



BRIEFING PAPER

Number 03368, 30 November 2017

Commissioner for Public Appointments

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Summary

Role of the Commissioner

The Commissioner for Public Appointments regulates appointments made by ministers to senior positions in public bodies. Those who make public appointments subject to regulation by the Commissioner are required to follow the Governance Code on Public Appointments and the Principles of Public Appointments published by the Cabinet Office. The Commissioner can investigate complaints about appointments processes within his remit.

Establishment and development of the role

The Commissioner and the Office of the Commissioner for Public Appointments were both established in 1995, on the recommendation of the Committee on Standards in Public Life. There has been a continuing debate about the appropriate role of ministers in the public appointments process.

“Better public appointments”: the 2016 Grimstone Review

On 23 March 2015 the Government announced a review of the Office of the Commissioner for Public Appointments. The Review, which was published in March 2016, was carried out by Sir Gerry Grimstone. The Review proposed new appointments principles and processes which emphasised the importance of ministerial responsibility. The Government responded favourably to the findings. However, the outgoing Commissioner was highly critical about the cumulative effect of Grimstone’s proposals and the Committee on Standards in Public Life also raised concerns. The Government consulted with the newly appointed Commissioner as the Governance Code was being drafted, taking on board some of his suggestions.

Post-holders

The Rt Hon Peter Riddell CBE is the fifth Commissioner and has held the post since March 2016. The Public Administration and Constitutional Affairs Committee held two pre-appointment hearings with Peter Riddell. The Committee endorsed his appointment but stated that “the endorsement was not unqualified”. It also recommended that in future the appointment of the Commissioner should be subject to a resolution of both Houses of Parliament.

Prior to appointment of Peter Riddell, Sir David Normington had held the posts of both Commissioner for Public Appointments and Civil Service Commissioner since 2010. At the time of his appointment, the Public Administration Select Committee expressed some reservations about a single individual holding both posts and the appropriateness of the post-holder being a former senior civil servant. The Grimstone Review recommended post holders should not hold another public appointment that would compromise his or her independence as a regulator.

1. Role and remit

The Commissioner for Public Appointments regulates the processes by which ministers (including Welsh ministers) make appointments to the boards of national and regional public bodies. He also currently regulates appointments processes in relation to some bodies in Northern Ireland. The Commissioner is appointed by the Queen and is independent of the Government and the Civil Service. The Commissioner's statutory functions are set out in the [Public Appointments Order in Council 2016](#).

The responsibilities of the Commissioner include the following:

- Monitoring compliance with the Governance Code and the Principles of Public Appointments by regularly auditing the appointments processes within his remit.
- Conducting spot checks or responding to any concerns raised about a public appointments process.
- Conducting thematic reviews focusing on different elements of process to inform best practice. Advising departments and the Centre for Public Appointments on best practice aimed at continuous improvement.
- Investigating complaints about the appointment processes for posts within his remit.
- Issuing an annual report which provides detailed information about compliance with the appointments processes, complaints made and issues that have arisen over the last 12 months.
- Actively promoting diversity and working with departments and the Centre for Public Appointments to encourage candidates from a diverse range of backgrounds. Diversity is considered in the broadest sense and goes beyond gender, disability or race to include wider characteristics such as sexual orientation, gender identity and social background.

The Commissioner regulates appointments to those bodies listed in the Public Appointments Order in Council 2016. The types of appointments covered are:

- Executive non-departmental public bodies;
- Advisory non-departmental public bodies;
- Certain health bodies (not Foundation Trusts);
- Public Corporations;
- Public Broadcasting Authorities;
- Certain Utility Regulators;
- Non-Ministerial Departments;
- National Park Authorities in England and Wales; and
- Conservation Boards for Areas of Outstanding Natural Beauty.

Departments are responsible for ensuring that their public appointments processes meet the Code's principles and requirements, and comply with all relevant legislation.

2. Governance Code on Public Appointments

2.1 Principles of Public Appointments

The [Governance Code](#) (the Code) came into effect on 1 January 2017 and replaced the previous Code of Practice. Unlike the previous Code of Practice, it is not drawn up or published by the Office of the Commissioner for Public Appointments. It is drafted and published by the Minister for the Cabinet Office in line with the Public Appointments Order in Council 2016. It sets out the regulatory framework for public appointments processes within the Commissioner's remit. The Code sets out the principles that should underpin all public appointments.

