

## PROTECT STAFF

Enclosure 1 to  
DNPERS(PROMS)/6/1(APB)  
Dated -- Dec 11

### PROMOTION BOARD INSTRUCTIONS 1 (Revised Nov 11)

#### DOCUMENTARY SECURITY

***Board members are reminded that the files contained in the red boxes contain information, which is subject to the provisions of the 1998 Data Protection Act. It follows therefore that they are only to be used for the purpose intended i.e. selection for promotion, that they are kept in a secure place and that they are not transported without adequate protection.***

#### INTRODUCTION

1. These instructions are for the 2012 promotion round. They relate to promotion boards for the selection of RN and RM officers for promotion to Lt Cdr/Maj effective 1 Oct 12<sup>1</sup>.
2. Detailed instructions for the conduct of specific selection boards are contained in **Annexes A1 and A2**.

#### PROMOTION CATEGORY DEFINITIONS

3. The following promotion categories will be used during the promotion process:
  - A** Officers who, in comparison with others of their branch and rank, are ready in all respects for substantive promotion this time.
  - B+** Officers who, in comparison with others of their branch and rank, do not justify promotion this time but who stand every possibility, on current reporting, of being assessed **A** at the next board.
  - B** Officers who, in comparison with others of their branch and rank, do not justify promotion this time but who are judged to have the potential to become serious contenders for promotion in the next 2 years.
  - C** Officers who are not currently showing the potential for promotion in the next 2 years.

#### PROMOTION GUIDELINES

4. Promotion boards are required to select suitable officers for promotion on merit to meet the branch numerical, specialist and structural requirements specified.
5. Merit is defined as ***suitability and capacity and having sufficient experience to be employed in at least the next higher rank. De facto promotion is not always awarded for current and previous good performance. Factors such as consistency***

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<sup>1</sup> These instructions have been equality and diversity impact assessed in accordance with MoD policy. This resulted in a Part 1 screening only completed (no direct discrimination or adverse impact identified). The EDIAT will be reviewed annually on re-issue of instructions.

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***of success especially in the face of particular challenges, leadership and management acumen, accomplishment with people, ability to think on a level above peer group, potential flair for command and future employability in both specialist and broader appointments all constitute merit.***

6. In considering whether to award the **A** grade to officers across the zone the following observations may be helpful:

- a. Junior officers in-zone will usually have had limited opportunity to build up a track record which demonstrates unequivocally their full potential and suitability for promotion to higher rank. However, there is a requirement to promote a small number early to form the pool of officers capable of reaching the highest ranks of the Service. Such officers should have demonstrated outstanding promise in the relatively short time they have been in the relevant rank to justify the award of an **A** grade assessment.
- b. By the time officers have reached the middle of the promotion zone, from where the bulk of the promotions are likely to come, they should have had sufficient time to demonstrate their suitability for promotion in a variety of different appointments under a number of reporting officers. Also, they should have acquired greater experience and a varying degree of broadening from other single service, joint and central appointments, which will stand them in good stead in the higher ranks.
- c. The more senior officers should have amassed a wealth of experience across the board but by reason of their age they are less likely to be able to compete strongly for promotion beyond the next rank. Nonetheless such officers can still merit promotion to the next higher rank because their attributes may equip them for a variety of jobs more so than a less experienced candidate, or they meet the requirement in a narrower field where deep specialist skills are important.

7. Officers should be considered for promotion on the basis of their whole record and selection boards are not bound to accept the recommendation of a current reporting officer. If any candidate receives less than a YES recommendation for promotion, the board is free to select that officer if they feel that other considerations outweigh the recommendation. If the recommendation is IK the board should base its judgement on earlier reports; in this way no officer will be unfairly treated because of discontinuity of reporting. It will also serve to avoid discriminating unlawfully against females who have taken maternity leave. However, under no circumstances should the board upgrade an officer to **A** who clearly does not merit promotion

8. In-zone officers not recommended for promotion, temporarily medically unfit or awaiting Court Martial will be considered by promotion boards but, if selected, their promotion may be deferred or cancelled depending upon the outcome of the particular circumstance.

