

**Office of the First Minister and Deputy First Minister
Planning Appeals and Water Appeals Commissions
– Principal Commissioner Competition
(Monitored Appointment)**

Terms of Reference

- 1.1 The audit of the public appointments process for a Principal Commissioner of the Planning Appeals and Water Appeals Commissions (PAWAC), administered by the Office of the First Minister and Deputy First Minister (OFMDFM), forms part of the Commissioner for Public Appointments' Audit Programme in respect of 2006-07.
- 1.2 This audit process is conducted under the Commissioner for Public Appointments (Northern Ireland) Order 1995 and the Commissioner for Public Appointments (Amendment) Order (Northern Ireland) 2001 and included an assessment of the extent to which relevant recommendations from previous Departmental audits have been taken forward (**Appendix 1** refers).
- 1.3 The applicable guidance in force was the 'Code of Practice for Ministerial Appointments to Public Bodies' August 2005 (the Code), issued by the Commissioner for Public Appointments for Northern Ireland.

Executive Summary

- 2.1 The Planning Appeals Commission is an independent appeals body established under the Planning (Northern Ireland) Order 1991, to decide a wide range of appeals against decisions of the Department of the Environment's Planning Service, and to report on various matters under planning and other legislation. The Water Appeals Commission is a separate tribunal Non-Departmental Public Body set up under Article 7 of the Water and Sewerage Services (Northern Ireland) Order 1973. Although the main legislation makes reference to appointments by the Secretary of State, subsequent legislation allows substitution of "Secretary of State" with "First Minister and deputy First Minister acting jointly" (and vice-versa during periods of suspension). [OFMDFM staff have confirmed that forthcoming appointments to PAWAC will be made by the First Minister and deputy First Minister].
- 2.2 The structure of PAWAC is hierarchical with (Panel Commissioners on a call-off basis); Commissioners; Senior Commissioners; Principal Commissioners; Deputy Chief Commissioner and, head of PAWAC, a Chief Commissioner. The method of appointment of the single Principal Commissioner vacancy to the PAWAC on this occasion (as a result of an internal promotion within PAWAC from another appointments process), was in the form of an internal competition.

2.3 The format of this audit report is based on an examination of the main stages of the appointments process. A number of audit issues have been identified and these are set out in detail within the report and summarised in an Audit Issues Grid within **Appendix 2**, which includes associated audit recommendations and the Department's responses. The main issues identified are:

- ❖ the Information Pack prepared for this competition made reference to OFMDFM's intention to have a reserve list in place which might be activated up to April 2008 (a period of 18 months from the beginning of the process). The Code sets out a six-month limit, after which OCPANI approval may be sought to appoint a candidate from this list, but only in exceptional circumstances
- ❖ the Central Appointment Unit's (CAU) Best Practice Guide includes a specimen application form with wording provided for a section on 'probity and conflicts of interest', drawing applicants' attention to certain requirements and requiring a response to a direct question – the application form provided by OFMDFM did not draw out these important aspects
- ❖ the Best Practice Guide also includes wording for a 'Declaration' section which draws attention to responsibilities with regard to probity issues; statutory disqualifications and disclosure of certain information in the public domain (a Code requirement). However, the application form used made no reference to these areas
- ❖ the Best Practice Guide provides specimen EO Monitoring and Political Activity Forms and a Code requirement exists regarding their provision to applicants for completion. However, only a Monitoring Form was issued, which represents an inconsistent approach in the selective nature of the monitoring data collected
- ❖ the panel Chair was responsible for exploratory questioning around probity and conflicts of interest at interview, however an examination of interview notes taken by panel members did not reflect any responses to questioning in this area, leading to the conclusion that there was no coverage. If there was any action taken by the Department to justify this exception in advance, this went undocumented on file
- ❖ the Code emphasises the requirement for any outcome relating to a public appointments process to be fully documented. However, there was no provision on candidate assessment forms to reflect any points identified or conclusions reached where these related to conflict of interest issues
- ❖ while the Panel had agreed to assess oral communication skills throughout the interview process, only one of the three panel members recorded their observations in support of the markings given

- ❖ although the successful appointee declared no other public appointments were held at the application stage, OFMDFM did not carry out and document any check with its CAU to gain independent assurance that this was the case prior to issue of a Press Release which includes a reference to this point
- ❖ there is a Code requirement that the Press Release issued should include certain wording regarding political activity, however, in this case, the required statement was not included

Overall Conclusion

- 3.1 Overall, the quality of the appointments process associated with this competition in terms of compliance with the Code (on a scale of High-Medium-Low) has been assessed as *Medium*, as a result of the nature of the audit issues identified.

