

## 2024/25 Breaches to the Recruitment Principles

There are three categories of breaches:

<b>Technical</b>	These are minor breaches of the Recruitment Principles, which have no or minimal impact on the legal requirement. The breach will be considered during audit, and may prompt further intervention (such as bespoke training) if seen in significant numbers.
<b>Serious</b>	These breaches have a material impact on the legal requirement that recruitment into the Civil Service is fair, open and based on merit. The breach will be considered during the audit and may prompt further intervention, including potential correspondence from the Commission's Chief Executive to the department's HR Director setting out reasons. Serious breaches may also, if necessary, trigger an audit.
<b>Fundamental</b>	These breaches are when there has been egregious or wilful non-compliance with the Recruitment Principles or the direction of the Commission. These will trigger an immediate audit. A letter from the First Commissioner to the Permanent Secretary or Chief Executive will set out the reason for the breach.

The audit process is designed to give a risk-based perspective that will help reduce the number of breaches. No fundamental breaches have been issued to departments. The Commission commends the Civil Service on the efforts it consistently makes to abide by the Recruitment Principles.

Department	Serious Breaches		Technical Breaches	
<b>Advisory, Conciliation and Arbitration Service</b>	<b>0</b>		<b>2</b>	<ul style="list-style-type: none"> <li>Assessing candidates on unadvertised criteria.</li> <li>An advertised permission for candidates to use visual aids during interviews, which was not permitted in practice.</li> </ul>
<b>Animal and Plant Health Agency</b>	<b>2</b>	<ul style="list-style-type: none"> <li>Using exclusionary essential criteria which required applicants to have a "working knowledge..." of bespoke APHA systems.</li> <li>Using exclusionary essential criteria which required candidates to have the ability to provide "Government Policy advice".</li> </ul>	<b>5</b>	<ul style="list-style-type: none"> <li>Assessing candidates on CVs and personal statements despite adverts not stating these would be assessed, and in some cases, also not outlining what criteria these would be assessed against (5 times).</li> </ul>

<b>Cabinet Office</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• An appointment that paid over the SCS pay band 2 minimum.</li> <li>• Secondments that were made within 12 months of an earlier secondment without CSC approval (x2).</li> </ul>	<b>5</b>	<ul style="list-style-type: none"> <li>• Poor record keeping on sift sheets which omitted candidates' scores. The department said this was due to having various localised business areas.</li> <li>• Advertised criteria not being assessed (4 times).</li> </ul>
<b>Centre for Environment, Fisheries and Aquaculture Science</b>	<b>0</b>		<b>1</b>	<ul style="list-style-type: none"> <li>• Poor record keeping as records did not clearly outline what was assessed.</li> </ul>
<b>Charity Commission</b>	<b>0</b>		<b>4</b>	<ul style="list-style-type: none"> <li>• Inconsistency in candidate information provided. The advert stated that shortlisting would take place based on the candidates' CVs and personal statements, but only the CVs were assessed.</li> <li>• Disparity between the essential criteria in the job advert and the criteria used to sift by a recruitment agency.</li> <li>• Candidates being assessed on a presentation which was not referenced in the job advert.</li> <li>• Merit order not established accurately as tied candidates in the reserve list were not distinguished properly.</li> </ul>
<b>Crown Prosecution Service</b>	<b>0</b>		<b>5</b>	<ul style="list-style-type: none"> <li>• Omitting the complaints process from the job advert.</li> <li>• Not assessing candidates on advertised behaviours (2 times)</li> <li>• Advertised criteria not being assessed (2 times).</li> </ul>
<b>Defence Equipment and Support</b>	<b>1</b>	<ul style="list-style-type: none"> <li>• Merit principle where a reserve list provided no evidence to show how tied candidates had been distinguished.</li> </ul>	<b>1</b>	<ul style="list-style-type: none"> <li>• Poor record keeping of candidate outcomes where candidates applying through a Government recruitment scheme bypassed the sift stage and were only recorded on interview records</li> </ul>
<b>Department for Business and Trade</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Assessing candidates on criteria not stated in the job advert related to scenario questions.</li> <li>• Unadvertised criteria, where 'enthusiasm' was the deciding factor.</li> </ul>	<b>1</b>	<ul style="list-style-type: none"> <li>• Incorrect security clearance advertised for role</li> </ul>