Box 1: Public appointment principles

Ministerial responsibility

Responsibility for appointments lies with ministers who are accountable to Parliament for their decisions and actions. Welsh ministers are accountable to the Welsh Assembly.

Selflessness

Ministers should only act in terms of the public interest.

Integrity

Ministers should avoid obligations to people or organisations that might try to inappropriately influence them in their appointments. They should avoid acting to make financial or personal gains for themselves or their families.

Merit

Selection should be on merit. Ministers should be provided with a choice of high quality candidates, drawn from a strong and diverse field, whose skills, experience and qualities have been judged to meet the needs of the public body or statutory office in question.

Openness

The processes for making appointments should be open and transparent.

Diversity

Public appointments should reflect the diverse nature of society. Appointments should take account of the need to appoint boards which include a balance of skills and backgrounds.

Assurance

There should be established assurance processes with checks and balances. The Commissioner provides independent assurance that public appointments are made in accordance with Governance Code and the Principles of Public Appointments.

Fairness

Selection processes must be fair and impartial. Each candidate must be assessed against the same criteria.

2.2 Essential requirements of appointments processes

Certain requirements are necessary in order to meet these principles.

Advisory Assessment Panels

The Code states that ministers should be assisted in their decision making by Advisory Assessment Panels. The Minister should agree the composition of the Panel and the Panel chair, which should include an independent member and a departmental official. The departmental

official is responsible for representing and making other members aware of the Minister's views throughout the process. When appointing non-executive, non-board members, the panel should also include a representative from the body concerned.

The Panel must agree with the Minister the assessment strategy for determining merit against the selection criteria that the Minister has decided.

The assessment process should be appropriate to the recruitment and reflect the nature and significance of the role.

Transparency

The Code promotes transparency requiring information on public appointment processes to be made publicly available. All public appointments should be advertised openly. For all competitions, there should also be full transparency of the appointee's details, the Advisory Assessment Panel and the selection process. Departments are also required to publish 'real time' data on the progress of individual processes.

Where an appointment is subject to a pre-appointment hearing by a Parliamentary Select Committee, this must be stated clearly in all the publicity and information relating to the post.

2.3 The role of ministers

The Code states that ministers are responsible and accountable to Parliament for public appointments. Welsh Ministers are accountable to the National Assembly for Wales. They should be engaged early on in the planning process and at every stage of the competition. This includes agreeing the job description, the duration of the appointment, the process for appointment and the selection criteria. At the end of the process, the ministers should be consulted about the quality and diversity in the field of candidates and whether the competition should be extended. They should be given a choice of candidates if more than one candidate is appointable. Finally, the Minister should be able to meet the appointable candidates before making a decision.

Although ministers should consider the advice of the Advisory Assessment Panel, they are not bound by its views and may reject it.

The Code allows ministers to delegate responsibility for certain appointments to an appropriate body to run if it is agreed with the Cabinet and the Commissioner.

In exceptional circumstances an appointment is not required to be run in accordance with the Code, if it is considered to be in the public interest. This might occur when a body is winding up or the post is highly technical. In this case, the Minister must consult with the Commissioner in advance of making the decision public alongside the rationale for doing so.

Reappointments and extensions of appointees require the agreement of ministers. There is no automatic presumption of reappointment. Each

case should be considered on its own merits, taking into account various factors such as the diversity of the board and its balance of skills and experience. In addition, there must be a satisfactory performance appraisal of the appointee, evidence of which must be available to the Commissioner on request.

The proper role of ministers in making public appointments has been subject to some debate. The balance between independence, appointment on merit, and ministerial choice has been the subject of reports from both the Committee on Standards in Public Life and the Public Administration Select Committee (the predecessor Committee to the Public Administration and Constitutional Affairs Committee).

