanism used". **The MOD accepts this comment. The sift was carried out against the 'essential qualities'. The scores were determined through subjective discussion by the Advisory Assessment Panel against Civil Service competency scoring. While this was clear to the Panel at the time of sift, and each candidates' initial sift record displays the scores awarded against the essential criteria, it is accepted that an overall sift report should have been completed to adequately record all of these details.**
- Paragraph 11: "The Commissioner advises that the department should retain clear records of any due diligence checks made or any conflicts declared; and that both the sift and panel reports should make reference that declarations were invited and considered." **The MOD accepts this comment. Each candidate supplied an Expression of Interest form with their CVs, in which Part 4 requested details of any conflict of interest. These were considered as part of the initial sift. Additionally, those candidates interviewed were again invited to declare conflicts of interest and these were explored at interview by the independent assessor. Where highlighted these were recorded in the interview report for individual candidates, but the MOD accepts that these should also have been highlighted to the Minister.**
- Paragraph 15: "The panel report also contained a score for each candidate. The Governance Code states that candidates must not be ranked, unless requested by the Minister, however MOD acknowledged this at the point of supplying the report and are already taking steps to ensure this does not occur again with subsequent appointments." **The MOD accepts this comment and recognises an error was made in including panel scores in the Ministerial Submission as previously highlighted.**
- Paragraph 12: "In particular, the performance at interview for three candidates was not commented on, and instead purely focussed on experience and technical ability or experience"; Paragraph 13 "The final panel report ... did not refer to the 'essential qualities' or 'highly desirable qualities' as published in the candidate pack"; Paragraph 16: "The Panel report contains a description of technical experience for the complainant, with no comment on the other 'qualities' published on the candidate pack." **The MOD accepts these comments. The Advisory Assessment Panel considered the broader skills at interview, but accepts that the interview report should have been more detailed to reflect this.**
- Paragraph 10: "The final submission to Ministers in March 2018 states that 14 applications were received, the email supplied shows that only 7 were sifted. The exercise progressed six candidates for interview". **This is correct, but for further clarity: These applications covered three advertised roles including the security**

one which is subject to the complaint. Seven candidates in total were invited for interview following the initial sift, however one of these candidates was unable to attend any interview dates and withdrew from the competition. The six remaining candidates invited for interview consisted of two candidates for each role, as explained in the final Ministerial Submission.