<b>Department for Culture, Media and Sport</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• Campaigns advertised that existing Department for Culture, Media and Sport employees could retain their current working locations, whereas external candidates were restricted to the two advertised locations. In the audit moderation meeting, Commissioners reflected that this was not good practice (2 times).</li> <li>• Department granting a part-time working arrangement when part-time was not advertised - this breaches Fair and Open on advertised criteria.</li> </ul>	<b>0</b>	
<b>Department for Education</b>	<b>1</b>	<ul style="list-style-type: none"> <li>• Candidates were assessed against different criteria than advertised.</li> </ul>	<b>3</b>	<ul style="list-style-type: none"> <li>• Candidates were assessed on unadvertised criteria.</li> <li>• Poor record-keeping on sift scores.</li> <li>• Poor record keeping related to wrong candidate being recorded under 'failed to attend'</li> </ul>
<b>Department for Energy, Security and Net Zero</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• Use of exclusionary criteria relating to skills and experience, which only a current or previous Civil Servant would have: 'Significant experience of leading teams to deliver major grant schemes or programmes within government' and 'a track record of building strong relationships at all levels, across the department and the rest of government'. (2 times)</li> <li>• Seeking approval to extend an exception after the contract had expired</li> </ul>	<b>0</b>	
<b>Department for Environment, Food and Rural Affairs</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• Sift records indicating a candidate had no civil service background. This is an exclusionary criterion for an external candidate not from the civil service.</li> <li>• Seeking approval for an appointment by</li> <li>• exception after the secondment had expired.</li> </ul>	<b>2</b>	<ul style="list-style-type: none"> <li>• Job advert stated that the CV was for information only, but later stated that the CV would be assessed, confusing candidates. The department said this was human error.</li> <li>• Poor record keeping on the criteria that were assessed at sift.</li> </ul>

		<ul style="list-style-type: none"> <li>Not seeking Commission approval on an appointment by exception which exceeded the SCS pay band 2 salary.</li> </ul>		
<b>Department of Health and Social Care</b>	<b>4</b>	<ul style="list-style-type: none"> <li>Use of exclusionary criteria, which required proven ability to “develop effective working relationships across government and department arm length bodies.”</li> <li>Assessing candidates on criteria not set out in the advert. Candidates were required to deliver a presentation, which was not included in the advert under interview expectations.</li> <li>Not obtaining the required approval from the Commission to extend exception appointments beyond the two years under departmental delegated authority (2 times)</li> </ul>	<b>0</b>	
<b>Department for Science, Innovation and Technology</b>	<b>2</b>	<ul style="list-style-type: none"> <li>Changing contract terms in a way that may have materially impacted the pool of candidates (for a role advertised as fixed-term or a loan where the successful candidate was subsequently appointed to permanent.</li> <li>Use of exclusionary criteria (experience of providing briefings for ministers).</li> </ul>	<b>0</b>	
<b>Department for Transport</b>	<b>0</b>		<b>9</b>	<ul style="list-style-type: none"> <li>Deviation to the advertised process. In one campaign, 5 behaviours were advertised in the job advert, but 8 behaviours were advertised in the ‘Role Profile’ document. Only 5 behaviours were assessed.</li> <li>Advertised criteria were assessed differently at the interview, which disadvantaged candidates (8 times).</li> </ul>
<b>Department for Work and Pensions</b>	<b>2</b>	<ul style="list-style-type: none"> <li>Unadvertised recruitment process stage where candidates were not informed of the level of security clearance needed and were not offered a preference for this.</li> </ul>	<b>0</b>	

