



COMMISSIONER FOR PUBLIC APPOINTMENTS'

AIDE-MEMOIRE FOR

PANEL MEMBERS INVOLVED IN PUBLIC APPOINTMENTS

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INTRODUCTION

1. This aide-memoire provides good practice guidance on the role of the members of public appointments panels in that process. Its purpose is to outline the arrangements and procedures typically used in the appointment of Chairs of public bodies, bearing in mind that there is no one 'right' process for public appointments. Processes can and should vary, and should be proportionate to the nature of the appointment.
2. These notes are not concerned with interviewing techniques. They assume that members of public appointments panels are experienced interviewers, but where necessary departments can provide appropriate training.

COMPOSITION OF THE PANEL

3. Where the Commissioner for Public Appointments as regulator participates directly in the selection procedures a Public Appointments Assessor will chair the selection panel. The PAA appointed as chair of the panel is responsible for ensuring that the panel is able to assess candidates impartially against the full breadth and depth of the requirements of the post. While it is for the department to decide upon panel membership, the PAA must be satisfied that the panel is properly constituted to carry out its role and that it is diverse in composition.

ROLE OF THE PANEL

4. Overall, the role of the panel is collectively to make objective and reasoned decisions concerning the relative merit of competing candidates against the criteria, and thereby identify the appointable candidates. Panel members are selected for their individual contribution to the collective consideration of merit and not to act as a representative for the views of other interested parties. The key elements of the panel's role are:
 - to determine which applicants should be short-listed on the basis of the available information about them, ensuring equal consideration of all candidates;
 - to interview each short-listed candidate against the selection criteria they have established;
 - to assess which candidates are appointable in the light of all the relevant evidence including the interview;
 - to identify appointable candidates, describing how and the extent to which they met the key criteria;
 - to preserve the confidentiality of candidates throughout the selection process;
 - to ensure any personal or familial relationships with particular candidates is declared within the panel and dealt with appropriately and consistent with the principles of fairness and merit.

SIFTING AND SHORT-LISTING

5. A sifting process will normally be necessary to reduce the number of

applications to a manageable short-list for final interview. In some cases the sifting process will require a preliminary stage to produce a long-list of candidates who will need to be assessed further. The sifting process is overseen by the selection panel, meeting for that purpose.

6. If search consultants are engaged to assist in identifying candidates for short-listing either from search or advertisement, their role is advisory. Responsibility for decisions rests with the panel.
7. Matters to be decided by the panel include:
 - the selection criteria, derived from the requirements published in the advertisement and supporting information for applicants;
 - what information is needed to support sifting decisions;
 - which candidates should be short-listed for final interview. For a single post, a minimum of three to five candidates, with a realistic prospect of being judged appointable, will often be enough to provide Ministers with a choice of appointable candidates.
8. The panel also needs to confirm preparations for the conduct of the final interviews. In particular:
 - whether any additional assessment or testing is to be conducted prior to final interviews;
 - where it is intended that the final panel interview should include an initial presentation by each candidate, to settle the topic so that notice can be given to the candidates;
 - to identify the broad areas of questioning to be pursued by each member of the panel;
 - to agree how much time needs to be allocated to each interview.
9. All panel members should make every effort to attend sifting meetings. If, however a panel member is unable to be present, or be involved via telephone or video link, the department in consultation with the PAA chairing the competition should arrange for the views of the absent member to be obtained and shared amongst other members of the panel.

FINAL INTERVIEWS

10. Before the interview programme commences, the PAA will wish to be satisfied that the physical arrangements are suitable. It is a matter of fairness to candidates that, within the limits of practicality, external distractions (e.g. undue noise) are minimised. By the same token all panel members will want to make arrangements to avoid interruptions.
11. Preliminaries. Time must be allowed before the final panel interviews for information secured through any prior assessment process to be shared with panel members. Before the first interview, it is helpful for the PAA to remind members of the agreed selection criteria against which the candidates will be assessed; and to confirm the broad areas of questioning to be pursued by

each panel member.

12. Timetable. A typical timetable for full panel interviews allows one hour per candidate of which some 45-50 minutes may be allocated to the interview itself, but this will be dependent upon the nature of the post which is being filled. The panel will need to decide how to structure this time. It is usual to allow a few minutes at the end for any questions the candidates may have and to advise them about the decision process and when they will be told their result.
13. Interview Good Practice. Anything relevant to the post and the candidate's suitability for it can be discussed in the interview, but there are some points to note:
 - Panel members need to be, and be seen to be, impartial, particularly on matters relating to age, disability, gender, gender identity, religion or belief, politics, marital status, sexual orientation, race, nationality or national origin, (or, in Northern Ireland, community background). Further advice on the legal provisions relating to discrimination can be found on the Government Equalities Office website <http://homeoffice.gov.uk/equalities/>
 - Candidates should be assessed on merit, and they should not be treated more or less advantageously because of their previous or current activities, affiliations, or the employment of their partner or family members. The panel must be satisfied that all candidates for appointment can meet the standards of conduct set out in the Committee on Standards in Public Life's Seven Principles of Public Life.
 - Panel members should raise with the PAA any personal or familial relationship with particular candidates at the earliest possible stage and before a consideration on relative merit takes place.

ASSESSMENT

14. The PAA does not formally mark or vote on the candidates but is an active member of the panel. Their role, as guardians of the principle of appointment on merit through fair and open competition, is to steer the panel to a collective agreement on which candidates are appointable and the strengths and weaknesses of appointable candidates against the key criteria.
15. It is common practice for the panel to make an initial assessment of each candidate immediately after each interview, recognising that assessments made earlier in the day may need to be reviewed as standards are clarified in the light of their assessments of later candidates. Usually, the PAA will invite each member to identify whether a candidate is appointable and the reasons for it based on all the evidence, including that available before the interview.
16. The panel operates as a college in reaching its decisions and its final determination is a collegiate one. Where consensus cannot be achieved, even

after an adjournment to allow time for reflection or for further information to be gathered, the panel can resort to majority decision but only if all its members are prepared to operate on this basis.

17. Taking all the relevant evidence into account, the panel should finally establish which candidates are appointable. It should identify the strengths and weaknesses of appointable candidates against the key criteria. By determining a candidate to be appointable, the panel is giving the Minister the power to choose to appoint them.

PANEL REPORT

18. The proceedings of the panel are confidential. The PAA reports the outcome in the form of a panel report to the department summarising the reasons for the panel's conclusions in relation to appointable and non-appointable candidates. The only other official records will be the relevant Ministerial submissions and any notes from the Minister to the panel, copies of the campaign documentation, the application papers of all candidates, records of the selection stages, notes of any Ministerial meetings, and those notes taken by the secretary to the panel during the early stages of the competition. Where panel members keep personal notes during the course of the competition, these should be destroyed at its conclusion.
19. Panel papers may have to be produced in Employment Tribunal hearings if an unsuccessful candidate lodges a complaint of unlawful discrimination. It is also possible that information produced by the panel may be discloseable in accordance with the Data Protection Act 1998 or the Freedom of Information Act 2000.