



Ministry of Justice

Audit Report

April 2025

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Executive Summary

The Civil Service Commission audits organisations to drive greater innovation and improvement in departmental practice, while ensuring the important principle of recruitment on merit, after fair and open competition remains the cornerstone of an effective and impartial Civil Service.

The new audit programme better reflects the differences in scale and the challenge of recruitment within the different departments and organisations that the CSC regulates.

For each audit the Commission requests evidence on six campaigns, with each to include records related to:

- o the job advert;
- o the candidate pack;
- o the sift records (with scores);
- o the interview questions;
- o the interview scores (with feedback);
- o the appointment; and
- o the chair / panel report.

and:

- requests evidence on six exceptions;
- issues a questionnaire related to diversity, innovation and SCS recruitment;
- identifies areas of concern; potential breaches to the Recruitment Principles; and clarifying evidence from the organisation required for the interim audit;
- discusses the above with each organisation at an audit meeting;
- moderates the final report with Civil Service Commissioners including, where relevant, the department's Link Commissioner;
- issues the Final Audit Report with the audit rating to the organisation; and
- follows up recommendations with the organisation to ensure the actions have been addressed.

Profile

The Ministry of Justice (MoJ) is a ministerial department which works to protect and advance the principles of justice. MoJ is supported by 35 agencies and public bodies.

- **Headcount:** 95,150 (MoJ and ALBs - December 2024)
- **Appointments:** 14,731 (last four quarters)
- **Exceptions:** 193 (last four quarters)
- **SCS1+2 / Commissioner-led competitions:** 46/3 (last four quarters)

MoJ's audit was in December 2024. MoJ's Complexity Score is 5. This reflects a standard score for the largest departments, with a varied or current high profile. MoJ was content with this score. MoJ engaged positively throughout the audit process.

Audit Findings

CSC audited ten campaigns. MoJ initially only provided evidence on appointments to their arm's length bodies rather than those specific to MoJ. CSC requested four further campaigns specifically related to MoJ. The audit analysis combines MoJ and its ALBs.

Good Practice

MoJ adverts included information about how candidates will be assessed if a large number of applications are received.

MoJ adverts identified the behaviour to be used in presentations.

MoJ had clear candidate outcomes on interview records.

Areas for Improvement

MoJ should take steps to improve structure and accuracy on job adverts to ensure candidates are provided with greater clarity on the application processes, for example, what behaviours will be assessed at each stage, and if desirable criteria is used. Additionally, MoJ should clearly state how CVs will be assessed.

MoJ should take steps to remove exclusionary criteria, for example 'the requirement for candidates to have prior experience working with permanent secretaries and Ministers' as this is exclusionary to external candidates.

MoJ should ensure the selection process is finalised before the advert is published to provide candidates with assurance.

Queries Raised

CSC queried job adverts with 'national' as the location. MoJ explained that successful candidates discuss locations after pre-employment checks, and in some locations, outline specific security vetting requirements for different locations.

CSC queried what was meant by 'vacancy type: merit'. MoJ explained candidates who are successful at the online assessment centre are added to a merit list based on their score. When all applicants have completed the assessment centre, the prison service will make job offers to individuals with the highest scores. The list remains active for 12 months.

CSC queried how 'caring' was assessed. MoJ explained 'caring' is a competency from the HMPPS competency framework (pre-dating Success Profiles). MoJ uses this behaviour for recruiting Prison Officers to assess where they can perform the role effectively.

Breaches of the Recruitment Principles

Two Serious breaches were identified in the audit. One Serious breach related to the assessment of unadvertised criteria. One Serious breach related to merit order. The candidate progressed to the interview, but had not passed the minimum pass mark. MoJ agreed this was an error which affected the merit order.

Two Technical breaches were identified in the audit. One Technical breach was for poor record keeping related to which behaviours were assessed. One Technical breach was for unadvertised assessment of project management skills, where a CV was used to assess this skill.

Four Serious breaches were confirmed outside the audit. Two Serious breaches related to assessing an unadvertised behaviour. One Serious breach related to candidates not being sifted although their applications had been received. One Serious breach for not seeking prior approval to extend an exception after the original exception had expired.

Three Technical breaches confirmed outside the audit, all related to assessing unadvertised criteria.

Exceptions

The audit reviewed the following ten exceptions:

- **Exception 1:** EO support for government employment programmes (Exception 2) for 12 months.
- **Exception 2:** EO temporary appointment (Exception 1) for 12 months.
- **Exception 3:** EO former Civil Servant (Exception 5) .
- **Exception 4:** G7 highly specialised skills (Exception 4) for 18 months.
- **Exception 5:** EO former Civil Servant (Exception 5).
- **Exception 6:** AO temporary appointment (Exception 1) for 2 years.
- **Exception 7:** EO temporary appointment (Exception 1) for 2 months.
- **Exception 8:** G7 former Civil Servant (Exception 5).
- **Exception 9:** SEO temporary appointment (Exception 1) for 2 years.
- **Exception 10:** AO temporary appointment (Exception 1) for 12 months.