		<ul style="list-style-type: none"> <li>• Merit principle, where lower scoring candidates completed the onboarding process with confirmed offers, whereas higher scoring candidates were ineligible due to needing higher security clearance</li> </ul>		
<b>Estyn</b>	<b>0</b>		<b>1</b>	<ul style="list-style-type: none"> <li>• Poor record keeping on interview records related to unclear information on what was assessed and candidate outcomes</li> </ul>
<b>FCDO Services</b>	<b>6</b>	<ul style="list-style-type: none"> <li>• Assessing unadvertised behaviours not outlined in the advert leaving candidates unprepared (6 times).</li> </ul>	<b>2</b>	<ul style="list-style-type: none"> <li>• Scoring a presentation that did not happen.</li> <li>• Unclear scoring on interview records</li> </ul>
<b>Food Standards Agency</b>	<b>1</b>	<ul style="list-style-type: none"> <li>• Breach of the Open principle. External candidates were expected to have experience in a government department, which is an exclusionary criterion.</li> </ul>	<b>0</b>	
<b>Foreign, Commonwealth and Development Office</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Not seeking prior approval from the Commission to extend exception appointments beyond two years (2 times)</li> </ul>	<b>3</b>	<ul style="list-style-type: none"> <li>• Poor record keeping, where the assessment criteria was not specified in the sift records.</li> <li>• Poor record keeping on monitoring exceptions (2 times).</li> </ul>
<b>Forestry Commission</b>	<b>8</b>	<ul style="list-style-type: none"> <li>• Use of an exclusionary statement, stating that the vacancy was only open to internal candidates.</li> <li>• Fair principle - candidates were scored for 'goodness of fit'.</li> <li>• Assessment of unadvertised criteria - these were: 'use of programming language'; and 'model of frequency distribution' (2 times)</li> <li>• Moving candidates across different campaigns (2 times)</li> <li>• Failure to pause the campaign when breaches were already identified.</li> <li>• Offering candidates one interview when they had applied on multiple campaigns</li> </ul>	<b>5</b>	<ul style="list-style-type: none"> <li>• Assessing CVs on unadvertised criteria (4 times)</li> <li>• Assessing unadvertised behaviours at sift whilst advertised behaviours were not assessed.</li> </ul>

<b>Government Actuary's Department</b>	<b>1</b>	<ul style="list-style-type: none"> <li>• Not assessing candidates on the advertised criteria assessing the candidates only on three of the seven advertised behaviours.</li> </ul>	<b>0</b>	
<b>Government Legal Department</b>	<b>0</b>		<b>2</b>	<ul style="list-style-type: none"> <li>• Poor record keeping on interview records related to incomplete candidate outcomes on attendance at interview, and who was appointed and how this was decided for reserve lists (2 times)</li> </ul>
<b>Health and Safety Executive</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Use of exclusionary criteria. The campaign was advertised as only open to UK nationals when it was actually open to a broader range. This was attributed to human error.</li> <li>• Breaching the Fair principle (no bias in the assessment of candidates) where a candidate was interviewed twice</li> </ul>	<b>0</b>	
<b>HM Land Registry</b>	<b>0</b>		<b>1</b>	<ul style="list-style-type: none"> <li>• Not assessing advertised criteria related to candidates not being assessed against experience, despite the advert stating they would be at interview</li> </ul>
<b>HM Revenue and Customs</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Marking criteria indicated as “not essential”.</li> <li>• Appointing a candidate without the correct security clearance, despite it being advertised as a requirement in the job advert.</li> </ul>	<b>2</b>	<ul style="list-style-type: none"> <li>• Assessing a CV when it was not clear it would be assessed.</li> <li>• Poor record keeping, with the candidate not shown on the sift record, but evidenced on the interview records with scores</li> </ul>
<b>HM Treasury</b>	<b>0</b>		<b>2</b>	<ul style="list-style-type: none"> <li>• Poor record keeping related to the sift records not clearly outlining what was assessed.</li> <li>• Poor record keeping related to records not clearly showing the candidate outcomes, with interview scores recorded incorrectly</li> </ul>
<b>Home Office</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• Breaching Exception conditions</li> </ul>	<b>4</b>	<ul style="list-style-type: none"> <li>• Arising from issues with following the advertised process.</li> </ul>

