



RECRUITMENT PRINCIPLES

1. Section 10 of the Constitutional Reform and Governance Act 2010 requires selection for appointment to the Civil Service to be on merit on the basis of fair and open competition (“the requirement”) and section 11 of that Act requires that the Civil Service Commission (“the Commission”) publishes Recruitment Principles to be applied for the purposes of the requirement. This document sets out those Recruitment Principles.

- **Merit** - means the appointment of the best available person: no one should be appointed to a job unless they are competent to do it and the job must be offered to the person who would do it best.
- **Fair** - means there is no bias in the assessment of candidates. Selection processes must be objective, impartial and applied consistently.
- **Open** - means that job opportunities must be advertised publicly and potential candidates given reasonable access to information about the job and its requirements, and about the selection process.

Role of the Commission

2. The role of the Commission in recruitment is to maintain the requirement that appointments to the Civil Service are on merit on the basis of fair and open competition. Annex A provides more detail on how the Commission interprets the requirement.

3. The approval of the Commission is required for appointments to the posts listed at Annex B. The Commission will decide whether and how it will participate in the selection processes for such posts. Usually this will take the form of a Civil Service Commissioner overseeing the appointments process and chairing the selection panel.

4. The Commission excepts certain appointments from the requirement of appointment on merit on the basis of fair and open competition. These are described at Annex C.

Departments and agencies' responsibilities

5. Departments and agencies must comply with the requirement of appointment on merit on the basis of fair and open competition and these Recruitment Principles, including Annexes A, B and C. Overall responsibility for doing so rests with the Permanent Secretary or Chief Executive of each department or agency.

Ensuring compliance

6. The Commission will undertake regular audits of the recruitment policies and practices of departments and agencies in order to ensure compliance with the requirement of appointment on merit on the basis of fair and open competition and these Recruitment Principles. Departments and agencies must therefore retain sufficient information on their recruitment (including on the use of exceptions under Annex C) to provide evidence that they have complied with the requirement and these Principles. This information must be kept for a minimum of two years. The Commission will report publicly on departmental and agency capability and compliance, including examples of poor and good performance, and best practice.

7. Any individual may complain to the Commission that the requirement of appointment on merit on the basis of fair and open competition and these Recruitment Principles have not been met. Complaints should first be raised with the recruiting department or agency, which is responsible for having effective complaints handling procedures. If, after investigation by the department or agency, the complainant remains dissatisfied they may bring their complaint to the Commission. Complaints should be lodged with the Commission within 12 months of the recruitment, but the Commission will consider complaints lodged out of time in exceptional circumstances. Recruiting departments and agencies are responsible for making all applicants aware of their right to complain and referring them to the Commission's complaints procedures.

Further Information

8. Further information and contact details can be found on the Commission's website: <http://civilservicecommission.independent.gov.uk>

Annex A

SELECTION FOR APPOINTMENT ON MERIT ON THE BASIS OF FAIR AND OPEN COMPETITION

This Annex, which departments and agencies must follow, explains in more detail how the Commission interprets the requirement of appointment on merit on the basis of fair and open competition. The Commission does not seek to set out the recruitment policies and practices that departments and agencies must follow: when auditing, though, it will look to see if those policies and practices comply with the requirement and these Recruitment Principles.

Merit - means the appointment of the best available person: no one should be appointed to a job unless they are competent to do it and the job must be offered to the person who would do it best.

- If several candidates are competent, the job must be offered to the person who would do it best. It will be rare for a candidate to meet all of the selection criteria exceptionally well; the most meritorious candidate will be the one who is best at the job's critical elements.
- In competitions for a single job, the best candidate must be offered the job. If he or she turns it down, it can then be offered to the other appointable candidates in merit order.
- When a department or agency is running a campaign to recruit a large number of staff, it may be impractical to wait until the end of the competition and offer jobs in a strict merit order. Departments and agencies may offer jobs out of strict merit order, but in doing so must ensure that the individuals appointed are clearly towards the top of the likely merit list. Candidates who are likely to be further down the list or borderline will have to wait until the end of the process before an appointment can be confirmed. This is to ensure that the most meritorious candidates will be appointed by the end of the competition.

Fair – means there is no bias in the assessment of candidates. Selection processes must be objective, impartial and applied consistently.

- This does not necessarily mean treating everyone exactly the same; rather it is about applying the same general criteria of assessment to everyone while taking account of the different experience and expertise that candidates bring.
- For the avoidance of doubt, departments and agencies can accommodate the needs of disabled applicants by following the requirement to make reasonable adjustments; they may also use the Guaranteed Interview Scheme or the Two Ticks “positive about disability” scheme to encourage disabled applicants if they wish.

Open - means that job opportunities must be advertised publicly and potential candidates given reasonable access to information about the job and its requirements, and about the selection process.

- The media chosen to advertise job opportunities must be suitable for attracting a diverse field of strong potential candidates. Jobs can be advertised in newspapers or job centres, or on the Civil Service or on departmental and other internet sites.
- Advertisements can be job specific or for a number of jobs or for a rolling recruitment programme. Under such a programme, jobs may be advertised continuously and candidates assessed at intervals for particular vacancies.
- Alternatively, expressions of interest may be sought for future vacancies and used to form a competition between the candidates when the vacancy arises.

