

Diane Macfarlane

Room G08, 1 Horse Guards Road, London, SW1A 2HQ

Telephone 020 7270 0829

E-Mail diane.macfarlane@csc.gsi.gov.uk

Website <http://civilservicecommission.independent.gov.uk>

Thank you for your letter to the Civil Service Commission requesting information which we received on 18 April 2012. In that request, you asked:

Please could you tell me how many certificates of exception that you issue periodically for people not recruited through fair and open competition so that they can stay in their jobs beyond two years. I am particularly interested in the Band E grade.

I am dealing with your request under the terms of the Freedom of Information Act 2000.

I am writing to advise you that the information you have requested is held by the Commission.

The Commission's Recruitment Principles lists a series of exceptions to the principle of selection on merit on the basis of fair and open competition which may sometimes be permitted (see Annex A). In considering your request, we have tried to establish which of the nine exceptions listed may provide the information you are seeking and think the following are relevant:

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.

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 competition for a particular one-off job on the basis that such a process would be a mere formality. Any proposal for 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 or to convert it to a permanent appointment without fair and open competition, requires the approval of the Commission.

The Commission's explicit written approval is required for the use of any of these exceptions for posts at Senior Civil Service pay band 2 and above, and for any post for an extension to the use of an exception beyond a two year period. Please note this written approval does not take the form of a certificate.

The number of requests for exceptions approved by the Commission each year is published in our annual report. Annual reports going back to 1996/97 are available to download from our website. For ease of reference, a copy of the relevant page from the most recent report for 2010/11 is attached at **annex B**. The information included in the annual report is limited to the overall number of approvals granted and is not supplied by grade.

However, in response to a previous Freedom of Information request, the Commission put together two tables which supply details of the exceptions by grade 2010-11 where this is possible. **Annex C** shows overall data on short-term appointment exceptions (Exception 1) at all grade levels below Senior Civil Service. **Annex D** shows short-term appointment exceptions by Department and grade 2010-11.

Please note that the Commission does not hold information in relation to the different grade structures that exist across different Government Departments. The Commission uses Civil Service equivalent grades and in putting business cases to the Commission, Departments are expected to refer to these equivalents. We cannot therefore provide information on Band E grades. In order to interpret the information we have provided, you may wish to contact the HR section within the Department you are specifically interested in to find out how a Band E would be expressed as a Civil Service equivalent grade.

If you are unhappy with the service you have received in relation to your request, or wish to request an internal review, you should write to:

Richard Jarvis
Chief Executive
Civil Service Commission
G08
1 Horse Guards Road
London SW1A 2HQ

Email: richard.jarvis@csc.gsi.gov.uk

You should note that the Civil Service Commission will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the Civil Service Commission. The Information Commissioner can be contacted at:

The Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Yours sincerely

Diane Macfarlane

Annex C

Short-term appointment exceptions to the Recruitment Principles by grade 2010-11

Grade	Number of exception 1s granted
Grade 6	2
Grade 7	1
SEO/ SEO equivalent	7
HEO/SEO (combined grade)	2
HEO	4
EO/HEO (combined grade)	1
EO	5
AO	3
AA	2
PA	1
Total number of exceptions by grade	28

NB the discrepancy in figures between the 40 shown in the annual report and the above figures are due to the non-recording of grades in some cases in our statistical records.

Annex D

Table 2: Short-term appointment exceptions to the Recruitment Principles by department and grade 2010-11

Department	Grade
Cabinet Office	1 x SEO equivalent, 1 x SEO, 1 x HEO Total: 3
Communities and Local Government	None. Total: 0
Crown Prosecution Service	1x SEO, 1 x HEO, 1 x EO, 1 x AO, 2 x AA, 1 x PA, 2 grades not given Total: 9
Department for Children, Schools and Families	1 grade not listed. Total: 1
Department for Culture, Media and Sport	None. Total: 0
Department for Environment, Food and Rural Affairs	None. Total: 0
Department for Work and Pensions	None. Total: 0
Department of Health	1 x Grade 6, 1 x HEO, 1 x AO, 2 SEOs. Total: 5
Department of Transport	None. Total: 0
Estyn	None. Total: 0
Fire Service College	None. Total: 0
Food Standards Agency	None. Total: 0
Foreign and Commonwealth Office	None. Total: 0
Forestry Commission	1 x AO. Total: 1
Government Office Network	None. Total: 0
HM Inspector of Education	None. Total: 0
HM Revenue and Customs	1 x Grade 6 Total: 1
HM Treasury	1 x AO, 1 x EO/HEO, 1 HEO/SEO. Total: 3
Home Office	None. Total: 0
Intellectual Property Office.	None. Total: 0
Land Registry	None. Total: 0
Medicines and Healthcare Products Agency	1 x SEO, 1 x AO. Total: 2
Ministry of Defence	1 x HEO/SEO Total: 1
Ministry of Justice	None. Total: 0
National Archives	1 x HEO, 2 x EO. Total: 3
Northern Ireland Office	1 x Grade 7, 1 x SEO, 1 x EO. Total: 3
Office for National Statistics	None. Total: 0
OFSTED	None. Total: 0
Scottish Government	2 x specialist posts (grades not given); 1 x EO. Total: 3
Scottish Prison Service	None. Total: 0
UK Border Agency	None. Total: 0
UK Statistics Authority	None. Total: 0
Welsh Assembly Government	None. Total: 0
GRAND TOTAL	35

NB the above total excludes 5 further exceptions where departments concerned were not recorded in our statistical records.

Key

SEO = Senior Executive Officer
 HEO = Higher Executive Officer
 EO = Executive Officer
 AO = Administrative Officer
 AA = Administrative Assistant
 PA = Personal Assistant