Main Stages of the Appointments Process

(1) Planning and Preparation

- 4.1 This public appointments process was handled by Central Management Unit within OFMDFM. It was noted at the outset of this competition from documents on file that the vacancy to be filled was a permanent and pensionable appointment and could be regarded as a Ministerial appointment only by virtue of the independent status of the statutory officeholder.
- 4.2 In the Ministerial Submission prepared for the Secretary of State's approval at the outset of the process (setting out the planned approach to be undertaken), OFMDFM noted that 'the appointment process will be monitored by OCPANI and will closely follow best practice as set out in the OCPANI Code of Practice'. This linked in with a request to OCPANI for the vacancy to be filled as a public appointment under the "Monitored Kitemark" Scheme, with the allocation of an Independent Assessor (IA) to act as a scrutineer – this required the Department to give an undertaking that "appointments to the above body will be made in accordance with the Northern Ireland Commissioner for Public Appointments' Code of Practice. The Monitored Kitemark will be used to indicate this commitment".
- 4.3 ***It was noted, however, during the course of the audit that there were aspects of this process to appoint full-time employees which did not fit easily with the Code of Practice. This included a number of instances where Code requirements were set aside, although documented justification for the course of action taken by the Department was lacking and therefore unavailable for audit scrutiny – these have been raised in the various sections of this***

report. While Section 1.7 of the Code takes cognisance of the fact that situations may arise which it does not address, in such cases “OCPANI must be informed. Similarly, any significant proposed departure from the prescribed process must be discussed with OCPANI and the outcome of the discussion duly recorded”. However, there is no documentation available to indicate that any such discussions took place with OCPANI during the appointments process.

- 4.4 The panel members involved in the competition were the Head of Machinery of Government Division within OFMDFM (Chair); the PAWAC Chief Commissioner and the IA. The IA was engaged to participate from the interview stage onwards, as OFMDFM did not consider that a meeting would be required for a sift/shortlist process in the earlier stages of the process, with the small number of applicants involved.
- 4.5 Papers on file indicate that OFMDFM took a decision to fill this vacancy through an internal competition, setting out the reasoning behind this approach in an initial Ministerial Submission. Subsequent to this, ‘all eligible Commissioners’ were issued with a letter to the PAWAC address, inviting applications for the position. On a point of good practice, and bearing in mind the degree of follow-up work required to ensure that those eligible (but not regularly office-based) had seen the correspondence and had the opportunity to apply, this would have been facilitated by a letter sent to Commissioners’ home addresses rather than to their workplace.
- 4.6 The Ministerial Submission required approval by the Secretary of State for the appointments process being recommended. The basis set out for an internal competition was that ‘this is a supervisory position and it would be best if the successful candidate could be drawn from existing Commissioner ranks’ and that the existing mix of gender and community backgrounds among the existing Commissioners would make an internal competition ‘the most appropriate process for filling this vacancy. In addition to being the most cost-effective option, it is highly unlikely that the alternative of an external competition would attract any more suitable candidates in what is a very specialised field’. The submission further recommended that Merit order should be used in presenting the outcomes from the appointments process to the Secretary of State - the submission was duly approved on this basis.
- 4.7 An application form was developed for this appointments process which was accepted, both in hard copy and electronic format. Notes on completion highlighted the fact that ‘if completed electronically, pages should not be reformatted or expanded’ - this requirement was observed by those who submitted applications and promotes a best practice approach. In addition, the Department may also wish to consider the merits of issuing applications forms which use ‘form fields’,

thereby limiting the number of characters available for input on any page.

- 4.8 Guidance contained within the Information Pack issued with application forms also made it clear that under Departmental policy, applications received after the designated closing date would not be accepted – however, such circumstances did not arise.
- 4.9 The IA appointed was asked, as a matter of course, to confirm that there were no actual or potential conflicts of interest to declare with regard to the competition, in terms of any ongoing dealings or cases with PAWAC or the Planning Service, which was then further validated by PAWAC – this provided the necessary assurance that the IA had no conflicts of interest with regard to the appointments process. There was no record of similar assurances being obtained in relation to other non-PAWAC panel members which, although not an existing Code requirement, would have represented a best practice approach.