Decisions on appointments

For the majority of posts, decisions on appointments will be taken by permanent civil servants.

However, Ministers may need to give final approval to the most senior appointments.

Where a Minister has an interest in an appointment, it is important that they are consulted at the outset to agree the terms on which the post is to be advertised, the job and person specifications, and the criteria for selection, including the composition of the selection panel.

Departments and agencies should then ensure that the Minister is kept in touch with the progress of the competition throughout, including being provided information about the expertise, experience and skills of the candidates. Any further views the Minister may have about the balance of expertise, experience and skills required for the post should be conveyed to the selection panel. For the most senior posts the Minister may wish to brief the Civil Service Commissioner chairing the selection panel, who may then invite the Minister to brief the selection panel and/or each of the shortlisted candidates.

The candidate recommended for appointment must be the one placed first in order of merit by the selection panel. Where a Minister does not feel able to approve the selection panel's recommended candidate, the matter must be referred back to the panel with the Minister's reasons. The panel must decide whether the Minister's observations cause it to revise the order of merit, and if it does so, it must refer the case with its reasons to the Commission for its approval.

Use of recruitment agencies and search consultants

Where recruitment agencies and/or search consultants are used, the department or agency must satisfy itself that the final recommendations arise from a proper application of the requirement of appointment on merit on the basis of fair and open competition and these Recruitment Principles.

POSTS REQUIRING THE COMMISSION'S APPROVAL

Open Competitions (for which non civil servants may apply)

The approval of the Commission is required for appointments to the Civil Service, following an open (external) competition, to the following posts:

- Permanent Secretary
- SCS Pay Band 3
- SCS Pay Band 2

Civil Service Wide/Internal Competitions (for which only civil servants may apply)

The approval of the Commission is also required¹ for appointments following an internal (existing civil servants only) competition, to the following posts.

- Permanent Secretary
- Pay Band 3.

(The approval of the Commission is not required for Pay Band 2 internal Competitions).

In addition the Commission may agree with a department or agency that its approval is needed for other specific appointments.

¹ As set out in the "Senior Appointments Protocol" agreed between the Civil Service Senior Leadership Committee and the Commission and available at <http://civilservicecommission.independent.gov.uk>

EXCEPTIONS TO SELECTION FOR APPOINTMENTS ON MERIT ON THE BASIS OF A FAIR AND OPEN COMPETITION

The Commission excepts certain appointments from the requirement of appointment on the basis of fair and open competition where it believes this is justified by the needs of the Civil Service or to enable the Civil Service to participate in a government employment initiative that major employers have been asked to participate in.

Departments and Executive Agencies of departments may apply (at the point at which an appointment is made) the exceptions listed below for staff below SCS Pay Band 2. The Commission's specific approval is however required for the use of these exceptions for appointments to the Civil Service at Permanent Secretary and SCS paybands 3 and 2.

The exceptions are:

- 1. Short term appointments up to maximum of two years** to provide managers with the flexibility to meet short-term needs, and to enable departments to appoint individuals who are eligible for support under government programmes to assist the unemployed. Any proposal to extend an appointment made under this exception beyond two years requires the approval of the Civil Service Commission.
- 2. Permanent appointments to administrative (i.e. old style AA and AO) and industrial grades** of individuals who have been appointed through exception 1 at or after 12 months of that appointment on the basis of a fair and objective process approved by the Commission and subject to its audit.
- 3. Appointments of individuals with highly specialised skills and experience for up to two years** to allow highly specialised people to be brought in without a competition for a particular one-off job on the basis that such a process would be a mere formality. Any proposal for a longer appointment at the outset or to extend an appointment made under this exception beyond two years requires the approval of the Civil Service

Commission.

4. Secondments of up to two years to facilitate interchange between the Civil Service and other employers. Any proposal for a longer secondment at the outset, or to extend the appointment beyond two years requires the approval of the Commission.

5. Re-appointment of former civil servants to enable an individual who was previously a civil servant, within a maximum of the last five years, by virtue of an appointment on merit through fair and open competition or by a process approved by the Commission, and who meets the competences required for the new post, to re-enter the Civil Service at their previous substantive (or a lower) payband.

6. Transfer of an organisation into the Civil Service to enable departments and agencies to gain or retain the expertise of its staff. (If the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) applies staff have an automatic right of transfer.)

7. Transfers of individuals into the Civil Service to enable departments and agencies to make use of their expertise. Transfers of staff from another Civil Service in the United Kingdom may take place freely provided they were appointed on merit through fair and open competition. Transfers of staff from other public bodies (e.g. non-departmental public bodies) need the approval of the Commission if the organisation is not currently accredited² by the Commission.

8. The recruitment of disabled people who are in a government scheme to promote the employment of disabled people (currently entitled “Work Choice”) or to sponsor internships for disabled people.

The Commission may also, in exceptional circumstances, agree with a department or agency to except certain other appointments from the requirement for selection on merit on the basis of fair and open competition, where it believes this is justified by the needs of the Civil Service.

² Accreditation is awarded by the Civil Service Commission to NDPBs whose recruitment policies comply with the Recruitment Principles and accreditation must be renewed every three years.

How to contact the Civil Service Commission:

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