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Thank you for your letter to the Civil Service Commission requesting information, which we received on 30 April 2012. In that request, you asked:

How many exceptions have been made under the civil service commissioner's recruitment principles to extend employees contracts to over 2 years if they were not recruited through fair and open competition in the Ministry of Justice in total in both 2010 and 2011.

I would also like this data to be broken down to show which grades any exceptions were at.

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.

In most cases departments have delegated authority to use these exceptions. The Commission's explicit 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.

We have limited the information provided to cases where the Ministry of Justice sought approval for an extension to the use of an exception beyond a two year period. The information provided covers exceptions approved by the Commission during the calendar years 2010 and 2011. 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. In order to interpret the information we have provided, you may wish to contact the HR section within the Ministry of Justice to find out how their banding system would be expressed as a Civil Service equivalent grade.

2010			
Grade	Exception 1	Exception 3	Exception 4
SCS Pay Band 1	1		
Grade 7			1
SEO			1
Total approved	1	0	2

2011			
Grade	Exception 1	Exception 3	Exception 4
SEO			1
EO	2		
Total approved	2	0	1

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