

3/4/2012  
AQW 9771/11-15

**Jim Allister has asked:**

To ask the Minister of Education whether he will publish the agreed procedures for the appointment of a chief executive to an Education and Library Board.

## PROCEDURES FOR APPOINTING ELB CHIEF EXECUTIVES

### 1. STATUTORY RESPONSIBILITY

- Article 83 of the Education and Libraries (NI) Order 1986 (as amended by Article 30 of 2003 Order) sets out the role of the board, of the Staff Commission and of the Department in the appointment process for an education and library board chief executive, including:
  - It is the responsibility of a board to appoint a fit person as chief executive.
  - A board shall consult with the staff commission about the selection process.
  - A board shall not appoint a person as chief executive unless the Department approves the appointment.

## 2. RECRUITMENT/SELECTION PROCESS

### Background

- The Staff Commission (under Schedule 15 (3) (b) of the 1986 Order) has a responsibility *'to recommend appointment and promotion procedures for officers of boards and to establish a Code of Practice for securing fair and equal consideration of applications to boards by persons seeking to be employed as officers of boards and fair and equal treatment of persons who are so employed'*.
- In June 2004, the Staff Commission drew up a revised Code of Procedures on Recruitment and Selection. Whilst that Code does not apply to the appointment of a Chief Executive (or Chief Librarian) it was acknowledged that the principles of 'good practice' enshrined in the Code should normally apply to such appointments.
- The Commission, therefore, was asked by the Department to build on the revised Code by drafting specific arrangements for appointing chief executives.

### Agreed Process

The following process was subsequently agreed by the Commission and DE for the appointment of chief executives:

- General provisions of 2004 Code are applicable.
- A board shall consult with the Department and the Staff Commission on:
  - a) The qualifications and previous experience required of candidates;
  - b) The arrangements for advertising the post (i.e. including job specification documentation etc);
  - c) The terms and conditions on which the appointment is to be made.
- Composition of Selection Panels. Panel size should include:
  - Scoring members**
    - Board Chair
    - Vice Chair
    - Board members (min 3/max 6)
  - Non-scoring members**
    - DE Permanent Secretary or his representative (as observer)
    - Chief Executive of Staff Commission
    - Two independent assessors
- Chair of Panel = Board Chair.
- Independent Assessors: Board will consult with Commission to agree the appointment of assessors who will approve core questions based on job description; assist panel members by asking follow-up and supplementary questions; advise panel members on competence of candidates.

*Note: DE should also consult with the other 2 funding Departments as necessary.*

### 3. PROCESS FOR DE APPROVAL OF APPOINTMENT (post-interview stage)

- Article 83 of the 1986 Order requires a board to send to the Department the names, qualifications and previous experience of those applicants considered by a board to be suitable for appointment, indicating the name of the person whom the board proposes to appoint. *(This means that as well as the name of the first placed person the Department needs to see details of all those candidates who would be considered suitable for appointment if the first placed candidate did not accept).*
- DE requires confirmation from the Staff Commission that the interviewing process was fair, equitable and fully in line with SCELB guidance on good practice for recruitment and selection.
- DE panel member should also provide an assessment as to the fairness, robustness and transparency of the process, and commenting particularly on the extent to which the role of designated accounting officer was explored and tested during interview and the bearing that performance in this area had on overall decision making.
- If receipt of the above information is in order, DE Permanent Secretary should approve appointment. The approval letter should advise that DE approval is subject to the new chief executive's contract reflecting HMT/DFP requirements in relation to the impact on a chief executive's employment should accounting officer status be removed by one of the funding departments. (Approval letter should also be copied to the other 2 funding Departments and SCELB).
- Immediately appointment is approved, Finance Director should prepare letter for Permanent Secretary's signature, designating new Chief Executive as Accounting Officer for the Board, setting out AO responsibilities, making reference to the standard AO training course on Public Accountability which AO's are required to attend and advising about the National School of Government tailored training package (in line with guidance in DAO 27/05/05 and FD (DFP) 04/07). Copies should also be sent to other funding Departments so that they can issue similar letters.