2.4 The role of Senior Independent Panel Members

The Code requires a list of 'significant appointments' to be agreed by ministers and the Commissioner. The Commissioner and the Minister for the Constitution, Chris Skidmore MP, decided that this should include all appointments subject to Select Committee pre-appointment scrutiny and other appointments that are important because of the nature of the work. Agreed lists for both England and Wales are published on the Commissioner's website.¹

These appointments require a Senior Independent Panel Member (SIPM) to sit on the Advisory Assessment Panels. SIPMs should be independent of the department, and of the body concerned, and should not be currently politically active. This, along with the requirement that the SIPM has senior recruitment experience, is intended to provide additional reassurance that the appointment is being made solely on merit.

The Commissioner should be consulted about the selection of SIPMs by the Minister in good time, but he has no veto on the choice.

2.5 The role of the departments

Departments are responsible for ensuring that their public appointments processes meet the Code's principles and requirements, and comply with all relevant legislation. Each department is required to have an official overseeing their public appointments process. With each public appointment, the official must certify that the appointment has been made in accordance with the Code which should be agreed with the members of the Advisory Assessment Panel.

Departments are required to implement appointment processes with diversity in mind. This should include:

- Ensuring that the job specifications focus on key necessary skills and avoid jargon
- Emphasising ability over previous experience in job specifications

¹ [Significant Appointments](#) Commissioner for Public Appointments's website

- Providing the Minister with information about the diversity, skills and experience of the existing board
- Considering ways of raising awareness amongst different groups and networks.

On the issue of diversity, the Commissioner has stated that “there is still a long way to go to reach acceptable levels of diversity” noting that the figures were “worryingly small”:

In particular, the level of appointments to chairs for each of these groups remains disappointingly low– at 28 per cent for women, 5.2 per cent for BAME candidates, and less than 3 per cent for those declaring a disability. (This means that out of 136 appointments and reappointments of chairs, just seven were made to BAME applicants, and three to those declaring a disability.)

These figures are worryingly small and I do not believe that there are so few suitable potential chairs of public bodies from among BAME and disabled groups, while the number of women appointed as chairs is still too low. From my own contacts with people from BAME and disabled groups, I have met a number clearly of high quality with the potential to be candidates for chair positions. Departments need to do more to seek out and encourage applications from these groups.²

Peter Riddell also recently commented that he would be monitoring progress and also hoped to improve the quality of data in the Commission’s own annual statistical bulletin.³

² [Blog Post](#) by Peter Riddell *Diversity and the 2016-17 Annual Survey of Ministerial Appointments and Reappointments* 5 July 2017

³ Letter from the Commissioner to the All Permanent Secretaries <https://publicappointmentscommissioner.independent.gov.uk/wp-content/uploads/2017/11/PR-Permanent-Secretaries-November-2017-1.pdf> 8 November 2017

3. Establishment and development of the role

3.1 Establishing the role: First Report of the Committee on Standards in Public Life

The role of Commissioner for Public Appointments was created by the Public Appointments Order in Council 1995, following the recommendation of the Committee on Standards in Public Life's first report (the Nolan Report). The Nolan Report recommended the post's creation as a means of enhancing public confidence in the public appointments process and the quality of appointments made under it.

The Committee on Standards in Public Life had been set up in 1994 in response to a number of concerns about the standard of conduct of public office holders. In its first report the Committee considered public appointments and stated that:

Appointments to the boards of executive NDPBs [Non-Departmental Public Bodies] should be made on the basis of merit, to form boards with a balance of relevant skills and backgrounds.

Responsibility for appointments should remain with Ministers, advised by committee which include independent members.

A Public Appointments Commissioner should be appointed to regulate, monitor and report on the public appointments process.

The process should be open and departments should have to justify any departures from best practice. Job specifications should be published, and a wide range of candidates should be sought. The suitability of each candidate should be assessed by an advisory committee.⁴

3.2 Development of the Commissioner's role and remit

The original remit of the Commissioner was to regulate appointments to executive NDPBs and NHS bodies, but this was extended in 1998 to include ministerial appointments to advisory NDPBs, public corporations, nationalised industries and appointments to utility regulators.⁵ In 2002, the Commissioner's remit was extended to include the regulation of reappointments to NDPBs.