Issues Arising

- 4.10 The Information Pack prepared for this competition made reference to OFMDFM's intention to have a reserve list in place which might be activated to fill any additional Principal Commissioner vacancies up to 30 April 2008 (a period of 18 months from the beginning of the process). Annex H to the Code sets out the restrictions with regard to a reserve list, primarily that a six-month limit exists from the original appointment(s), assuming that the selection criteria remain the same – on this basis, it was not wholly appropriate for the Department to inform candidates that an 18-month reserve list might be in place. Once the six-month period has elapsed, under the Code *“Departments may seek OCPANI’s approval to appoint a candidate from the reserve list, but only in exceptional circumstances”*. While noting that the reserve list has not been activated to date, the Department’s attention is being drawn to the Code requirement in the event that this becomes a consideration for this or future competitions - **ISSUE**.
- 4.11 Section 1.8 of the Code refers to complementary guidance available on *“adopting best practice in appointment procedures – CAU’s Best Practice Guide”*. However, it was notable that OFMDFM did not apply the best practice contained in its published Guide, insofar as:
- (a) this Guide includes a specimen application form which sets out the wording for a section on ‘Probity and Conflicts of Interest’, drawing an applicant’s attention to the need to read the relevant booklet provided with the application form before considering the response to be made to suggested wording which forms a direct question (which is reproduced again in Section 2.11 to the Code). However, in the application form used for this competition, there was no attention drawn to the need for applicants to read the probity and conflicts of interest

booklet before making a response to what was a detailed statement rather than a direct question – **ISSUE.**

(b) the Guide includes wording for a final ‘Declaration’ section which, inter alia, again raises the issue of probity and conflicts of interest; responsibilities in relation to statutory disqualifications; and the fact that certain elements of the information provided may be disclosed in the public domain (a Code requirement at Section 3.27). However, the Declaration section in the application form used only required an acknowledgement that the information provided was true and complete and did not draw attention to the fact that statutory disqualifications could (and do) apply, and that some public disclosure of details would be required in certain circumstances – **ISSUE.**

(c) the Guide provides a specimen EO Monitoring Form and Political Activity Form for use (a Code requirement at Sections 3.28 and 3.29), however, in this competition, applicants were issued with a Monitoring Form only. Although the Department indicated that data on both areas had been collected during previous competitions, aside from the breach of the Code requirement, there was an inconsistent approach by OFMDFM in the selective nature of the monitoring data collected – **ISSUE.**

(2) Selection

- 4.12 The selection process used would generally involve the completion of a written application form followed by an eligibility sift, and if successful, a formal interview. Departmental staff carried out the sift process for this competition informally and all applicants were deemed eligible, which was confirmed by the panel members prior to interview.
- 4.13 In respect of one of the essential criteria set requiring applicants to hold certain qualifications, the Department confirmed that its normal practice would be to validate qualifications in advance of any sift process, to confirm eligibility. Validation was not required for this competition, as applicants were existing employees (and validation of the qualifications detailed within the application forms had taken place for a previous competition within PAWAC).
- 4.14 For each candidate interview, individual panel members were required to complete an interview booklet for all areas of questioning covered and a candidate assessment rating sheet. The Chair also completed a summary mark sheet at the end of the interview process which was agreed and signed-off by each panel member.
- 4.15 It was noted that OFMDFM policy on taking up References following the interview stage is dependant on the circumstances relating to individual competitions – no referee details were requested in this case. In addition, none of the applicants indicated that they held any other public appointments, therefore follow-up on Performance Assessments

relating to these was not applicable. Also, the Code currently places no requirement on Departments to carry out and document follow-up on the Performance Assessments with regard to new appointments.

