

CSC NI

CIVIL SERVICE COMMISSIONERS
FOR NORTHERN IRELAND

CSC NI
15-16
ANNUAL REPORT

Ensuring appointment on merit & safeguarding ethics

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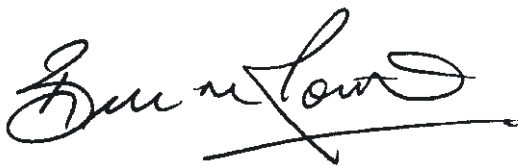
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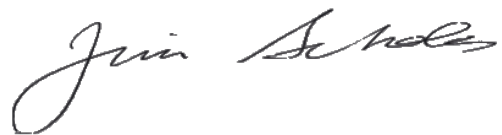
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We, Your Majesty's Civil Service Commissioners
for Northern Ireland, present to Your Majesty
this report on our work during the period
1 April 2015 to 31 March 2016



Brian Rowntree CBE
Chairperson



Jim Scholes



Sinéad Burns

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Jim Scholes, Commissioner Sinéad Burns, Commissioner Brian Rowntree, CBE, Chairperson

CIVIL SERVICE COMMISSIONERS FOR NORTHERN IRELAND

As regulators and guardians of merit, we uphold the principle that selection for appointment to the Northern Ireland Civil Service should be on merit, on the basis of fair and open competition. Our Recruitment Code interprets the Merit Principle and applies it to the NICS recruitment process. Our auditing of this process encourages confidence in recruitment procedures and helps ensure the most suitable candidate is appointed.

CHAIRPERSON'S FOREWORD



On behalf of the Northern Ireland Civil Service Commissioners, I am delighted to present my fifth Annual Report since taking up the position of Chair. The Report provides an overview of our work and of progress made on meeting the objectives set out in our 2015-18 Strategic Framework and 2015/16 Business Plan. I am very pleased with our achievements and progress to date.

During the course of the year my fellow Commissioners and I have been unwavering in our efforts to effectively deliver our role and purpose outlined in the Civil Service Commissioners (Northern Ireland) Order 1999. We do so as independent guardians of appointment on merit to the Northern Ireland Civil Service (NICS) and by hearing appeals under the NICS Code of Ethics. Through all our work we strive to realise our vision for *“a Civil Service for Northern Ireland which recruits and promotes the best and most diverse talent available in accordance with merit”*.

Notwithstanding the NICS embargo on recruitment and its impact on appointments to the Civil Service during this period, Commissioners have continued to be extremely busy and have dealt with some complex and interesting issues and developments.

During the year, Commissioners endeavoured to continue to strengthen our regulatory role and the strategic positioning of our statutory audit function. I believe that the sterling work of Commissioners to establish a more meaningful range of audit and review options only serves to strengthen our regulatory role. The flexibility afforded by our approach to audit has elevated our focus to a much more purposeful level.

As regulators, Commissioners consider that high level assurances provided at Permanent Secretary level should be a primary element of the NICS assurance framework. Accordingly, I am personally very pleased that, following engagement on this matter we have now secured a commitment that the NICS will, by March 2017, improve and strengthen the evidence provided to Commissioners in support of the corporate assurance requirements arising under the Recruitment Code.

A notable issue on which we have focused our attention during the year has been our continued engagement with the NICS in relation to individuals from an Arm's Length Body placed in NICS departments which we consider should fall under the exception to merit provisions detailed in the Recruitment Code. I am hopeful that a resolution to this matter will be found during 2016/17 and that NICS practices and processes will be reviewed to ensure that Departments adhere to the requirements of the Code. Whilst this has required on-going engagement at a senior level with the NICS, it is pleasing to note that based on the majority of the evidence available from a wide range of regulatory work undertaken throughout the year, it is our opinion that NICS selection and recruitment practices are in keeping with the requirements set out in the Recruitment Code.

Throughout the year I am pleased that we have been able to draw upon our positive relationships with the Head of the Civil Service, Permanent Secretaries and Corporate HR (CHR) to discuss, engage and advance issues that have arisen.

For example, during the course of the year the NICS engaged with Commissioners regarding the arrangements drawn up by the NICS for any potential appointment of the Head of the Civil Service (HOCS) through open competition, rather than through an internal process, to assure Commissioners that those arrangements are in accordance with the Recruitment Code and safeguard the Merit Principle.

It is important to note that the Commissioners, while independent of the NICS, through our sponsor relationship with the Northern Ireland Office (NIO), have also been subjected to the same pressures as other public service providers as a result of budget cuts and public sector reform. In response to this challenge, we have engaged with our sponsor department, as part of the 2015 Spending Review, to secure a four year budget settlement until 2019/20. Going forward, Commissioners will be required to make some difficult decisions and implement further efficiency measures in order to live within our budget allocation, whilst, at the same time, ensuring that we do not compromise on the delivery of our statutory role.

This year has been a year of transition for Commissioners with the reduction in the number of Commissioners from four to three, resulting from the terms of office of two Commissioners ending and the appointment of a new Commissioner.

Commissioners acknowledge that this year has also brought a period of significant change for the NICS, particularly as a result of:

- The Voluntary Exit Scheme and its impact on the on the size, capacity and composition of the NICS workforce;
- The outworking of the Fresh Start Agreement, particularly with regard to the reduction in the number of NICS departments and the reorganisation of departmental functions;
- The continuing pressures on departmental budgets; and
- The embargo on recruitment and promotion.

I consider that innovative thinking and modern methods of service delivery will be key elements in working through the changes taking place in the NICS. Commissioners welcome the setting-up of the NICS HR Centre of Excellence project which aims to establish a centralised unit to deliver the retained HR functions of the NICS including work currently delivered by CHR and departmental HR functions. We view the project as a key opportunity for new thinking in the future delivery of HR functions. Commissioners held a useful meeting with the head of the project, during which we were provided with an overview of the project's objectives and discussed how our corporate assurance requirements arising from the Recruitment Code would be met.