Exception 1 usage

- **Total (last four quarters):** 83

MoJ made 83 Exception 1 appointments. Five were audited and evidenced as being used in line with its intended purpose.

Diversity, Innovation and SCS Recruitment

Diversity

MoJ proactively supports life chance schemes, some of which have been created by them, including Going Forward into Employment (GFIE) Prison Leavers; Probation Employment Pathway (PEP) Prison Leavers; and Advance into Justice (AIJ) for Armed Forces Service Leavers, and Veterans.

MoJ runs a Launch internship programme for care leavers.

MOJ has marketing and attraction material tailored to increase diversity in the range of applicants to HMPPS frontline operational roles. HMPPS also targets prisons/regions where

there is disparity between the Black, Asian, and Minority Ethnic workforce population and the regional working population by using an enhanced recruitment approach.

HMPPS regularly produce quarterly updates of recruitment diversity breakdowns which are continuously analysed by the Inclusive Recruitment team to identify trends and disparity.

MoJ has developed Inclusive Recruitment guidance which provides advice on specific actions vacancy managers can take to ensure their campaigns are inclusive.

Innovation

The HMPPS online assessment centre process has been redesigned reducing assessment time inefficiencies. This improves the candidate experience.

MoJ has bolstered HMPPS campaigns to increase recruitment and profile in HMPPS. The campaign aims to drive awareness and interest in frontline roles, challenge some of the misconceptions associated with working in these roles and accentuate the motivational aspects of the job.

SCS Recruitment (including External by Default)

The total number of SCS recruitment within the department conducted via fair and open, based on merit, in the last four quarters was 46. Four appointments were made to external candidates.

Conclusions and Recommendations

Two Serious breaches and two Technical breaches inside the audit. Four Serious breaches and three Technical breaches outside the audit.

83 Exception 1 appointments with five audited for their intended purpose.

MoJ has a wide range of embedded diversity programmes and initiatives, particularly notable for the Prison Service, with continued awareness campaigns.

46 SCS recruited through a fair and open process, with four external candidates appointed.

Management Action Plan

The audit identified four recommendations:

	Recommendations	Priority	Implementation Date
1	MoJ should ensure their recruitment meets the requirement of the Recruitment Principles in relation to the Merit principle, in particular, interviewing candidates who had not met the pass mark.	High	October 2025
2	MoJ should ensure robust processes are in place to monitor exception appointments to avoid the need to seek approval for extensions after the exception has expired.	High	October 2025
3	MoJ should take steps to ensure that candidates are provided with greater clarity in relation to expectations at application, sift and interview stages, particularly in relation to what criteria will be assessed, and if CVs will be assessed.	Medium	October 2025
4	MOJ should ensure candidates are not assessed on behaviours / criteria that were not advertised.	Medium	October 2025

The Civil Service Commission will follow up with the organisation to ensure actions have been taken to address the recommendations.

Moderation Meeting

At the Moderation Meeting, held on 12 March 2025, the Commissioners noted that the larger audit of MoJ and its ALBs produced a challenging audit. It was also noted that a large number of MoJ employees in this context are prison officers. The Commissioners considered whether such a diverse department could be split up in future audits.

The Commissioners agreed the recommendations and audit rating.

Audit Rating

The audit rating is determined by compliance (breaches and Exception 1 usage); positive actions (diversity and innovation) and SCS recruitment (including external by default and Commissioner insight). The weighting will also be determined by the department size – for example, larger departments will have more SCS staff than smaller departments who may not have any SCS staff.

	Breaches	Exception 1 Usage	Diversity	Innovation	SCS Recruitment
Scale: 1-5	2	4	5	4	4
Weight (100%)	40%	25%	10%	10%	15%
Sub Score	16	20	10	8	12
Total Score	66				
Rating	FAIR				

Our Classification Systems

Complexity Score

5 **Most Complex** – largest most varied or currently most high-profile departments

4 **Complex** – large, varied or a high-profile department

3 **Average Complexity** – small, more focused departments, medium range and public profile

2 **Less Complex** – small department, low range and public profile

1 **Least Complex** – smallest departments with a focused remit

Considerations Informing Audit Rating

Compliance, Breaches, Exception 1 Usage, Diversity, Innovation, and SCS Recruitment.

Audit Ratings

Good	70-100
Fair	50-69
Needs Improvement	30-49
Needs Regulatory Intervention	20-29

Recommendations

Priority

Definition

Action Required

High

Non-compliance with the Recruitment Principles.

Remedial action must be taken taken urgently within an agreed timescale.

Medium

Impact on the legal requirement of the Recruitment Principles related to fair, open, and based on merit.

Remedial action should be prioritised within an agreed timetable.

Low

No, or minimal, impact on the legal Requirement of the Recruitment Principles related to fair, open, and based on merit.

Remedial action should be taken at earliest opportunity within an agreed timetable.