Issues Arising

- 4.16 The interview arrangements detailed on file indicate that the Panel Chair was responsible for exploratory questioning around the issues of probity and conflicts of interest at interview. However, it was noted that the questions prepared by panel members did not include a line of questioning on this area. Furthermore, having examined the interview notes recorded by panel members using the interview booklets provided, the section headed ‘Conflict of Interest’ was blank in all cases, leading to the conclusion that there was no coverage of this area. In addition, if there was any action taken by the Department to justify this exception in advance, this went undocumented on file. The relevant Code requirements set out in Annex C and Section 3.36, state that “...it is important that the candidate’s commitment to the probity principle is tested and assessed at interview..” and “...even if a candidate does not declare a conflict of interest in their form [which was the case], the Panel should raise this at interview in any case, as a cross-check”. This was also raised as an audit issue in a previous Departmental competition (**Appendix 1** refers) – **ISSUE**.
- 4.17 Sections 3.34 - 3.36 and Annex C to the Code emphasise the requirement for any outcome relating to a public appointments process to be fully documented. However, it was also noted in relation to this competition that:
- (a) there was no provision made on candidate assessment forms (completed by panel members to summarise each candidate’s performance at interview) to reflect any points identified or conclusions reached where these related to conflict of interest issues - **ISSUE**.
 - (b) While the panel had agreed to assess oral communication skills throughout the interview process, only one of the three panel members recorded their observations in support of the markings given – **ISSUE**.
This was also raised as an audit issue in a previous Departmental competition (**Appendix 1** refers)
- 4.18 It was also noted that although the successful appointee had declared that no other public appointments were held at the application stage, the Department did not carry out and document any check with its Central Appointments Unit to gain independent assurance that this was the case, prior to issuing a Press Release which included a reference to this point – this would have represented a best practice approach in meeting the Code requirement under Section 3.42 – **ISSUE**.

(3) Post-Selection

- 4.19 This stage of the process related to the preparation of the Ministerial Submission for consideration and approval and dissemination of the outcomes by way of a Press Release, along with the provision of feedback to candidates as required and to the IA on their role in the process as a whole.
- 4.20 The candidate assessment summary contained in the Ministerial Submission was signed off by the IA. The Minister subsequently approved the recommendations made for filling the vacancy.
- 4.21 Once approved, the Department provided the IA, as required by the Code, with a copy of the Press Release which set out details arising from the Minister’s final decision on appointment. A copy was also issued to OCPANI, in accordance with the Code requirement.
- 4.22 The Panel Chair completed a feedback form on the IA’s role in the process and this was passed through to OCPANI as required.
- 4.23 There is no documentation on file to indicate that any of the candidates requested feedback on their performance in the public appointments process from the Panel Chair.

Issues Arising

- 4.24 Section 3.42 of the Code requires that the Press Release issued at the close of the appointments process includes *“a statement that ‘all appointments are made on merit and political activity plays no part in the selection process. However, in accordance with the original Nolan recommendations, there is a requirement for the political activity of appointees (if any declared) to be published’. This statement should be followed by details of the appointee’s response to the political activity question. If no political activity has been declared, this should be made clear”*. While the Press Release made reference to no political activity on the part of the appointee, the required statement was not included. *This was also raised as an audit issue in a previous Departmental competition* (Appendix 1 refers) - **ISSUE**.

APPENDIX 1

Previous audit recommendations considered as part of 2006-07 competition audit

- ❖ Was consistency in handling late applications apparent? N/A, there were no late applications received
- ❖ Were standardised shortlisting and interview practices/procedures apparent? YES, but for interviewing only – a formal shortlisting process was not deemed necessary by the Department
- ❖ Were conflict of interest and probity issues tested at interview? NO – no documentary evidence on file to support the fact that this took place
- ❖ Was there individual scoring and narrative assessment by each panel member to substantiate feedback prior to a consensus being reached, summarised and signed off by each panel member and were all decisions fully documented? PARTIALLY, Issues 6,7,and 8 in Appendix 2 being the exceptions
- ❖ Did the Panel Chair co-ordinate consensus decision-making at shortlisting and interview? YES
- ❖ Were all relevant details included in the Press Release? NO

Other general departmental audit recommendations arising which are pertinent to this competition

- ❖ Was there early IA involvement in the process? YES
- ❖ Was a detailed Information Pack made available? YES
- ❖ Was there a late applications policy in place? YES
- ❖ Was a specific closing date and time for applications adhered to? YES
- ❖ Was a pro-forma for sifting/shortlisting/interviewing used? YES, for interviewing only
- ❖ Was the IA notified of the outcome? YES