The principles of diversity, inclusivity and equality of opportunity are central to the Merit Principle and are indeed embedded within the Commissioners' Recruitment Principles. Commissioners believe that these principles should be embraced fully during recruitment processes in order to achieve a Civil Service which reflects the diversity of Northern Ireland society. This year Commissioners met the NICS Diversity Champion, Peter May, with a view to achieving a greater understanding of this new role and the work he plans to take forward. We welcome the leadership and commitment to diversity issues at the most senior level in the NICS and look forward to seeing actions that will demonstrate how diversity and inclusion are fully embraced and embedded throughout the NICS, particularly in relation to recruitment activity.

This year, as always, our meetings with the Civil Service Commission in London and the Commission for Public Service Appointments in Ireland have proved invaluable learning opportunities and we have benefited, in particular, from the collective willingness to share approaches to casework, audit and experiences of good practice which has informed our thinking regarding a number of important issues.

As he retires from his post, I would like to record our appreciation and thanks to Sir David Normington, First Civil Service Commissioner of the Civil Service Commission in London, who has consistently lent his personal support across issues of mutual interest. We wish Sir David well in his retirement and look forward to continuing this collaborative working relationship with his interim successor Kathryn Bishop.

Equally, I would like to express my gratitude to the previous chairperson of the Commission in Ireland, Séan Barrett, T.D. and look forward to continuing this constructive relationship with the new chairperson, Seán Ó Fearghail, T.D., Ceann Comhairle.

I would like to pay tribute to my fellow Commissioners for their professionalism and dedication during this year and I would particularly like to acknowledge the contributions of Raymond Mullan, OBE and Marion Matchett, CBE, whose terms of office as Commissioners ended this year.

I would also like to take this opportunity to welcome our new Commissioner, Sinéad Burns, who brings a wealth of experience in the field of recruitment and the regulatory environment.

I would like to thank the Secretariat for their ongoing professional support and dedication that enables Commissioners to discharge their statutory functions.

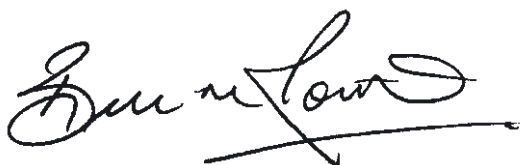
Looking forward

As I approach the final years of my tenure as Chairperson it is with a sense of pride and optimism that I look to the future opportunities and challenges we face. The Commissioners are a small organisation which I believe punches above its weight. We are a critical part of the regulatory and transitional justice framework.

2016/17 and beyond will see us build on the progress and momentum we have achieved in recent years. In particular, I look forward to building upon our approach to audit and delivering improvements in the NICS assurance framework.

Our legislative framework and the Recruitment Code are the bedrock of everything we do and are a blueprint for how we discharge our functions. Commissioners will review the 2007 Regulations to ensure that they remain fit for purpose. I consider it would be timely to have a detailed oversight of the Code, to ensure that lessons are learnt from some of the more challenging aspects of the casework we have dealt with since the last substantive review in 2012. If necessary, the Code can be amended to better accommodate the changing shape of the Civil Service and the more cosmopolitan human resource and recruitment environment we now find ourselves in.

I hope you find this Annual Report both interesting and informative. If you would like further information about any aspect of our work, you can visit our website at www.nicscommissioners.org or contact the Secretariat who will be happy to respond to your queries.

A handwritten signature in black ink, appearing to read 'Brian Rowntree', with a long horizontal flourish extending from the end of the name.

BRIAN ROWNTREE, CBE
CHAIRPERSON

OUR REGULATORY FRAMEWORK

Commissioners' Statutory Audit Function

Article 4(4) of the Civil Service Commissioners (Northern Ireland) Order 1999, requires Commissioners to audit recruitment policies and practices followed in making appointments to situations in the Northern Ireland Civil Service (NICS) to establish whether the Code is being observed.

In discharging this important statutory duty, Commissioners consider that, rather than simply ensuring compliance with the Recruitment Code alone, they should also seek to promote best practice in the NICS selection and recruitment policies and processes. Commissioners do this through regular engagement with the NICS, in particular CHR within the Department of Finance (DF), formerly the Department of Finance and Personnel (DFP).

Article 4 of the Civil Service (Northern Ireland) Order 1999 states that DFP shall be responsible for the general management and control of the Civil Service, making regulations or giving directions relating to the recruitment of persons to situations in the Civil Service in a manner consistent with the Merit Principle.

Commissioners' Approach to Audit and Assurance

Commissioners have a range of oversight options and methodologies available under our Audit Framework and Guidance process. In 2015, following engagement with the NICS, we decided to develop our approach to obtaining assurance and influencing improvements to NICS recruitment policies and practices by establishing a structured engagement mechanism with CHR and others.

As part of our Strategic Audit Planning process, Commissioners identify and prioritise areas of NICS recruitment we wish to examine through a risk-based analysis approach. This results in a 3-year Audit Strategy that identifies recruitment themes, topics or issues to be examined over the three years of the Strategy that are then progressed through our Annual Audit Plans. Commissioners discharge their audit role through a range of mechanisms and approaches, including:

- review of recruitment procedures through field work, including where appropriate, desk-top reviews of practices and supporting policies. This results in key issues being identified for CHR and others to address via the structure engagement mechanism;
- engagement meetings are a process used to progress audit and review outcomes and operational issues Commissioners identify through their routine engagement with the NICS. Issues that have been discussed include, recruitment-related information and data requirements, assurance statements, diversity and outreach measures and the identification of adverse impact during recruitment;

- themed discussions of a recruitment issue or topic with CHR and others to influence improvements and to explore the development of good practice; and
- audit projects, resulting in an Audit Report with findings and recommendations.

This offers Commissioners a more tailored and flexible approach to regulating NICS recruitment and selection processes and provides Commissioners with evidence that the requirements of the Recruitment Code are being met.

One of the key improvements in adopting this approach is a series of more strategic discussions with the NICS to progress key issues. Audit findings, conclusions and key issues which Commissioners have identified for discussion and action are communicated face to face which allows for better clarity and context and enables Commissioners to more effectively gain commitment from the NICS to address outstanding issues.

