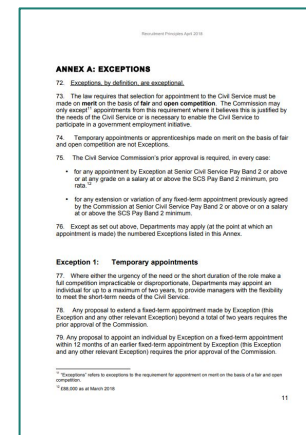
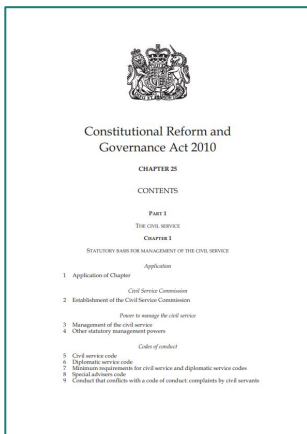




# CIVIL SERVICE COMMISSION: EXCEPTIONS OVERVIEW

# Civil Service Commission Statutory Remit



## The Constitution Reform and Governance Act 2010 (CRAG)

Made requirement for recruitment to the Civil Service to be on merit, after a fair and open competition a **legal obligation**.

CRAG provides the Commission with its remit as the regulator of external Civil Service recruitment

## The Recruitment Principles

CRAG provides the Commission with the duty to publish the Recruitment Principles

This document gives our interpretation of the legal requirement and how departments must act to comply with it

## Recruitment Principles Annex A: Exceptions

The Commission may except appointments from this requirement where it believes this is justified by the needs of the Civil Service or is necessary to enable the Civil Service to participate in a government employment initiative.

# Exceptions

## By definition, appointments by exception are exceptional

Appointments must be made on merit, through fair and open competition whenever suitable.

Fixed term appointments made on merit, through fair and open competition are not exceptions.

Annex A of the Recruitment Principles sets out 10 permitted exceptions

01	Temporary Appointments	06	Interchange with the Northern Ireland Civil Service
02	Government Employment Programmes	07	Transfers of staff from other public bodies
03	Secondments	08	Transfers of organisations into the Civil Service – non-TUPE
04	Highly Specialist Skills	09	Transfers of organisations into the Civil Service – TUPE
05	Former Civil Servants	10	Conversion to permanency of suitable candidates appointed under Exceptions 1 and 2

# Exceptions

## Delegated Authority

At delegated grades (AA-SCS1) departments are typically granted delegated authority to appoint by exception, in line with the terms set out by the Recruitment Principles, without requiring the Commission's prior approval.

Each organisation must report such appointments to the Commission via the quarterly compliance survey.

## Commission Approval Requirements

However, the Commission's prior approval is required, in every case:

For any appointment by Exception at SCS2 or above or at any grade on a salary at or above the SCS Pay Band 2 minimum, pro rata (currently £95,000).

For any extension or variation of any fixed-term appointment previously agreed by the Commission at SCS2 or above or on a salary at or above the SCS Pay Band 2 minimum.

For any proposal to extend a fixed-term appointment made by Exception beyond a total of two years requires the prior approval of the Commission

For any proposal to appoint an individual by Exception on a fixed-term appointment within 12 months of an earlier fixed-term appointment by Exception.

# Exceptions

## Requesting approval

Business case submission forms are available on our website.

Business cases must be submitted using these forms.

Submit business cases to [info@csc.gov.uk](mailto:info@csc.gov.uk)

The Commission works to a 5 day SLA

In particular, the Commission will review:

- Why a fair and open competition can't be conducted
- Whether the period requested is warranted
- What the plans are for the role once the requested appointment period ends
- If applicable, previous requests made to the Commission

The screenshot shows the Civil Service Commission website. At the top is the logo and a search bar. A navigation menu includes 'About The Commission', 'Recruitment', 'Code', 'News and Blog', 'Publications', 'Contact Us', and 'COVID-19'. The main content area is titled 'Exceptions Forms' and contains the following text:

**Recruitment Principles**  
**Departmental Compliance**  
**Recruitment Complaints**  
**Exceptions**  
**Exception Forms**  
**NDPB Accreditation**

**Exceptions Forms**

Exceptions to the Recruitment Principles are delegated to departments except where the Commission's prior approval is required.

The Commissioner's prior approval is required for:

- Any appointment by Exception at Senior Civil Service Pay Band 2 or above at any grade on a salary at or above the SCS Pay Band 2 minimum, pro rata
- Any extension or variation of any fixed-term appointment previously agreed by the Commission at Senior Civil Service Pay Band 2 or above or on a salary at or above the SCS Pay Band 2 minimum
- The use of an Exception within 12 months of an earlier Exception for the same individual (but not for former civil servants appointed under the terms of Exception 5)
- Any fixed-term appointment by Exception, or Exceptions, in excess of two years

When requesting the prior approval of the Commission we suggest departments use the following forms. Failure to use the form may mean important information is missing and it may take longer to receive a decision from the Commission.