<b>Insolvency Service</b>	<b>0</b>		<b>1</b>	<ul style="list-style-type: none"> <li>Poor record keeping. These related to sift records not clearly stating what criteria was assessed using generic wording such as 'behaviour 1'</li> </ul>
<b>Intellectual Property Office</b>	<b>0</b>		<b>1</b>	<ul style="list-style-type: none"> <li>Poor record keeping as one candidate's outcome was not accounted for on the interview record</li> </ul>
<b>Medicines and Healthcare products Regulatory Agency</b>	<b>4</b>	<ul style="list-style-type: none"> <li>Assessing unadvertised criteria at interview stage.</li> <li>Assessing candidates on desirable criteria rather than essential criteria.</li> <li>Assessing technical skills at interview stage, although the advert mentioned these would only be tested at application stage.</li> <li>Merit order: two candidates scored the same, with only one appointed.</li> </ul>	<b>9</b>	<ul style="list-style-type: none"> <li>Assessing only part of the advertised behaviours and skills that were outlined in the advert (3 times).</li> <li>Poor record keeping as what was being assessed was unclear in the records (3 times).</li> <li>Poor record keeping on interview records not showing candidate outcomes (2 times).</li> <li>Stating a higher salary on the job advert. The successful candidate was offered the correct lower salary.</li> </ul>
<b>Met Office</b>	<b>4</b>	<ul style="list-style-type: none"> <li>Removing the statement that recruitment should be regulated by the Commission (2 times)</li> <li>Exclusionary criteria stating candidates should have stakeholder management at department and ministerial level in government organisations.</li> <li>Assessing desirable criteria instead of essential criteria.</li> </ul>	<b>8</b>	<ul style="list-style-type: none"> <li>Omitting the complaints process from job adverts (6 times).</li> <li>Poor record keeping on candidates' outcomes (2 times)</li> </ul>
<b>Ministry of Defence</b>	<b>4</b>	<ul style="list-style-type: none"> <li>Treating candidates unequally during the process. A candidate applying under the Disability Confident Scheme (DCS) scored 4, but was marked unsuccessful in sift. Another candidate scored 4 and progressed to the interview. The department could not offer an explanation and accepted the breach.</li> <li>Not obtaining prior approval where the salary exceeded pay band 2 minimum; approval sought from the Commission after a secondment date expired; and treating</li> </ul>	<b>2</b>	<ul style="list-style-type: none"> <li>Assessing candidates on a behaviour not advertised.</li> <li>Existing civil servant identified from anonymous application</li> </ul>