During 2015/16, Commissioners examined a range of recruitment issues, including:

- adverse impact in NICS competitions;
- use of the regionalisation policy in the 2013 Administrative Officer competition;
- recruitment related assurances and governance processes;
- NICS diversity and outreach;
- updates in relation to NICS resourcing initiatives such as the Marketing Strategy, People Plan and apprenticeships;
- the appointment of staff to situations in the NICS under exceptions provisions; and
- progression of the agreed actions resulting from Commissioners' 2014/15 audit activity.

Commissioners' 2015/16 Audit & Review Opinion

Whilst Commissioners have continued to engage with the NICS regarding matters of concern in relation to the appointment of staff into situations in the NICS which we consider should fall under Commissioners' Regulation 3 exception provisions, we are hopeful that these will be satisfactorily resolved during 2016/17. That said, it is pleasing to note that based on the bulk of the evidence available from a wide range of regulatory work undertaken throughout the year, that it is our opinion that the NICS selection and recruitment practices are in keeping with the requirements set out in the Recruitment Code.

Looking Forward

As regulators, Commissioners consider high level assurances at Permanent Secretary level in relation to compliance with the Recruitment Code as a fundamental element of NICS assurance framework. A key focus of the engagement process during this year has

been the discussions with CHR and the Permanent Secretaries Group to seek to improve and strengthen the evidence provided to Commissioners in support of assurance provided by the NICS. Commissioners expect an assurance mechanism to be established by March 2017. In the event that this is delayed, it has been agreed that as an interim measure an evidence based Departmental Assurance Statement will be provided to Commissioners for the 2016 recruitment period. Commissioners' 2016-19 Audit Strategy has identified the evidence supporting these Departmental assurances as a key theme for review.

Commissioners' 2016/17 Audit and Review Plan

In line with Commissioners' 2016-19 Audit and Review Strategy, the following areas of NICS selection and recruitment have been identified for review with the NICS during 2016/17:

- Management of Merit Lists below SCS Level (Stage B);
- Assessment Methodologies; and
- Exceptions Provisions.

Management of Merit Lists below SCS Level (Stage B)

Following Stage A of the 2015/16 Review of Management of Merit Lists below SCS Level, (see in more detail below), Commissioners identified a number of key aspects of the process which they would like to examine in more detail as Stage B of the review. The outcome of this second stage of the review will be reported in Commissioners' 2016/17 Annual Report.

Assessment Methodologies

Assessment Methodologies will be progressed as a themed discussion topic with the NICS through the CHR engagement process.

Exceptions Provisions

As an outcome of Commissioners' consideration of the casework during 2015/16 which examined cases of individuals from an Arm's Length Body placed in NICS Departments, Commissioners plan to conduct a review of NICS appointments made under the 2007 General Regulations (Exception) provisions.

Outcomes of Commissioners' 2015/16 Audits & Reviews

Commissioners 2015/16 Audit and Review plan included the following key areas of NICS recruitment during this reporting period:

- NICS Recruitment Related Information & Data;

- Management of Merit Lists below SCS (Stage A); and
- NICS Recruitment and Selection Training.

These reviews are detailed in the 2015/16 Audit & Review section below.

Commissioners would like to express our appreciation for the positive engagement provided by staff in CHR, the NICS Departments and their resourcing partner HR Connect during the conduct of our audit and review engagement process and the follow-up work arising from it.

2015/16 Review of NICS Recruitment Related Information and Data

Commissioners completed a review of the recruitment related information and data compiled and analysed by the NICS in October 2015. The aim of the review was to: develop a better understanding of recruitment related information compiled and analysed by the NICS; how it is used by the NICS, for example to identify issues and trends, inform recruitment decisions, policy development, and strategies; and consider it in light of requirements set out in the Recruitment Code. The findings of the review were used to consider how recruitment related information might better inform Commissioners' regulatory role and the publication of information in their Annual Report and in the NICS Annual Report on Recruitment.

Following the completion of the Review Commissioners engaged with the NICS on three high level issues that were identified, these were:

- improvements to the clarity, significance and breadth of information reported in the statistical analysis of NICS recruitment competitions produced annually by Northern Ireland Statistical and Research Agency (NISRA);
- increased statistical analysis and reporting of Department led competition data; and
- corporate oversight in relation to recruitment related Departmental compliance/assurance statements.

Key Improvements

As a result of the Review this year the Commissioners' Annual Report includes:

- updated NICS appointment figures going back to 2013;
- recruitment information specific to Departments for 2012-14;
- internal competition data; and
- the number of complaints received from applicants/potential applicants.

Further improvements to the reporting of NICS recruitment related information and data will be progressed with the NICS for the 2016 reporting period and developments will be included in Commissioners' 2016/17 Annual Report, as appropriate.

2015/16 Review of NICS Recruitment and Selection Training

Commissioners completed a review of recruitment and selection training provided to all NICS staff involved in recruitment and selection at the end of 2015/16. The purpose of the review was to examine, and provide Commissioners with an understanding of, the current recruitment and selection training provided by the NICS and to assess the extent to which the requirements in Commissioners' Recruitment Code are being met. The review also revisited the outcomes of the 2008/09 Training Audit to establish the position in relation to the implementation of the audit recommendations accepted by the NICS at that time as well as assessing the effectiveness of the current training for selection and recruitment panel members.

Key Findings

Commissioners were pleased that the review reported that the current objectives of the NICS Recruitment & Selection training modules are in line with the expectations of Section 4.6 of Commissioners' Recruitment Code and that significant improvements have been made in the approach and content of the recruitment training courses and in the management of the function since the last audit in 2009, these include:

- the introduction of a modular approach to recruitment training;
- the development of an e-learning package to cover the legislation module; and
- refresher training for panel members for Senior Civil Service competitions who have previously completed the full training course.

The review identified three issues which Commissioners have requested the NICS to consider and improve upon, these are:

- the training is designed to accommodate panel members from a wide range of public bodies who are trained together so does not fully discuss the specific details on the structure and context of the NICS recruitment process and procedures;
- the early identification of training needs for participants attending the Senior Civil Service refresher training; and
- independent oversight and formal review of the content and effectiveness of the training to ensure learning objectives are met.

The outcome of the engagement with the NICS in relation to the Review of Training will be reported in Commissioners' 2016/17 Annual Report.