Please note, all our forms are in Microsoft Word format. Should you require a different format, for accessibility purposes for example, please email in with details to [info@csc.gov.uk](mailto:info@csc.gov.uk)

**Exception Appointment at SCS 2 and above (MS Word, 38KB)**  
**Salary is at or above the SCS pay band 2 (MS Word, 37KB)**  
**Extension for an appointment over 2 years (MS Word, 38KB)**  
**Appointment by exception within 12 months of an earlier exception (MS Word, 113KB)**  
**Exception 2: Support for Government Employment Programmes (MS Word, 38KB)**  
**Exception 10: Conversion to Permanency (MS Word, 36KB)**

# Exceptions

01

Temporary Appointments

- For a period of 2 years
- To fill a vacancy urgently or on a short term basis
- Back - to - back temporary appointments

02

Government Employment Programmes

- Life Chances Schemes - must be accredited
- Includes; Veterans, Ex-offenders, care leavers, disabilities (see [full list](#) on our website)

03

Secondments

- For inward secondments to the Civil Service from external organisations
- For a period of up to 2 years

04

Highly Specialist Skills

- For a period of 2 years

Individuals appointed using Exception 1 - 4 are not eligible to apply to internal or Civil Service wide competitions

# Exceptions

05

Former civil servants  
(Permanent or fixed term)

- Appointed through fair & open competition originally
- Appointed to the same grade at the time of leaving
- Within 5 years of leaving the Civil Service

**Exception 6 - Interchange with the Northern Ireland Civil Service**

**Exception 7- transfers of staff from other public bodies**

**Exceptions 8&9 – Tupe and non-Tupe transfers**

10

**Conversion to Permanency**

- For AA/ AO grades appointed via Exception 1
- AA/AO/EO grades appointed via Exception 2
- Conversion process approved by CSC
- Must have been in post for 12 months

# Exceptions

## Examples

01

Temporary Appointments

An urgent appointment which provides resource whilst a fair and open competition takes place

Resource required for a short term, time limited project (for instance, the Census)

03

Secondments

An appointment which provides expertise not available within the Civil Service (For instance, Local Authority experience)

A secondment made following a fair and open competition (which advertised secondment option with fixed term and/or permanent)

04

Highly Specialist Skills

An appointment which provides skills so scarcely available that a fair and open campaign would not provide wider competition (used more widely in Covid response)



# Exceptions

## Examples

05

Former civil servants

Reappointment of a former civil servant with expert knowledge of particular policy.

07

Transfers of staff from other public bodies

An employee of an Accredited NDPB is the highest ranked candidate in a cross government competition.

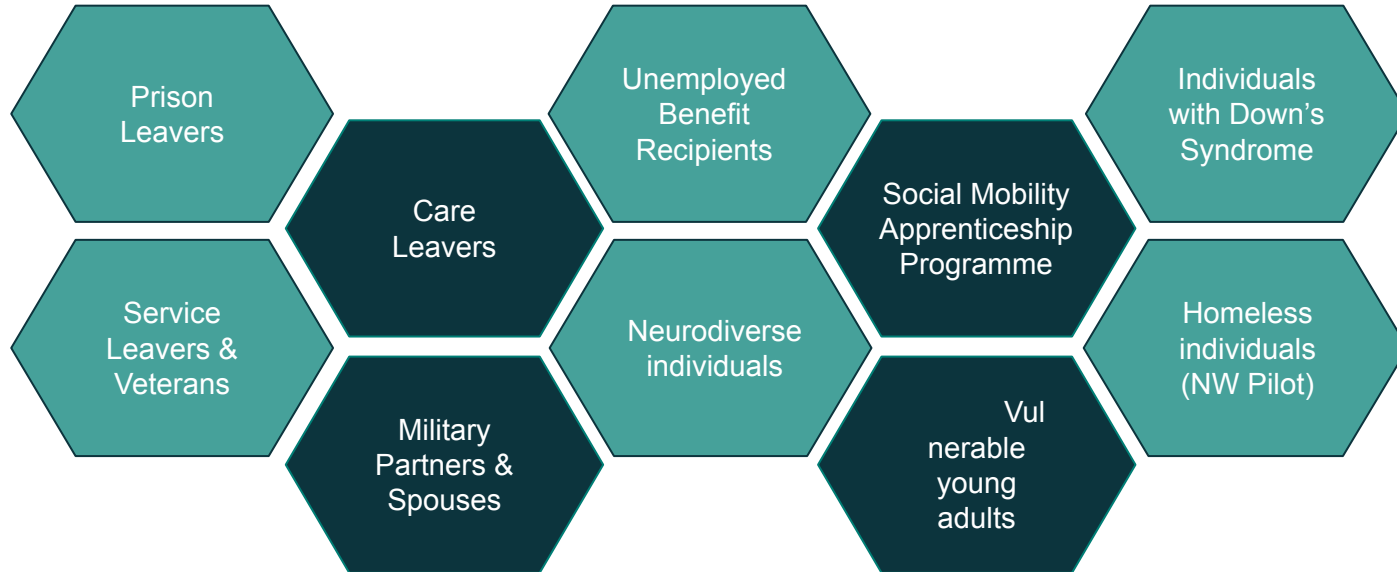
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**Conversion to Permanency**

Funding is obtained to convert a number of AO graded roles to permanency.  
AO's appointed using Exception 1 12 months ago are assessed against the essential criteria for the role and awarded permanent contracts in merit order

# Exceptions

## Exception 2 - Life chances schemes



Schemes are accredited by Going Forward Into Employment team in Cabinet Office ([GFIE@cabinetoffice.gov.uk](mailto:GFIE@cabinetoffice.gov.uk))

Each scheme has a sponsor department, but is open to any department to use

Offer long term opportunities to individuals who face disadvantage through their circumstances and previous life chances

Schemes have a pre approved process for converting to permanency after a minimum of 12 months in post (AA - EO)