The scope of the Commissioner's remit has also altered with the establishment of arrangements for appointments that are devolved to [Northern Ireland](#), [Scotland](#), and [Wales](#). Each jurisdiction has its own regulator, although the Commissioner is also the regulator for Welsh Government appointments.

⁴ Committee on Standards in Public Life, *Standards in Public Life*, May 1995, Cm 2850

⁵ The original remit of the Commissioner for Public Appointments is outlined in the [Memorandum](#) by Mr Douglas Alexander MP, Minister for State, Cabinet Office, 26 June 2003

Public appointments to chairs and non-executive directors of NHS trusts and NHS Charities have been carried out by the NHS Trust Development Authority since 1 October 2012. Previously, they were made by the NHS Appointments Commission, which was abolished on 31 October 2012. An independent appointments commission was established for NHS appointments in 2001.

There have been some concerns over a perceived lack of clarity in the remit of the Commissioner for Public Appointments. In its 2003 report, *Government by Appointment: Opening Up the Quango State*, the Public Administration Select Committee (PASC) commented that “there was no clarity or consistency about the application of the Nolan rules”. The Committee recommended that the Cabinet Office should undertake to ‘map’ public bodies and that this should be placed on the public record along with information on their roles, accountability and appointment arrangements. Whether or not each public body should fall within the Commissioner’s remit should be considered on a case-by-case basis. They also recommended that Crown appointments should not be excluded from the Commissioner’s remit without justification. The list of bodies falling within the remit should then be subject to the scrutiny and approval of a select committee.⁶

In its 2007 report, *Politics and Administration: Ministers and Civil Servants*, the Public Administration Select Committee returned to the issue. They argued that different accountability processes were needed for different bodies and that difficulties arose from the lack of transparency over what posts are or are not covered by the appointment rules. The report reiterated the earlier recommendation that there should be a review to determine which NDPBs and appointments the Commission needed to regulate.⁷ The Government response to the report stated that the Government was committed to updating the schedule of the Order in Council on an annual basis and would work with the Commissioner to ensure that an updated list of bodies was widely circulated.

In 2008 the Commissioner was given a new power to promote diversity in the procedures for public appointments within his/her remit. Previously powers only extended to promoting equality of opportunity in these procedures. The Commissioner currently provides annual statistics on diversity in public appointments and reappointments.⁸

3.3 Better Public Appointments -The Grimstone Review

On 23 March 2015 Francis Maude, Minister for the Cabinet, announced a review of the Office of the Commissioner for Public Appointments. Its

⁶ Public Administration Select Committee, [Government by Appointment: Opening Up the Patronage State](#), 26 June 2003, HC 165 2002-03

⁷ Public Administration Select Committee, [Politics and Administration: Ministers and Civil Servants](#), 15 March 2007, HC 122 2006-07, para 102

⁸ Statistical Reports [Annual Survey of Ministerial Appointments and Reappointments](#), Commissioner for Public Appointments website.

objective was to “establish the continuing need for the Office, and to examine its scope of responsibilities”:

New Public Appointment Principles

The Grimstone Report, *Better Public Appointments*, was published on 11 March 2016.⁹ One of its most significant proposals related to the publication of the Governance Code. It recommended that it should no longer be drawn up and published by the Commissioner, but for the first time since the post was created, by the Government itself. It also outlined a new set of public appointment principles which should be set out in an Order of Council and backed up by a Governance Code.

The principles set out in the Grimstone Report, while based on the Nolan principles, emphasised ministerial responsibility. The report explained that, ultimately, ministers are responsible for public appointments and its recommendations would give ministers more power over the appointments process as a whole. This represented a shift away from the Commissioner whose role would be significantly reduced towards ministers, whose discretion would be significantly increased.