2015/16 Review of the Management of Merit Lists below SCS Level (Stage A)

The appropriate management of NICS competition Merit Lists is fundamental in ensuring the application of the principle of selection on merit, on the basis of fair and open competition for posts in the NICS, as it ensures that successful applicants are appointed through a meritorious, suitable, consistent and accountable process.

Commissioners require measures to be in place to ensure that appointments are made on an order of merit basis and that due regard has been paid to the potential for unfair treatment of those who are not given the opportunity to be considered for appointment.

In order to identify areas of potential risk, the Review Team undertook initial desk top research in relation to the policies and processes the NICS have in place with regard to the operation of merit lists, Stage A. Stage A provided an overview of:

- the process through which staff are drawn from a merit list;
- the timeframes for publishing and closing merit lists;
- exceptions; and
- the extension of merit lists or the circumstances where appointments are not made in strict merit order.

Commissioners identified a number of key aspects of the process which they considered merited more detailed examination through Stage B of the review. Stage B of the review is under way and is expected to be completed in Autumn 2016 and the outcomes will be reported in Commissioners' 2016/17 Annual Report.

The Senior Civil Service (SCS) 4-Stage Authorisation Process

Any appointment to the SCS through open competition requires the approval of Commissioners.

In support of the request for approval relevant recruitment information is provided by HR Connect or Departments to Commissioners at four key stages of the SCS recruitment process. The process also requires a number of assurances from HR Connect in relation to the competition.

Detailed information on the Commissioners' 4-Stage Authorisation Process can be found on our website www.nicscommissioners.org

During this year Commissioners oversaw eight SCS external recruitment competitions. These are listed in Table 1 over.

Table 1: Senior Civil Service (SCS) Competitions dealt with in 2015/16¹

POST	LEAD DEPARTMENT ²
Director of Registration (Grade 5)	Department of Finance & Personnel
Head of Internal Audit Internal Fraud Investigation (Grade 5)	Department of Finance & Personnel
Office of Legislative Council (2 posts) (Grade 5)	Office of First Minister and deputy First Minister
Departmental Solicitor and Head of the Government Legal Service	Department of Finance & Personnel
Registrar General and Chief Executive of NI Statistics and Research Agency (Grade 3)	Department of Finance & Personnel
Director of the College of Agriculture, Food and Rural Enterprise (Grade 5)	Department of Agriculture and Rural Development
Deputy Secretary – Head of Food & Farming Group (Grade 3)	Department of Agriculture and Rural Development
Director of Digital Transformation - Land & Property Services (Grade 5)	Department of Finance and Personnel

These competitions were scrutinised under Commissioners' 4-Stage Authorisation Process and all appointments made from these competitions have been approved under this process.

Commissioners have delegated delivery of the 4-Stage Authorisation Process to the Secretariat. Monitoring and controls are in place to ensure full compliance.

¹ Statistics relate to SCS competitions handled by Commissioners & Secretariat between April 2015 and March 2016. The average length of a competition during 2015/16 was 83 days. This is in keeping with the average length of competitions for 2013/14 (97) days and 2014/15 (79) days.

² In May 2016 the names of the NI Executive departments changed when they reduced in number from 12 to 9.

MONITORING RECRUITMENT THROUGH RECRUITMENT RELATED DATA

The Civil Service Commissioners (NI) Order 1999 and the Commissioners' Recruitment Code require NICS Departments and Agencies to publish a wide range of information and statistical summaries in relation to recruitment to the NICS.

The NICS publish their Recruitment-related information for the calendar year of 2015³ in the Recruitment to the Northern Ireland Civil Service Annual Report 2015, which also includes the Northern Ireland Statistics and Research Agency (NISRA) Analysis of NICS Competitions 1 January 2015 to 31 December 2015 published by the Department for Finance. A copy of the Report is available at [NICS Annual Report 2015](#).

To effectively discharge their statutory duties Commissioners make use of a range of recruitment related information and statistical data collated and analysed by NISRA and other organisations. Commissioners also rely on the accuracy of this third party information for the production of their Annual Report.

Each year Commissioners determine how the information published in the NICS Annual Report on recruitment fulfils Article 4(5) of the Civil Service Commissioners (NI) Order 1999 as set out in Appendix C of the Recruitment Code. Over this reporting period Commissioners have been working with the NICS to improve the information provided to them under Sections C.3 (a), (b) and (c) of Appendix C of the Code, this relates to:

- the evidence available to support the recruitment related assurances in the NICS report; and
- the clarity of NICS statistical data presented annually (on a rolling basis) in the NISRA analysis of NICS recruitment competitions.

Whilst Commissioners will continue to seek improvements on the presentation and approach adopted to providing recruitment-related information published by the NICS under Appendix C, we are content that the NICS has fulfilled its requirements under Article 4(5) of the Civil Service Commissioners (NI) Order 1999 as set out in Appendix C of the Recruitment Code for 2015.

NICS Recruitment during 2015 and Trends in Recruitment

The number of recruitment competitions, applications and appointments for 2013-15 reporting periods are included in **Table 2** below. Clearly the NICS-wide embargo on recruitment, introduced in November 2014 significantly reduced the overall number of recruitment competitions held however as guardians of the Merit Principle, Commissioners are pleased to note that based on the applicant rate (during 2015), the NICS are continuing to attract a wide pool of candidates to apply for appointment to the NICS.

³ From 1 April 2010, NICS recruitment-related data has been reported on a calendar-year basis to bring the reporting period into line with other reports on equality information.

Summary of Recruitment from 2013-15 2014

Table 2: NICS Open Recruitment Competitions, Eligible Applicants and Updated Permanent Appointment Figures for 2013 to 2015

Detail	2013	2014	2015
Open Competitions	105	71	21
Eligible Applicants	31,205	6,192	4,579
Appointees ⁴	980	156	38

As part of the improved recruitment-related information sought from the NICS this year, Commissioners requested information in relation to NICS internal competitions. While we have no regulatory role in relation to internal competitions, Commissioners consider that it provides context and helpful comparative perspective to publish the information alongside the open recruitment data (**Table 3**) below. This will also help inform Commissioners engagement with the NICS in terms of addressing diversity issues within the NICS.