9. Royal Naval Fitness Test (RNFT). 2010DIN01-024 introduced revised rules for eligibility to be considered at promotion Boards. It is now Navy Board policy that reports of those personnel out of date at the Common Reporting Date (CRD) without a valid exemption, extension or waiver will not be considered by selection Boards.

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### **PROMOTION REQUIREMENT**

10. Board members will be informed of the maximum authorised number (MAUN) of promotions by branch and in some cases specialisation, however, the board is not obliged to promote the number authorised if there are insufficient candidates of the required quality. Where there are additional mandated specialisation, structural and/or reserved rights requirements, selections are to be made on merit from the list of **A** graded candidates only. If the quality is such that the board is unable to satisfy the definitive requirement, the Senior Board Adviser (para 24) should be consulted before a decision is taken.

### **PROMOTION FILES AND ASSOCIATED DOCUMENTATION**

11. The promotion boxes contain the Official Records, hereon referred to as promotion files, of all eligible officers. Each file contains a CV, and copies of appraisal reports (see **Annex B**) and other authorised documents relating to the officer. **Board members are asked not to mark in any way the promotion files provided** as they are required for subsequent promotion boards. Also provided is a folder containing the profile sheets of all officers being considered. **Profile sheets can be used for the recording of notes by board members** since they are destroyed on completion of the Board.

12. Quality and Continuity of ARs. If during the reading process board members detect problems with the accuracy, completeness and continuity of candidates' reports, they should notify the Officer Promotion Section. The Branch Secretary will attempt to resolve these problems as quickly as possible. If, in the Board's opinion an officer has suffered poor continuity in reporting, this fact should be recorded on the final record of the Board. Normally there are four distinct reasons for this:

- a. Shortage of considered reports during the period under review.
- b. In one particular area of employment for so long that he/she has been deprived of a reasonable spread of reporting officers.
- c. Undergoing a sequential series of training courses in different locations.
- d. Absence on maternity leave.

13. Reports on Officers in NATO/EU Staff and Exchange Appointments, and on Secondment. Officers appointed to NATO/EU staffs, exchange appointments and those on secondment may well only be reported on by Foreign and Commonwealth officers or private sector civilians, many of whom are not familiar with the naval reporting system. Experience of non-UK service and non-MOD civilian reporting officers is that they do not always focus on the attributes of specific interest to selection boards, nor do they always follow the guidance on reporting provided. Furthermore, the fact that some of these appointments are high profile, politically sensitive and demanding may not be represented adequately by reporting officers. Board members should consider carefully the weight they give to these reports.

14. Unlawful Discrimination. These instructions reflect the Equality Act 2010 which came into force in October 2010. Board Chairs, members and Branch Secretaries are to be constantly mindful of these equality provisions throughout the selection process and whilst deliberating on the relative merits of candidates. The Board Chair is to remind members of

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this responsibility at the start of the Board and confirm on the Official Record that these principles have been adhered to.

The Equality Act 2010 protects people from discrimination on the basis of 'protected characteristics' which are Age, Disability, Gender Reassignment, Marriage or Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.

The protection from discrimination generally applies to those serving in the Armed Forces. However, given the need for the armed forces to maintain combat effectiveness, the Equality Act 2010 preserves the Armed Forces exemptions from disability and age discrimination.

Discrimination can be direct or indirect:

Direct Discrimination. The Equality Act 2010 defines direct discrimination as less favourable treatment because of a protected characteristic that someone has, or are thought to have (Perceptive discrimination), or because they are associated with somebody who has a protected characteristic (Associative discrimination). Perceptive and associative discrimination does not, however, apply in relation to the protected characteristics of marriage or civil partnership, and pregnancy and maternity.

Indirect Discrimination. This is a less obvious form of discrimination and can occur when an organisation has a policy, condition/rule or practice that applies to everyone and is therefore apparently neutral, but which particularly disadvantages people who share a protected characteristic. This may mean maintaining traditions and practices 'because that is what we do'.

15. Board members are also to give due consideration and weight to comments within appraisal reports that indicate any failings in an individual's attitude towards the principles and practices of Equality and Diversity. Any indication that performance has fallen short in this area should not be regarded lightly.