AUDIT ISSUES**APPENDIX 2**

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
1	The Information Pack issued for this competition referred to OFMDFM's intention to have a reserve list in place for potential activation up to 30 April 2008 (a period of 18 months from the beginning of the process). Annex H to the Code sets out the restrictions with regard to a reserve list, primarily that a six-month limit exists from the original appointment(s), assuming that the selection criteria remain the same – on this basis, it was not wholly appropriate for the Department to inform candidates that an 18-month reserve list might be in place	This is a Code compliant issue	That the Department bears this Code of Practice requirement in mind as part of the administrative process in running competitions Also, while noting that the reserve list has not been activated to date, in the event that it becomes a consideration for this or future competitions, the Department's attention is drawn to the Code requirement that once the six-month period has elapsed " <i>Departments may seek OCPANI's approval to appoint a candidate from the reserve list, but only in exceptional circumstances</i> "	1	This aspect of the Code presents a particular difficulty for the Department in relation to PACWAC appointments and a strong business case in terms of business need and value for money existed to support the decision to extend the life of this competition Appointments to PACWAC differ from traditional public appointments as the core complement of PACWAC commissioners, although technically

					<p>public appointees, comprises full-time permanent, pensionable, salaried appointments. From a VFM perspective it is necessary to optimise the outcomes from such competitions and, as recruitment to these specialist posts involves costly advertising and detailed recruitment processes to attract suitable candidates within a specialised and limited recruitment market, a reserve list of 6 months does not provide a sufficient return on the investment. In addition experience suggests that a</p>
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				<p>competition within 6 months of another would not offer a significantly different field of candidates.</p> <p>Audit issue and associated recommendation are however accepted and noted for any future action</p>
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AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
2	<p>Section 1.8 of the Code refers to complementary guidance available on “<i>adopting best practice in appointment procedures – CAU’s Best Practice Guide</i>”. However, it was notable that OFMDFM <u>did not apply</u> the best practice contained in its published Guide, insofar as:</p> <p>the Guide includes a specimen application form which sets out the wording for a section on ‘Probity and Conflicts of Interest’, drawing an applicant’s attention to the need to read the relevant booklet provided with the application form before considering the response to be made to suggested wording in the form of a direct question (reproduced in Section 2.11 to the Code). However, in the application form used for this competition, there was no attention drawn to the need for applicants to have read the probity and conflicts of interest booklet before making a response to what was a detailed statement rather than a direct question</p>	<p>This is a Code compliant issue</p>	<p>That the Department bears this Code of Practice requirement in mind as part of the administrative process in running competitions, seeking to apply its own best practice guidance wherever possible</p>	<p>1</p>	<p>It should be noted that in this particular competition all of the candidates were internal to the Commissions and the Department would have been content that they were well versed in probity and conflicts issues</p> <p>Furthermore, PACWAC maintains a register of Commissioners’ interests</p> <p>Audit issue and associated recommendation are however accepted</p>

AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
3	the Guide includes wording for a final ‘Declaration’ section which, inter alia, again raises the issue of probity and conflicts of interest; responsibilities in relation to statutory disqualifications; and the fact that certain elements of the information provided may be disclosed in the public domain (a Code requirement at Section 3.27). However, the Declaration section in the application form used only required an acknowledgement that the information provided was true and complete and did not draw attention to the fact that statutory disqualifications could (and do) apply, and that some public disclosure of details would be required in certain circumstances	This is a Code compliant issue	That the Department bears this Code of Practice requirement in mind as part of the administrative process in running competitions, seeking to apply its own best practice guidance wherever possible	1	As this was an internal competition amongst existing commissioners who were well-versed on issues relating to probity and conflicts of interest, a more simplified procedure was used Unlike most other public appointments, commissioners are permanent full-time salaried appointments within a ‘career’ structure, and although they are subject to statutory disqualification, it is very unlikely that they would ever be

				<p>standing for election. Furthermore, guidance on disqualification is issued prior to each election and this includes PACWAC</p> <p>Audit issue and associated recommendation accepted</p>
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AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
4	the Guide provides a specimen EO Monitoring Form and Political Activity Form for use (a Code requirement at Sections 3.28 and 3.29), however, in this competition, applicants were issued with a Monitoring Form only. Although the Department indicated that data on both areas had been collected during previous competitions, aside from the breach of the Code requirement, there was an inconsistent approach by OFMDFM in the selective nature of the monitoring data requested	This is a Code compliant issue	That the Department bears this Code of Practice requirement in mind as part of the administrative process in running competitions, seeking to apply its own best practice guidance wherever possible	1	As this was an internal competition to full-time permanent salaried appointments, the Department had presumed that changes were unlikely to the previously declared political activity. The monitoring form was however issued on the basis that this information might be subject to change Audit issue and associated recommendation fully accepted. Future competitions will comply with the change in the