Table 3: NICS Internal Recruitment Competitions and Appointment Figures for 2013 to 2015

Detail	2013	2014	2015
Internal Competitions	76	47	4
Internal Appointments	611	209	9

Summary of eligible applicants for the periods 2013-2015 by equality grouping

Table 4 below details the NICS eligible applications for 2013, 2014 and 2015 by equality groupings (these are extracts from NISRA 'Analysis of NICS Recruitment' 2013, 2014 and 2015 Reports). In 2015 62% of eligible applications for posts in the NICS were from men and 59% were from a Protestant community background. As can be seen for the breakdown for the two previous reporting periods this imbalance in the applicant pool in relation to gender and community background is unusual. The NICS report that the profile of the 2015 applicant pool has been strongly influenced by the applicant profile for the Northern Ireland Prison Service (NIPS) competitions which accounted for 85.8% of overall applications during 2015. Applications to positions within the NIPS come from predominantly Protestant males.

⁴ These appointments relate solely to permanent appointments from the competitions for that calendar year as updated by NISRA in April 2016

Commissioners engaged directly with HR staff in NIPS during 2014 on the complex problems related to attracting a more diverse pool of applicants for their posts. Commissioners were reassured by the outreach measures NIPS have undertaken in an attempt to address the imbalance. Commissioners will continue to monitor the situation and where necessary support NIPS in their attempts to attract a more balanced applicant pool for positions in NIPS in the future.

Table 4: The breakdown by equality grouping of eligible applicants for NICS posts from 1 Jan 2013 to 31 Dec 2015^{5 678}

Equality Category	Description	Eligible Applicants		
		2013	2014	2015
Overall	Total	31,205	6,192	4,579
Gender	Male	53%	58%	62%
	Female	47%	42%	38%
Community Background	Protestant	46%	41%	59%
	Catholic	47%	52%	29%
	Not Determined	7%	7%	12%
Ethnicity	White	98.8%	98.2%	98.5% ⁶
	Minority Ethnic Groups	1.2%	1.8%	1.5% ⁶
Disability	With a declared disability	3%	3%	2.4%
	Without a declared disability	97%	97%	97.6%
Age group	16-24	34%	28%	33%
	25-39	50%	53%	48% ⁶
	40-49	11%	13%	13% ⁶
	50+	5%	6%	6% ⁶
Sexual Orientation	Both sexes	1.08%	1.10%	5% ⁷
	Same sex	2.70%	2.49%	
	Different sex	96.08%	96.35%	95%
NICS employment history⁸	Current	8%	9%	16% ⁶
	Previous	9%	5%	8% ⁴
	None	63%	44%	76% ⁴

5 This information is based on data provided by NISRA in the Analysis of NICS Recruitment Competitions 2013 - 2015. The full reports are available on the NISRA website..

6 Applications for permanent posts only.

7 Figure is total for same sex and both sexes applicants.

8 Employment history is missing for a number of 2013 and 2014 applicants.

Updated Summary of NICS appointments

The NICS Annual Report presents recruitment data for NICS competitions with a closing date in a particular calendar year, currently 2015. The appointment figures quoted in the report are all appointments made from these competitions by 1 February of the following year. The figure reported is not however the final number of appointments which will be made from these competitions. Competition merit lists can remain live for 1 – 2 years after a competition has completed and many further appointments can be made during this time.

Commissioners sought to address this issue with the NICS as part of their engagement process during 2015/16 and as part of ongoing work to improve the openness and transparency of recruitment information and data contained within the report. Commissioners requested that this year the NICS publish the updated appointment figures going back to 2013. Commissioners' expect that the annual refreshing of data will become routine in future NICS Annual Reports.

Table 5: The number and breakdown by equality grouping of appointees⁹ for permanent NICS posts 2013 to 2015 (Difference in actual and expected number of appointments in that grouping)

Equality Category		Description	2013 (Actual minus Expected)	2014 (Actual minus Expected)	2015 (Actual minus Expected)
Total number of appointments			980 (0)	156 (0)	38 (0)
Gender	Male		56% (-1.0%)	62% (-11.0%)	55% (-8.0%)
	Female		44% (1.0%)	38% (11.0%)	45% (8.0%)
Community Background	Protestant		48% (4.0%)	36% (-6.0%)	37% (-10.0%)
	Catholic		45% (-3.0%)	60% (10.0%)	32% (-8.0%)
	Not Determined		7% (-1.0%)	4% (-4.0%)	31% (18.0%)
Ethnicity	White		99% (1.0%)	99% (1.0%)	#
	Minority Ethnic Groups		1% (-1.0%)	1% (-1.0%)	*
Disability	With a declared disability		2% (-1.0%)	2% (0.0%)	*
	Without a declared disability		98% (1.0%)	98% (0.0%)	#

⁹ Appointment figures for permanent posts.

* Number of cases too small to publish (i.e. below 5).

Number suppressed to avoid disclosing another number that is too small to publish.

8 The number in brackets is the percentage difference between the number of actual appointments and the number of expected appointments in that equality group had the groups within each equality category been equal in terms of merit. A negative percentage indicates that less than expected individuals in that group were appointed.

Equality Category	Description	2013 (Actual minus Expected)	2014 (Actual minus Expected)	2015 (Actual minus Expected)
Age group	16-24	29% (-1.0%)	30% (3.0%)	26% (-5.0%)
	25-39	57% (6.5%)	39% (-4.0%)	58% (13.0%)
	40-49	10% (-3.5%)	22% (4.0%)	16% (2.0%)
	50+	4% (-2.0%)	9% (-3.0%)	0% (-8.0%)
Sexual Orientation	Both sexes	1% (0.1%)	1% (0.6%)	*
	Same sex	3% (0.4%)	2% (0.6%)	
	Different sex	96% (-0.3%)	97% (-1.2%)	#
NICS employment history (nb. data is missing for a no. of candidates in 2013 & 2014)	Current	18% (6.0%)	17% (6.0%)	#
	Previous	10% (0.1%)	6% (1.0%)	*
	None	60% (-5.0%)	74% (-8.0%)	29% (-11.0%)

The embargo on NICS recruitment introduced in November 2014 and lifted in April 2016 had a significant impact on the number of appointments made in 2015 compared to previous years. As at 1 February 2016 no appointments had been made from 8 of the 21 NICS competitions that took place in 2015, further appointments that may be made from these competitions may change the profile of the appointees. The updated appointment figures for 2015, as well as a further update for 2014, will be included in the 2016 NICS report on recruitment and Commissioners' 2016/17 Annual Report.

