

**The Rt Hon Baroness Gisela Stuart of Edgbaston
First Civil Service Commissioner**

G/08, 1 Horse Guards Road, London, SW1A 2HQ
Telephone 020 7271 0827
E-Mail first.commissioner@csc.gov.uk



To: Heads of Department (via email)

Wednesday 20 November 2024

Dear Heads of Department,

I am writing to report on the findings of the Civil Service Commission's review into appointments which departments have delegated permission to make by "exception".

The Constitutional Reform and Governance Act 2010 stipulates that the Commission may "except" certain appointments from the requirement that recruitment into the Civil Service takes place on merit on the basis of fair and open competition.

Departments have delegated permission from the Commission to appoint by exception at grades below SCS Pay Band 2 for a maximum of two years in most circumstances. This is a significant power, and it is important that the Commission, as the independent regulator, monitors, assesses, and - where appropriate - adapts, how this permission is applied.

Findings

I attach a copy of the Commission's review, which examined appointments made by exception using delegated powers in July and August 2024 and the departmental processes in place to make such appointments. The review was carried out by the Commission's Policy team and overseen by its Board of fourteen independent Commissioners. I would like to thank you and your teams for your input. Each organisation within the regulatory remit of the Commission cooperated fully with this exercise.

The review identified a range of reassuring good practice and some areas that required improvement. The Commission was largely satisfied with processes in place within departments to apply, consider and approve exception requests. Multi-level clearance processes are common, and departments frequently demonstrated good justification of why a fair and open competition could not be run and why a specific exception was used.

Occasionally, appointments were not as clearly justified according to the terms of the Commission's Recruitment Principles¹. Some departments would benefit from implementing robust processes to challenge the parameters (for example, the length) of appointments made. A few departments appeared to lack central tracking systems. We found two breaches relating to record keeping.

¹ Recruitment Principles, Civil Service Commission, April 2018, https://civilservicecommission.independent.gov.uk/wp-content/uploads/2019/03/02a_RECRUITMENT-PRINCIPL-ES-April-2018-FINAL-.pdf.

**The Rt Hon Baroness Gisela Stuart of Edgbaston
First Civil Service Commissioner**

G/08, 1 Horse Guards Road, London, SW1A 2HQ

Telephone 020 7271 0827

E-Mail first.commissioner@csc.gov.uk



To support greater consistency and improvements in practice, the review makes a set of recommendations and profiles areas of positive practice. Please ensure that your organisation considers the findings of this review in full and that processes are adapted accordingly. We will monitor implementation of these recommendations on an ongoing basis through audits, and I ask that your organisation continues to engage with the Commission's training activity as appropriate.

We are grateful for the ongoing work of your teams to deliver recruitment according to the expectations of the Recruitment Principles, which are a crucial underpinning of the integrity of the Civil Service.

I am copying this letter to your HR Director.

Yours sincerely,

A handwritten signature in black ink that reads "Gisela Stuart".

Gisela Stuart

First Civil Service Commissioner

Copied to:

HR Directors / Heads of HR