					provisions of the Code in relation to the Political Activity Form.
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AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
5	<p>The Panel Chair was responsible for exploratory questioning on the issues of probity and conflicts of interest at interview, although it was noted that the questions prepared did not include a line of questioning on this area. Furthermore, an examination of the interview notes recorded by panel members using the interview booklets provided showed that the section headed ‘Conflict of Interest’ was blank in all cases, leading to the conclusion that coverage of this area did not take place. If there was any action taken by the Department to justify this exception in advance, it went undocumented on file</p> <p>The relevant Code requirements set out in Annex C and Section 3.36, state that “...it is important that the candidate’s commitment to the probity principle is tested and assessed at interview..” and “...even if a candidate does not declare a conflict of interest in their form [which was the case] the Panel should raise this at interview in any case, as a cross-check”. <u>This was also raised as an audit issue in a previous Departmental competition</u></p>	<p>This is a Code compliant issue</p>	<p>The means by which this Code requirement will be met during interview should be formally discussed, agreed and documented on file by the panel for each competition</p> <p>All panel members should be made aware of the need to formally and consistently raise and record interview responses in respect of conflict of interest and probity issues (fully utilising the marking frameworks provided by the Department)</p>	1	<p>This issue was ‘downplayed’ on account of the candidates being familiar with the issues of probity and conflicts. However, we would have expected the Panel to have recorded something in the Interview Booklet</p> <p>Audit issue and associated recommendation fully accepted</p>

AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
6	<p>Sections 3.34 - 3.36 and Annex C to the Code emphasise the requirement for any outcome relating to a public appointments process to be fully documented. However, it was also noted in relation to this competition that:</p> <p>there was no provision made on candidate assessment forms (completed by panel members to summarise each candidate’s performance at interview) to reflect any points identified or conclusions reached where these related to conflict of interest issues</p>	<p>This is a Code compliant issue</p>	<p>That the Department bears this in mind as part of the administrative process in running competitions and amends the existing documentation in use to facilitate the recording of outcomes by panel members</p>	<p>1</p>	<p>The Candidate Assessment Form relates only to the criteria which require to be scored, however the Interview Guide completed by each member of the Panel contains specific provision for this information</p> <p>Consideration will be given as to how best to ensure to ensure compliance with the Code in future competitions</p>

AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
7	<p>while the panel had agreed to assess oral communication skills throughout the interview process, only one of the three panel members recorded their observations in support of the markings given</p> <p><u><i>This was also raised as an audit issue in a previous Departmental competition</i></u></p>	<p>This is a Code compliant issue</p>	<p>That all panel members are made aware of the requirement to formally and consistently record interview outcomes (utilising the marking frameworks provided)</p>	1	<p>Audit issue fully accepted and the associated recommendation will be taken on board in future competitions</p>

AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
8	It was also noted that although the successful appointee had declared that no other public appointments were held at the application stage, the Department did not carry out and document any check with its Central Appointments Unit to gain independent assurance that this was the case, prior to issuing a Press Release which included a reference to this point – this would have represented a best practice approach in meeting the Code requirement under Section 3.42	This is a Code compliant issue	That the Department bears this best practice approach in mind as part of the administrative process in running competitions which meet Code requirements	1	As arrangements already exist within PACWAC for existing appointees both to seek approval to take up other public appointments and to record conflicts of interest, the Department judged as unnecessary further verification of written statements from internal candidates of this competition Audit issue noted and associated recommendation will be considered in future competitions

AUDIT ISSUES

	Audit Issue	Impact	Recommendation	Priority Level	Departmental Response
9	<p>Section 3.42 of the Code requires that the Press Release issued at the close of the appointments process includes <i>“a statement that ‘all appointments are made on merit and political activity plays no part in the selection process. However, in accordance with the original Nolan recommendations, there is a requirement for the political activity of appointees (if any declared) to be published’. This statement should be followed by details of the appointee’s response to the political activity question. If no political activity has been declared, this should be made clear”</i>. While the Press Release made reference to no political activity on the part of the appointee, the required statement was not included. <u><i>This was also raised as an audit issue in a previous Departmental competition</i></u></p>	<p>This is a Code compliant issue</p>	<p>That the Department bears this Code of Practice requirement in mind as part of the administrative process in running competitions</p>	<p>1</p>	<p>Audit issue fully accepted. Future press releases will comply with this requirement</p>