The analysis of the 38 permanent appointments from 2015 competitions reveals some disparities between the actual number of appointees and what might be expected if the groups within each equality category had been equal in merit. Commissioners appreciate however the limitations of analysis conducted on such a small sample size and hope that updated appointment figures next year will provide a basis for more meaningful analysis and may also permit the disclosure of numbers too small to publish (i.e. below 5) not available to publish this year.

Senior Civil Service (SCS) Recruitment 2015

During 2015 Commissioners chaired recruitment panels for all SCS external competitions.

Of the 21 NICS recruitment competitions during 2015 five were for appointments to the SCS. Commissioners are pleased to note of the 50 applications received for these posts: over half of the applications were from females (54.0%); one in ten applications were from candidates from a minority ethnic background (10.0%); and nearly half (49.0%) reported no NICS employment history.

By 1 February 2016, a total of three candidates had been appointed from three of these competitions, while no appointments had been made from the other two competitions. Given the small number of appointments, Commissioners would not expect detailed analysis by equality groupings to be conducted however one male and two females were appointed, in line with what would be expected given the applicant profile of the competitions which made appointments. We note with interest that, in relation to these competitions, current NICS employees were more likely to meet the eligibility criteria.

Departmental Recruitment Data 2012 - 2014

During 2015/16 Commissioners undertook a review of the recruitment data gathered and published by the NICS (see Page 14 for more detail). One of the outcomes from this review was that Commissioners requested that the NICS publish additional recruitment related information and statistical data in their 2015 Annual Report on Recruitment. This included, for the first time, providing recruitment data broken down by NICS Department and separate from corporately run competition data for 2012 – 2014. This information is included in Annex A of the 2015 NISRA Analysis of NICS Recruitment report which can be accessed by clicking the link [NICS Annual Report 2015](#).

Commissioners consider that the publication of recruitment data specific to individual Departments presents a more informative picture of NICS recruitment activity and we will continue to work with the NICS during 2016 to further improve and refine the presentation and analysis of recruitment related information and data for the 2016 NICS report and beyond.

2015 NICS Recruitment - Developments

Commissioners were pleased to note a number of positive achievements and developments reported by the NICS in relation to recruitment during 2015, these include:

- an increase in the number of Queen's University Belfast (QUB) Internship Programme placements to 11 from 6 in 2014;
- a continued commitment to provide opportunities for young people to avail of work placements across the NICS;
- the launch of the Work Placements for People with Disabilities scheme in April 2016 following the successful pilot in 2015;
- the introduction of a simplified, online Access NI facility; and
- the use of the revised Competency Framework to underpin all recruitment competitions from April 2015.

NICS Diversity Champion

An important part of Commissioners' role as regulators is to seek to influence the NICS to better target areas of under-representation. Commissioners were particularly pleased to welcome the appointment of Peter May during 2015 as NICS Diversity Champion which was followed by the launch in July 2015 of a revised policy statement signalling the commitment of the NICS to equality, diversity and inclusion.

Commissioners met with Mr May in October 2015 to learn more about the role of the Diversity Champion and the NICS 12 month diversity work programme. Commissioners commend the NICS decision to appoint a Diversity Champion in every Department as well as Diversity Leads to take forward specific issues relating to Disability, Lesbian Gay Bisexual and Transgender (LGBT), Black and Ethnic Minority (BEM) and Gender.

Commissioners look forward to the outcomes of the work on diversity during 2016, in particular: the results of the LGBT survey; the liaison with diversity interest groups; and the development of the diversity webpage on the NICS intranet.

Gender Equality Research at Executive Level in the Northern Ireland Public Sector

Following on from their meeting in 2015, Commissioners met again with Professor Joan Ballantine from Ulster University in February 2016 who presented the findings from her research report on Gender Equality at Executive Level in the NI Public Sector, which includes research related to the NICS.

The research identified a significant degree of inequality in the gender composition at executive level of the N.I. public sector and through a survey of attitudes of current and aspiring executives/senior managers identified enablers or facilitators and barriers to gender equality. In the final stage of the research in-depth interviews were conducted with current and aspiring executives, both male and female, across the N.I. public sector to further investigate the key themes relevant to gender equality identified through the earlier stages of the research. The report makes a number of recommendations under strategic, policy, process, and data analysis headings.

Commissioners welcome the report and support its recommendations. Commissioners are pleased to note the NICS have also welcomed the report and intend to use the research findings to inform the development of a new Executive Gender Equality Strategy and the work programme being led by the NICS Diversity Champion, Peter May. As part of the work on diversity the NICS have commissioned additional research on the representation of particular equality groups within the Civil Service and their distribution across organisations and grades. Commissioners await with interest the findings of this research.

Appointments made by way of Exception to Merit

While specific approval of Commissioners is required for some appointments by way of exception to merit, the Recruitment Code does permit Departments to make appointments via exception to merit in certain limited circumstances at grades below Senior Civil Service (SCS) level for period of up to two years. However, any extension beyond two years requires Commissioners' approval.

During 2015/16, Commissioners approved one appointment at Grade 5 level to a position in the NICS under **Commissioners' 2007 General Regulations, regulation 3(a) Secondments** and the extension of five existing secondments under this category, four at Grade 5 and one at Grade 3. Commissioners also approved the extension of one appointment under **Regulation 3(d) Exceptional Needs of the NICS**.

As mentioned above, under **Regulation 3(a)** Departments can make appointments below SCS level for periods of up to two years. In line with the Code, Commissioners' approval was sought, and granted, for extensions to secondments for two posts at Grade 7.