Sir Gerry Grimstone gave evidence to the Public Administration and Constitutional Affairs Select Committee on 12 April 2016. He explained that he had spoken to a large number of people involved in the appointments process and had concluded that the existing system was “very well-intentioned” but had “substituted process for substance”:

I believe that the way the present system has been operated has deterred good candidates from coming forward. These are some of the most important appointments in the United Kingdom and far less rigour is applied to these appointments than you find for comparable appointments in the private sector. The conclusion I came to—and I was asked in my terms of reference to go back to the Nolan principles and I took the Nolan principles as my bedrock—was I found that the clarity of the Nolan principles had been lost over time, barnacles had grown on them, the purity had been lost and we are operating a less good public appointments system because of that.¹⁰

3.4 Government Response

The Cabinet Office Minister Matthew Hancock responded to the report on 11 March 2016.¹¹ He welcomed the report and agreed with the emphasis given to ministerial involvement, stating that “ministers should be at the heart of the public appointments system and that ultimately, choice, responsibility and accountability for making appointments must rest with ministers”. The details of the Government’s response are set out in Box 2 below.

⁹ Sir Gerry Grimstone, [Better Public Appointments: A Review of the Public Appointments Process: Sir Gerry Grimstone](#), March 2016

¹⁰ Public Administration and Constitutional Affairs Committee Oral evidence, [Better public appointments: review of the public appointments process \(The Grimstone Review\)](#), HC 964 Tuesday 12 April 2016, Q63

¹¹ [Better Public Appointments Review: Government response](#), 11 March 2016

Box 2: Government response to the Grimstone Report

The Government's response to the Grimstone Report stated that they would "implement Sir Gerry's recommendations as follows":

1. Ministers should continue to make public appointments on merit. The Order in Council will be refreshed to take account of Sir Gerry's recommendations. We want to consider views and bring forward changes in a new governance code. This will set out the new Public Appointment Principles and provide detail on the process by which appointments should be made.
2. All public appointments, with a limited number of exceptions, will be in scope of this new remit.
3. The government agrees that ministers should be assisted by advisory assessment panels containing a strong element independent of the body being appointed to. As suggested by Sir Gerry, this could be comparable to the corporate governance code and the government will set out criteria in the governance code.
4. Political activity should not affect any judgment of merit nor should it be any bar to appointment or being a member of a panel. The government agrees that there should be transparency over significant political activity
5. As now, at the start of the recruitment process, ministers will agree the job description for the role, the length of tenure and remuneration. Ministers must also agree the composition of the advisory assessment panel and how they will be actively informed of the progress at every stage throughout the competition. The same applies to decisions on reappointments.
6. The government agrees with Sir Gerry that as well as keeping the minister updated on progress at every stage, the panel must be made familiar with the minister's requirements and views in writing or in person at every stage including after the long and short lists are determined. The official on the panel will also represent the minister's views. Before interviews are conducted ministers should feel free to put names forward to the advisory panel for interview. The presumption should be for these candidates to be interviewed.

3.5 Other Responses

The Grimstone review and subsequent debate attracted much media and parliamentary debate during 2016-2017 with concerns expressed by the outgoing Commissioner, Sir David Normington, the Public Administration and Constitutional Affairs Committee and the Committee on Standards in Public Life.

The outgoing Commissioner

The outgoing Commissioner, Sir David Normington, wrote a highly critical article in *The Independent* newspaper about the Grimstone Report in which he concluded:

The Commissioner is taken right out of the equation. Taken together, Grimstone's proposals would enable Ministers to set their own rules; override those rules whenever they want; appoint their own selection panels; get preferential treatment for favoured candidates; ignore the panel's advice if they don't like it; and appoint someone considered by the panel as not up to the job.¹²

¹² Sir David Normington, 'Public Appointments are Finally Made on Talent, not Connections', *The Independent*, 18 March 2016

On 12 April 2016 he summarised his view to the Public Administration and Constitutional Affairs Select Committee that the proposal “dismantles the current system”:

it transfers all the key decisions to Ministers and it weakens the role of the Public Appointments Commissioner. That is quite a formidable list of things and that does not match up, for me, to a robust regulatory framework or appointment on merit.¹³

The Committee on Standards in Public Life

The Committee on Standards in Public Life responded stating that they were “uneasy” about “the cumulative effect of the other changes” in the review:

The Committee fears that the changes will remove some of the independent checks and balances of the public appointments process and may have the unintended effect of offering limited protection for Ministers who wish to demonstrate they have appointed on merit alone.¹⁴

In March 2017 it expressed its intention to ‘maintain a close interest’ in the new system of appointments.¹⁵