		candidates unequally due to scoring in interview records (3 times).		
<b>Ministry for Housing, Communities and Local Government</b>	<b>0</b>		<b>1</b>	<ul style="list-style-type: none"> <li>Two instances of record keeping errors in one campaign (recording the wrong behaviour in records, though the correct one was tested)</li> </ul>
<b>Ministry of Justice</b>	<b>7</b>	<ul style="list-style-type: none"> <li>Assessment of unadvertised criteria.</li> <li>Merit order.</li> <li>Assessing an unadvertised behaviour (2 times)</li> <li>Candidates not being sifted although their applications had been received.</li> <li>Not seeking prior approval to extend an exception after the original exception had expired.</li> <li>Assessing unadvertised criteria.</li> </ul>	<b>6</b>	<ul style="list-style-type: none"> <li>Poor record keeping related to which behaviours were assessed.</li> <li>Unadvertised assessment of project management skills, where a CV was used to assess this skill.</li> <li>Assessing unadvertised criteria (2 times)</li> <li>Advertised criteria not assessed.</li> <li>Upholding a complaint.</li> </ul>
<b>National Crime Agency</b>	<b>2</b>	<ul style="list-style-type: none"> <li>Seeking approval from the Commission for exception extensions after the original secondments had ended (2 times)</li> </ul>	<b>2</b>	<ul style="list-style-type: none"> <li>Poor record keeping related to not recording candidate outcomes.</li> <li>Assessing CVs when this was not mentioned in the advert.</li> </ul>
<b>National Savings and Investment</b>	<b>0</b>		<b>3</b>	<ul style="list-style-type: none"> <li>Omitting the Civil Service Code from the job advert.</li> <li>Not assessing advertised behaviour.</li> <li>Contradiction within the advertised selection process - the job advert asked candidates to submit their CV though later notes stated these would not be accepted.</li> </ul>
<b>Northern Ireland Office</b>	<b>1</b>	<ul style="list-style-type: none"> <li>Treating candidates unfairly. The department could not clearly explain why all candidates scoring 2 were not all selected for an interview.</li> </ul>	<b>5</b>	<ul style="list-style-type: none"> <li>Advertised criteria not being assessed. These related to human error on misleading assessment criteria; lack of clarity on scoring specific elements of the assessment criteria; and assessing a CV (3 times)</li> <li>Poor record keeping of candidate outcomes (2 times).</li> </ul>
<b>Office of National Statistics</b>	<b>3</b>	<ul style="list-style-type: none"> <li>Appointing out of merit order (3 times)</li> </ul>	<b>0</b>	

<b>Office of Rail and Road</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Merit order. ORR mistakenly placed a candidate on a reserve list who had not met the minimum score needed to pass the interview.</li> <li>• Oversight by ORR selecting the wrong field when creating the job advert on CS Jobs causes the advert to display the message: 'Please note this post is NOT regulated by the Civil Service Commission'.</li> </ul>	<b>2</b>	<ul style="list-style-type: none"> <li>• Omitted the Civil Service Code and Complaints process. ORR confirmed that this was an oversight.</li> <li>• Applications not being anonymised by agency search, although the job advert stated they would be.</li> </ul>
<b>Ofqual</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Assessing candidates on criteria not set out in the advert. This relates to the Fair principle and in these instances involved the assessment of candidates on behaviours and technical skills not advertised in the advert (2 times)</li> </ul>	<b>0</b>	
<b>Planning Inspectorate</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Not requesting approval from the Commission for the use of an exception within 12 months of another exception.</li> <li>• Use of an unadvertised lead criterion to distinguish tied candidates</li> </ul>	<b>0</b>	<ul style="list-style-type: none"> <li>• Poor record keeping on sift records on assessment scores.</li> <li>• Assessment of desirable criteria, which was not advertised in the job advert.</li> </ul>
<b>QEII Conference Centre</b>	<b>1</b>	<ul style="list-style-type: none"> <li>• Not requesting approval from the Commission for the use of an exception within 12 months of another exception.</li> </ul>	<b>3</b>	<ul style="list-style-type: none"> <li>• Merging and assessing two behaviours into one score (2 times).</li> <li>• Advertised criteria (leadership) not being assessed</li> </ul>
<b>Registers of Scotland</b>	<b>0</b>		<b>5</b>	<ul style="list-style-type: none"> <li>• Omitting the Recruitment Principles, the Civil Service Code and Complaints process in their campaigns (4 times).</li> <li>• Advertised lead behaviour that was not assessed as the lead behaviour.</li> </ul>
<b>Rural Payments Agency</b>	<b>0</b>		<b>2</b>	<ul style="list-style-type: none"> <li>• Not assessing candidates on advertised criteria. RPA had included the Communicating and Influencing behaviour in error on the job advert.</li> <li>• Poor record keeping on incomplete candidate outcomes on the interview record, which appeared to</li> </ul>