In the reporting year, the status of the Northern Ireland Legal Services Commission was changed from that of a Non Departmental Government Body (NDPB) to an Executive Agency within the Department of Justice. Following a request from the Department, Commissioners granted approval for the appointment of the Chief Executive of the agency to the NICS at Grade 5 level, under **Regulation 3(c)** where the person to be appointed is, or has recently been, employed on functions which have been or are being transferred to the Crown. The change of status also resulted in the appointment to the NICS of 124 staff below SCS level, under this exception provision.

Table 5 Appointments made by Exception to Merit: January 2013 – December 2015¹⁰

Exception Category	Appointments: January 2013-December 2013	Appointments: January 2014-December 2014	Appointments: January 2015-December 2015
(a) Secondment	29	18	12
(b) Transfer from another civil service of the crown	1	0	0
(c) Transfer of persons employed on functions being transferred	0	9	126
(d) Exceptional needs of the NICS	0	1	0
(e) Appointments made under Government initiatives/ programmes	0	0	0
(f) Reinstatement	0	0	0
Total	30	28	138

¹⁰ This information is sourced from the NICS Annual Report 2014.

KEY ISSUES in 2015/16

Key issues for Commissioners during 2015/16 included: Appointments made through Exceptions to Merit; updated arrangements for the appointment of the Head of the Northern Ireland Civil Service; Audit and Assurance provisions; NICS Recruitment Related Information and Data; and, securing a four year budget settlement to enable Commissioners to continue to fulfil their statutory role.

Appointments made through Exceptions to Merit

A key focus during this year for Commissioners has continued to be the consideration of appointments made by way of exception to the Merit Principle. Commissioners accept that, as with any principle, there may be particular circumstances where exceptions to the Merit Principle are requested and approved. These exceptions are outlined in the Commissioners' Recruitment Code. However Commissioners consider that exceptions require to be warranted and that the NICS should be in a position to demonstrate reasonable grounds why the appointment cannot be made through open competition and in accordance with the Merit Principle.

This year Commissioners initiated a significant review examining the placement of a number of staff working in NICS departments who had been sourced from a particular departmental Arm's Length Body. The review is ongoing and Commissioners are engaging with departmental Permanent Secretaries and CHR. As a result of this engagement Commissioners are pleased to note that the NICS has commissioned a review of the practices and processes surrounding the means by which identified skills gaps in the NICS are addressed.

Arrangements for the appointment of the Head of the Northern Ireland Civil Service

Commissioners recognise that the post of Head of the Civil Service (HOCS) is unique in terms of duties and responsibilities and relationship to the Executive. Whilst the Recruitment Code acknowledges that this may have implications for the recruitment process, Commissioners are also clear that their four Recruitment Principles, namely that appointments should be made on merit, appointment processes should be fit for purpose, appointments processes should be fair and applied with consistency and appointments should be made in an open, accountable and transparent manner, must underpin any potential appointment process.

Having regard to the possibility that the recruitment and selection of the next HOCS could be through an open competition process, rather than through an internal process, Commissioners welcomed engagement with the NICS during the year to ensure that arrangements for any possible appointment through an open competition recruitment

process upheld merit. Accordingly, Commissioners have sought the necessary assurances from the NICS that the Principles set out in the Recruitment Code are fully considered and underpin any new or updated process that the NICS may put in place.

Audit and Assurance provisions

A key priority for Commissioners during this period was to firmly reposition audit and assurance requirements at a more strategic level with the NICS.

A key issue for Commissioners, in strengthening our regulatory oversight of the NICS, is attaining high level assurances at Permanent Secretary level. Following engagement on this matter with the Permanent Secretaries Group and CHR, Commissioners have a commitment from the NICS to improve and strengthen the evidence provided to Commissioners in support of our corporate assurance requirements in relation to compliance with the Recruitment Code by March 2017.

This work is outlined in more detail under the Commissioners' Regulatory Framework Section of this report.

2015/16 Review of NICS Recruitment Related Information and Data

In October 2015 Commissioners completed a review of the recruitment related information and data gathered and analysed by the NICS. The findings of the review were used to consider how recruitment related information might better inform Commissioners' regulatory role and the publication of information in their Annual Report.

Commissioners consider this a very important piece of work as it provides a clearer understanding of the recruitment information and data available and analysed by the NICS. As an outcome of the review, Commissioners identified three high level issues upon which they wished to engage with the NICS, these were:

- improvements to the clarity, significance and breadth of information reported in the statistical analysis of NICS recruitment competitions produced annually by Northern Ireland Statistical and Research Agency (NISRA);
- increased statistical analysis and reporting of Department led competition data; and
- corporate oversight in relation to recruitment related Departmental compliance statements.

Further improvements to the reporting of NICS recruitment related information and data will be progressed with the NICS for the 2016 reporting period and included in Commissioners' 2016/17 Annual Report.

Securing a 4-year budget settlement

Following the Westminster government's 2015 Spending Review, Commissioners secured a budget settlement with our sponsor department, the Northern Ireland Office that will see a 15% real terms reduction in our budget by 2019/20. This is regarded as hugely challenging given the previous efficiency savings that have already been delivered. Following detailed and robust engagement with our sponsor department Commissioners have agreed a plan to deliver the required reductions over the 4-year settlement period. Looking forward Commissioners will face difficult decisions to implement further efficiency measures in order to live within the budget allocation, while ensuring that there is no compromise on the delivery of our statutory role.

COMMISSIONERS' OUTREACH PROVISIONS

Commissioners place great importance on establishing and maintaining effective relationships with key stakeholders. This facilitates the mutual sharing of experience and expertise and provides an opportunity to learn and develop from others. During 2015/16 we held a series of key outreach meetings to engage with experts from public, professional, academic and regulatory spheres.

Commissioners had two very useful meetings with Sir David Normington, the First Civil Service Commissioner from the UK Civil Service Commission. The meetings provided an opportunity to discuss and share issues of common concern. The meetings this year were particularly beneficial as Sir David was able to share with us his experience of ministerial involvement in the recruitment of the most senior positions in the Home Civil Service. His insights and candid personal perspective of the process were invaluable in informing our considerations during the engagement with CHR in relation to proposals for the recruitment process for the appointment of the Head of the Civil Service.