The Public Administration and Constitutional Affairs Select Committee

On 23 March 2016 the Public Administration and Constitutional Affairs Select Committee announced that it would be taking evidence on the Grimstone Report “and the implications for the public appointments process”.¹⁶ Its report of 14 April 2016 focused on the appointment of Peter Riddell as Commissioner but also made some initial comments on the Grimstone Review. The Committee raised a concern that alongside other changes, such as the introduction of extended ministerial offices, the Government’s interpretation of the Grimstone Report “may be leading to an increasing politicisation of senior public appointments”.¹⁷

In its July 2016 inquiry into the Grimstone review, it shared Sir David Normington’s concern, noting that the review threatened to “undermine the entire basis of independent appointments”. The Committee concluded that the review “effectively demolishes the safeguard built up by Lord Nolan” and that the Government’s adoption of the proposals was “very worrying”. The Committee recommended that the Government must make “significant changes to the proposals

¹³ Public Administration and Constitutional Affairs Committee Oral evidence, *Better public appointments: review of the public appointments process (The Grimstone Review)*, HC 964 Tuesday 12 April 2016, Q3

¹⁴ Committee on Standards in Public Life, [Grimstone Report on Public Appointments: The Committee’s response](#), 11 March 2016

¹⁵ [Public appointments: CSPL view on PACAC follow-up report](#), GOV.UK 10 March 2017

¹⁶ Public Administration and Constitutional Affairs Committee Call for Written Evidence: [New Inquiry: Better Public Appointments: Review of the Public Appointments Process \(The Grimstone Review\). 23 March 2016](#)

¹⁷ Public Administration and Constitutional Affairs Committee, [Appointment of the Commissioner for Public Appointments](#), 14 April 2016, HC869 2015-16, para 3

in order to robustly deliver a public appointments process” in which they could have confidence.¹⁸

The Committee’s concerns have not dissipated and it continues to register its dissatisfaction with the Government’s response to the Committee’s July 2016 inquiry and its continued control of the Governance Code.¹⁹

3.6 Agreeing the Governance Code

The newly appointed Commissioner, Peter Riddell, was consulted by the Cabinet Office about the new Public Appointment Principles and the Governance Code as they were being drafted. He made a number of suggestions which were accepted:

- Senior Independent Panel Members should not be politically active. He also pressed for Independent Panel Members not to be politically active but this was not agreed.
- The Nolan principle of fairness, on which the Commissioner can rely when assessing competitions and exemptions from competitions, was retained.
- If ministers want to dispense with a competition or appoint someone who has been judged unappointable by an interview panel, they must consult the Commissioner in advance, rather than notifying him as suggested by the Grimstone Review.
- A live-time Campaign Timeline to enable anyone to see the progress of a competition, the membership of the Advisory Assessment Panel and for any political activity or other relevant information to be declared. The Cabinet Office [website](#) now provides a publicly available tracker of public appointments. It went live in December 2016 and became fully populated in early 2017. The Commissioner has noted that “the progress of competitions has in too many cases not been kept up to date by the departments” although this issue is currently being addressed by the Cabinet Office.²⁰

After six months of discussions, the new Governance Code and accompanying Order in Council were finally published in December 2016.

Although the Governance Code came into effect from 1 January 2017, some competitions continued to be completed under the previous Code of Practice for a number of months. This coincided with the pre-election period created by the 2017 General Election which resulted in a pause to the application of the new Code and discussions about future policy,

¹⁸ Public Administration and Constitutional Affairs Committee [Better Public Appointments?: The Grimstone Review on Public Appointments](#) HC 495, 7 July 2016, para 85

¹⁹ Public Administration and Constitutional Affairs Committee [Better Public Appointments? Follow-up and the Government Response to the Committee’s Third Report. Better Public Appointments?: The Grimstone Review on Public Appointments](#) HC 1062 10 March 2017

²⁰ Letter from the Commissioner to the Committee on Standards in Public Life <https://publicappointmentscommissioner.independent.gov.uk/wp-content/uploads/2017/11/20171113-PR-CSPL.pdf> 13 November 2017

notably on diversity. Therefore, the Commissioner has stated that “it is still too early to reach any more than a tentative view” about the operation of the new Code.²¹

²¹ *ibid*

4. Office holders since 1995

On 23 November 1995 Sir Len Peach was appointed as the first Commissioner for Public Appointments in England, Scotland and Wales and, by a separate Order, Commissioner for Public Appointments for Northern Ireland. In March 1999 Dame Rennie Fritchie (now Baroness Fritchie) was appointed the second Commissioner for Public Appointments. The next appointment was of Dame Janet Gaymer DBE QC. She was appointed in January 2006 for a non-renewable fixed term of four years.