				be an 'ad hoc' decision, and where it was unclear on the interview records what was or was not being assessed
<b>Scottish Courts and Tribunals Service</b>	<b>0</b>		<b>2</b>	<ul style="list-style-type: none"> <li>• Omitting the Recruitment Principles and complaints process form adverts.</li> <li>• Poor record keeping related to interview records unclear on what criteria was assessed and how it was scored</li> </ul>
<b>Scottish Prison Service</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• SPS seeking retrospective approval requested for a TUPE transfer above pay band 2 after the contract had ended.</li> <li>• Assessing unadvertised criteria where an unadvertised behaviour was added to the sift stage</li> </ul>	<b>5</b>	<ul style="list-style-type: none"> <li>• Poor record keeping where candidate journeys were inconsistent on sift and interview records.</li> <li>• Not assessing advertised criteria (4 times).</li> </ul>
<b>Serious Fraud Office</b>	<b>0</b>		<b>1</b>	<ul style="list-style-type: none"> <li>• Merging behaviours - Seeing the Big Picture with Leadership - into one score. This was recorded as breach because the behaviours were advertised separately and did not follow the advertised process</li> </ul>
<b>The National Archives</b>	<b>1</b>	Introduction of a form of assessment not advertised to candidates. This was a presentation, which formed part of the interview process	<b>0</b>	
<b>UK Debt Management Office</b>	<b>0</b>		<b>2</b>	<ul style="list-style-type: none"> <li>• Merging assessment criterion, which was not advertised to candidates.</li> <li>• Not assessing candidates on advertised criteria related to Leadership mentioned in the job advert, but was not assessed.</li> </ul>
<b>UK Export Finance</b>	<b>0</b>		<b>5</b>	<ul style="list-style-type: none"> <li>• Poor record keeping on final campaign reports, which were incomplete and marked none of the candidates as being progressed (2 times).</li> <li>• UKEF advertising behaviours, but not assessing them. UKEF explained that this is part of their standard practice if UKEF does not have the resources to carry</li> </ul>

				<p>out assessment of all advertised behaviours. The Commission confirmed that such practice is not compliant and that all advertised criteria must be assessed (2 times)</p> <ul style="list-style-type: none"> <li>• Poor record keeping on the sift sheet being incomplete, which meant the Commission could not identify if candidates progressed to the interview stage. UKEF confirmed this was an administrative error.</li> </ul>
<b>UK Health and Security Agency</b>	<b>4</b>	<ul style="list-style-type: none"> <li>• Use of exclusionary criteria (experience of working on Public inquiries).</li> <li>• Seeking approval for an extension of an exception appointment after the exception date had ended (3 times)</li> </ul>	<b>3</b>	<ul style="list-style-type: none"> <li>• Omitting the Civil Service Code from the job advertisement.</li> <li>• Omitting the Complaints process from the job advertisement.</li> <li>• Interview records, which only provided an overall score, rather than a score for each assessed element.</li> </ul>
<b>UK Hydrographic Office</b>	<b>1</b>	<ul style="list-style-type: none"> <li>• Use of an unadvertised lead criteria to distinguish candidates. UKHO were unsure why the panel used this criterion to distinguish candidates, but provided assurances that the resource team would review the use of lead criteria on future campaigns</li> </ul>	<b>0</b>	
<b>UK Space Agency</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Not seeking the Commission's approval for an appointment by exception with a salary at or above the minimum of SCS Pay Band 2.</li> <li>• Prior approval not sought on exception appointment.</li> </ul>	<b>1</b>	<ul style="list-style-type: none"> <li>• Poor record keeping related to sift records not clearly showing what candidates were assessed against.</li> </ul>
<b>Welsh Government</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• Fair principle for treating candidates unfairly during the process related to interviewing a specific number of candidates rather than everyone who passed the sift.</li> <li>• Not obtaining prior approval to extend an appointment beyond 2 years (2 times)</li> </ul>	<b>1</b>	<ul style="list-style-type: none"> <li>• Omitting the Civil Service Code.</li> </ul>

<b>Wilton Park</b>	<b>2</b>	<ul style="list-style-type: none"><li>• Not following the published selection process where second interviews took place for three candidates to ascertain further information.</li><li>• Introduction of an unadvertised stage of the recruitment process related to a presentation which was not advertised.</li></ul>	<b>0</b>	
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