Brian Rowntree, Clare Salters, Sir David Normington, Marion Matchett, Joanne Dowling and Jim Scholes

To help inform and ensure that Commissioners are up-to-date in relation to developments in recruitment and selection we had a very interesting workshop to highlight innovative developments within recruitment selection and assessment approaches facilitated by a leading HR expert. This has resulted in Commissioners identifying areas of interest which we wish to explore through the themed discussion planned with the NICS as part of the 2016/17 Audit Plan.

The Secretariat also engaged with the Commission for Public Service Appointments in Dublin in relation to the Commission's role in monitoring and auditing recruitment and selection activities relating to public service recruitment in Ireland.

Commissioners held a very informative seminar with representatives from the Chartered Institute of Personnel and Development (CIPD) and the Chartered Management Institute (CMI) that allowed us to consider and reflect on recent developments in recruitment and selection and the challenges facing large organisations in attracting a wide range of candidates for appointment.



Tom Doran (CMI), Marion Matchett, Brian Rowntree, Dr John McGurk (CIPD), Jim Scholes, Peter Aiken (CIPD)

The Chairperson met with Virginia McVeigh, Chief Executive, Les Allamby, Chief Commissioner and John Corey, Commissioner, from the NI Human Rights Commission (NIHRC) to discuss their plans to continue to embed human rights throughout the government/public sector in NI over the 2013-16 period and further develop the “transitional justice” agenda in Northern Ireland.

Professor Joan Ballantine from Ulster University provided a helpful briefing on her research on gender equality at the executive level of the Northern Ireland public sector, which includes research related to the NICS.

During the year we have also engaged with:

- Head of the Civil Service;
- Permanent Secretaries and senior officials;
- Corporate Human Resources, in DFP;
- NI Statistics and Research Agency;
- Senior Officials in the Northern Ireland Office;
- Civil Service Commission (UK);
- Commissioner for Public Appointments for Northern Ireland;
- Human Rights Commission; and
- Commission for Public Service Appointments (ROI).

UPHOLDING THE NICS CODE OF ETHICS

One of the Commissioners' statutory roles is to hear appeals under the NICS Code of Ethics.

In the reporting year there were no Code of Ethics cases investigated by Commissioners. One concern was raised with Commissioners and, after full consideration, it was determined that the concern raised was not a matter which fell to be considered under the Code of Ethics.

The NICS is required to provide annually the number of concerns dealt with by Departments under the Code of Ethics.

During the 2015 calendar year the NICS reported that four complaints were received under the Code of Ethics. Two have been resolved after investigation as examples of administrative failings rather than breaches of the Code of Ethics and two remain under investigation.

PROMOTING DIVERSITY

Commissioners attach particular significance to issues of diversity, inclusivity and equality of opportunity which are central to the Merit Principle and embedded within our Recruitment Principles.

We have sought to reflect our commitment to fulfilling our obligations to promote equality and good relations. Commissioners also seek to influence and encourage the NI Civil Service to take proactive measures to promote equality of opportunity and good relations throughout all stage of the recruitment process. This year Commissioners met the new NICS Diversity Champion, Peter May, to understand this role and the work he plans to take forward. We look forward to seeing actions that will demonstrate how diversity and inclusion is fully embedded throughout the NICS, particularly in relation to recruitment activity.

Commissioners' Equality Scheme and related Implementation Plan set out how our obligations will be fulfilled. Copies of current documents are available from our website at www.nicscommissioners.org.

Annex A

COMMISSIONERS IN POST DURING 2015-2016



Brian Rowntree, CBE

(Chairperson, appointed 1 June 2012 for a 5 year period)



Jim Scholes

(appointed 2 July 2012 for a five year period)



Sinéad Burns

(appointed 8 March 2016 for a five year period)



Marion Matchett, CBE

(appointed 8 March 2010, reappointed 8 March 2013, term of office ended March 2016)



Raymond Mullan, OBE

(appointed 1 October 2009, reappointed 1 October 2012, term of office ended October 2015)

COMMISSIONERS' SECRETARIAT AND RESOURCES

To deliver our statutory responsibilities we receive support from a Secretariat which comprises the following officials:

Secretary Band A – Principal Officer – Part Time

Deputy Secretary Band B – Deputy Principal – Part Time

Audit and Review

Band B – Deputy Principal – Part Time

Administrative Support

Band C – Staff Officer

Band D – Executive Officer 1

Band E – Admin Officer – Part Time

2015/2016 Budget /Spend

Item	(£000s)
Commissioners' Fees	£35.3
Staff Salaries	£221.1
Accommodation and overheads	£21.7
Training (Commissioners and Staff)	£5.7
Total	£283.8

Annex C

WEBSITES AND RESEARCH MATERIAL

The Civil Service Commissioners for Northern Ireland www.nicscommissioners.org

Corporate Human Resources

www.dfpni.gov.uk/index/about-dfp/corporate-human-resources.htm

NICS Recruitment www.irecruit-ext.hrconnect.nigov.net

Northern Ireland Statistics and Research Agency www.nisra.gov.uk

Labour Relations Agency www.lra.org

Chartered Institute of Personnel and Development www.cipd.co.uk

Royal Society for the encouragement of Arts, Manufactures and Commerce (RSA)

www.thersa.org

The Commissioner for Public Appointments

www.publicappointmentscommissioner.independent.gov.uk

Public Appointments Service www.publicjobs.ie

Commissioner for Public Appointments for Northern Ireland www.publicappointmentsni.org

Civil Service Commission www.civilservicecommission.independent.gov.uk

Commission for Public Service Appointments www.cpsa.ie

Human Rights Commission for Northern Ireland www.nihrc.org

Equality Commission for Northern Ireland www.equalityni.org

'Gender Equality at the Executive Level of the Northern Ireland Public Service' Professor Joan Ballantine, University of Ulster

'Study on Identified Adverse Impact in NICS Recruitment Competitions for First Line Managers' Dr Paul Brewerton, Strengths Partnership.

'Recruitment to the Northern Ireland Civil Service' Annual Report 2015 NICS Recruitment Website

'Analysis of NICS Recruitment Competitions 1 January 2015 – 31 December 2015' Northern Ireland Statistics and Research Agency Website

'A Head for Hiring – the behavioural science of recruitment and selection' August 2015 Research, CIPD



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