



RECRUITING PERMANENT SECRETARIES: MINISTERIAL INVOLVEMENT

AN EXPLANATORY NOTE

This note explains the Commission's approach to involving Ministers in the appointment of Permanent Secretaries. It does not apply to other appointments to the Civil Service.

General Approach

Everyone involved in Civil Service recruitment is bound by the legal requirement that selection for appointment to a politically impartial Civil Service must be "on merit on the basis of fair and open competition". The Civil Service Commission must publish "Recruitment Principles", which define what this requirement means. These may be found at <http://civilservicecommission.independent.gov.uk/civil-service-recruitment/> .

The Principles enable Ministers to have substantial involvement throughout the selection process for senior appointments in which they have particular interest. This helps to ensure that the successful candidate has the confidence of the Minister. Ministers can decide not to appoint the selected candidate, but may not select another candidate in their place; in which case the selection process starts again. Ultimately, the power to make appointments to the Civil Service rests with the Prime Minister.

Appointment of Permanent Secretaries

The Recruitment Principles govern all the most senior appointments, including Permanent Secretaries. In the case of Permanent Secretaries, who are Heads of Department, the Commission has developed these more detailed practices for involving Secretaries of State:

1. Competitions at this level will be chaired by the First Civil Service Commissioner or his nominee. The First Commissioner will ensure the Secretary of State can be fully involved. He will meet the Secretary of State at each key stage, and will be available at any point if the Secretary of State has concerns about the selection process or candidates.
2. The Secretary of State should:
 - be consulted at the outset by the Head of the Civil Service on the nature of the job, the skills required, and the best way of attracting a strong field;



- agree the final job description and person specification, and the terms of the advertisement;
 - agree with the First Commissioner the composition of the panel, in particular to ensure that there is sufficient external challenge from outside the Civil Service;
 - meet each of the short listed candidates, to discuss his or her priorities and the candidate's approach to the role; and feedback to the panel any strengths and weaknesses to probe at final interview.
3. Since the Prime Minister must approve the appointment of Permanent Secretaries, he should be kept informed of the progress of the selection process.
 4. It is the responsibility of the panel to assess the merits of the candidates using the best possible evidence, including testing any issues raised by the Secretary of State. It must then recommend the best candidate for appointment to the Secretary of State, who may meet the candidate for a further discussion.
 5. Where the panel is genuinely uncertain about the merit order of the leading candidates, it may, before making its recommendation, seek further evidence about which of the candidates' skill sets most closely matches the needs of the department and the Civil Service. With the agreement of the First Civil Service Commissioner, this will include further consultation with the Secretary of State and the Head of the Civil Service and, exceptionally, a meeting between them and the leading candidates.
 6. The panel must then make its recommendation, taking account of all the available evidence, in a report from the First Commissioner to the Secretary of State. That report should record how the Secretary of State's views have been taken into account.
 7. If the Secretary of State is not satisfied that the panel has recommended the best candidate, he/she may ask the panel to reconsider, setting out the reasons. The panel may revise its merit order; the reasons for this must be recorded, and the panel must obtain the approval of the Board of the Civil Service Commission for the revision.
 8. Under the terms of the Constitutional Reform and Governance Act 2010 the final decision whether or not to appoint the recommended candidate rests with the Prime Minister. If he decides not to do so, there will be a discussion with the Head of the Civil Service about how an alternative



candidate can be found. This may involve a managed move within the Civil Service, an internal competition, or a new external competition.

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