



The Commissioner for  
Public Appointments

**Rt Hon Peter Riddell CBE**  
**Commissioner for Public Appointments**  
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Christina Machado,  
Public Appointments, MHCLG

19<sup>th</sup> November 2018

*Dear Christine Machado,*

**Building Regulations Advisory Committee (BRAC)**

Thank you for your email dated the 8<sup>th</sup> of November, regarding the Building Regulations Advisory Committee (BRAC). It is my understanding that you are proposing both the interim appointment without competition of a Chair; and the reappointment of two members who have already served two terms, including an extension to their second term of nine months.

In regards to the eighteen month interim appointment of Emma Clancy without competition; I have noted that Ms Clancy is the current deputy Chair, and has considerable experience and expertise which would support BRAC's remit over the current complex policy agendas. Ms Clancy would replace the current Chair, who will have served ten years at the end of their current term. While an appointment made as a result of open competition is always preferable; I have acknowledged the need for continuity in this case following the publication of the Hackitt Review, and your consideration of the ten year principle as outlined in the Code.

I am content to agree to this proposal, as you have indicated that the department is preparing to recruit permanently through fair and open competition. Given that this eighteen month term will take Ms Clancy's service on the BRAC board to nine years, I would not expect to receive any requests to extend. I would encourage you to ensure that a campaign to replace Ms Clancy substantively is planned well in advance of the end of her term in order to allow for a timely succession.

In regards to the reappointments, you will be aware that in March of this year, I agreed to the nine month extension of the second terms of Neil Smith and Paul Timmins, as well as other board members, while the Hackitt Review was ongoing. When my office confirmed this agreement, they advised MHCLG to consider the succession planning for members of this board, especially those who had already served two terms. Your request has led me to believe that little succession planning has taken place, given that you are now seeking consultation on the reappointment of Mr Smith and Mr Timmins only a month prior to the end of their already extended terms. You would have been aware of these terms ending and in future, I would encourage you to my office sooner.

You have explained in your email that there are additional vacancies on the board, and that a campaign is planned to launch to recruit to these. I would suggest that this campaign also be used to fill the posts of Mr Smith and Mr Timmins. I am therefore only content to agree to an extension of up to six months of Mr Smith and Mr Timmins' terms, to allow for this campaign to take place without further vacancies on the board. I also ask that you keep my office updated on the campaign to recruit new members.

*All best wishes*  
*y* *Sincerely*  
*Peter Riddell*

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