In July 2010 the Minister for the Cabinet Office, Francis Maude, notified the Public Administration Select Committee that he planned to recruit a single individual for the separate posts of First Civil Service Commissioner and Commissioner for Public Appointments. Both are among a number of posts that are subject to a pre-appointment hearing by the relevant House of Commons Select Committee.

The Public Administration Select Committee held a hearing with the Government's preferred candidate for the two posts, Sir David Normington, on 16 November 2010. The Committee endorsed his appointment, but expressed "serious concerns" about the appointment of a senior civil servant to this post. They also stated that they were "concerned about the lack of consultation surrounding the proposal to combine these two roles into one".²² One Committee member proposed that the Committee should not endorse the appointment but this was defeated on a division.²³

On the merger of the two roles, the Committee pointed out that its predecessor committee in the previous Parliament had recognised the value of close ties, but had favoured a more collegiate relationship between the two posts.²⁴ In addition, it stated:

While combining the posts may have merit, we condemn the lack of consultation surrounding the proposal to do so. This might be the correct decision but the Government has not made its case and nor does this proposal reflect the recommendation of our predecessor committee. We reserve our position about the wisdom of this reform, subject to our own examination of the impact it will have on the two offices.²⁵

The dual post was equivalent in status to a Permanent Secretary in a Government Department and was paid pro-rata on the same salary range. The appointment took effect from 1 January 2011.

The Grimstone Review recommended that the two roles should once again be split. It argued that "The Commissioner should not hold any

²² Public Administration Select Committee, [Pre-appointment hearing for the dual post of First Civil Service Commissioner and Commissioner for Public Appointments](#), 18 November 2010, HC 601 2010-11, paras 2-4

²³ *Ibid*, Formal Minutes, p14

²⁴ See Public Administration Select Committee, [Ethics and Standards: The Regulation of Conduct in Public Life, 29 April 2007](#), HC 121

²⁵ Public Administration Select Committee, [Pre-appointment hearing for the dual post of First Civil Service Commissioner and Commissioner for Public Appointments](#), 18 November 2010, HC 601 2010-11, para 17

other public appointments within the public sector that would compromise his or her independence as a regulator".²⁶ This recommendation was accepted by the Government.

In March 2016, the Government announced that the Rt Hon Peter Riddell was their preferred candidate for the post of Commissioner for Public Appointments. He was appointed in April 2016. He is former Director of the Institute for Government and former Chair of the Hansard Society. He was also previously a journalist writing for both *The Times* and the *Financial Times*.

The Public Administration and Constitutional Affairs Select Committee held a "preliminary" pre-appointment hearing on 21 March 2016 after which the Committee became concerned that it had not had the time required to consider the appointment in the context of the Grimstone Review. The Committee therefore decided to hold a second pre-appointment hearing on 12 April. The Committee's report, published on 14 April 2016, raised a concern that "Mr Riddell lacks experience of managing a large organisation or of making appointments". The Committee gave a qualified endorsement of his appointment.

The Committee then went on to consider how the appointment of the Commissioner should be made in future. It recommended that "in future, the appointment of the Commissioner should be subject to a resolution of both Houses of Parliament, as is the case for the Chair of the UK Statistics Authority and the Comptroller and Auditor General". The Committee concluded that such a resolution would act as public reassurance of the independence and status of the Commissioner.²⁷

²⁶ Sir Gerry Grimstone, Sir Gerry Grimstone, [Better Public Appointments: A Review of the Public Appointments Process: Sir Gerry Grimstone](#), March 2016, para 4.3

²⁷ See also Select Committee Statement, 18 April 2016, HC Deb 18 April 2016 cc661-666

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