16. 2010DIN07-085 introduced mandatory bi-ennial E&D training for all personnel. Board members who have not yet completed in-unit advanced training are advised to access the [linked core script](#). The advanced training package may also be accessed via E&D site on the front page of the RN intranet Home Page under 'E&D Information & Guidance for Naval Service personnel'.

17. Convictions for Offences and Censures. Sentences passed by Service and civilian courts are subject to statutory and MOD-directed rehabilitation periods. Convictions by civilian courts, courts martial and, in some instances, summary trials are recorded in promotion files. However, under the Rehabilitation of Offenders Act 1974, these records are removed by the Promotions Section once the conviction is spent. Censures may be awarded either as a Naval penalty following conviction by a civilian court, or by Higher Authorities in circumstances which do not warrant criminal or disciplinary proceedings or sanctions. Censures awarded as a Naval penalty will be spent after the statutory or MOD directed rehabilitation period has elapsed. All other censures will be spent after 5 years. The date on which each recorded offence and censure will be spent is also recorded in the promotion file.

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18. Board members are to note that, under the 1974 Rehabilitation of Offenders Act, it is unlawful to prejudice in any way any person by reason or knowledge of a spent conviction when considering these documents for personnel management purposes, such as selection for substantive promotion.

19. When a conviction or censure is recorded in a promotion file, board members do not have to take it into account. However, they should consider the relevance of the conviction or censure and, if relevant, decide what weight should be attached to it, taking into account the following factors:

- a. The time elapsed since the offence or equivalent was committed.
- b. The time lag between the offence or equivalent and the passing of sentence or date of censure.
- c. The time remaining until the conviction or censure is spent.
- d. The subject officer's performance and attitude since the conviction or censure, and determination to right past wrongs.
- e. The impact of the conviction or censure on the merit definition when applied to the subject officer.

20. Ultimately individual board members must each decide whether or not it is fair, reasonable and proportionate to treat the conviction or censure as an adverse factor when deciding the subject officer's suitability for promotion this time.

21. Initial Command and Staff Course (Maritime) Reports. An up-to-date guide to assessments on officers who have attended the ICSC (M) is at **Annex C**.

## **BOARD ADVISERS**

22. The appropriate Branch Career Manager will act as the Board Adviser. His/her role is to provide: an initial briefing to cover the promotion target, and any branch and specialisation considerations; relevant appointing factors such as continuity of reporting; issues not recorded in written reports, for example censures or impending court appearances; further advice on reserved rights issues and the appointing perspective.

23. There is a fine balance to be achieved between expecting Board Advisers to be present throughout Annual Promotion Boards if not already there by right to discharge these duties and gain the necessary background to fulfil their downstream responsibilities for career management and interviews, whilst maintaining the desired separation between promotion and appointing functions. However rather than legislate on this issue, Naval Secretary has directed that Board Advisers' appearances, while at the discretion of the Board Chairman, should be sufficient for them to discharge their career management function.

## **SENIOR BOARD ADVISER**

24. Hitherto the boards have not required a great deal of branch structural advice due to the relative simplicity of the MAUN target. The future will be different insofar as there are

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more likely to be conflicts between selecting candidates purely on merit and satisfying mandated structural guidelines, and de facto a greater call on the Board Advisers. To meet this increased challenge and mindful of the likely difficulties that some boards will have balancing the requirements specified, DNPERS has been appointed to represent the joint view of DNPS (officers planning) and the appropriate NPTL (branch requirement, career management and appointing) at all boards on an 'as required' basis.

### **ANNOUNCEMENT OF SELECTIONS AND EFFECTIVE DATE**

25. Selections will be announced by signal as follows:

At 1000Z on Thu 23 Feb 12 for promotion to Lt Cdr/Maj; effective 1 Oct 12.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXXRoyal Navy  
XXXXXXXXXXXXPromotions

Annexes:

- A1. Detailed Instructions – Promotions to Lt Cdr (X and E)
- A2. Detailed Instructions – Promotions to Lt Cdr/Maj (L, RM, MS and QA)
- B. Transfer and Promotion File Contents
- C. Joint Command and Staff College – ICSC (M) and ACSC Reports