



House of Commons
Business, Innovation and Skills
Committee

**Pre-Appointment
Hearing: Appointment
of Director of the
Office for Fair Access**

Thirteenth Report of Session 2010–12

*Report, together with formal minutes and
appendices*

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Business, Innovation and Skills Committee

The Business, Innovation and Skills Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Business, Innovation and Skills.

Current membership

Mr Adrian Bailey MP (*Labour, West Bromwich West*) (Chair)
Mr Brian Binley MP (*Conservative, Northampton South*)
Paul Blomfield MP (*Labour, Sheffield Central*)
Katy Clark MP (*Labour, North Ayrshire and Arran*)
Julie Elliott (*Labour, Sunderland Central*)
Rebecca Harris MP (*Conservative, Castle Point*)
Margot James MP (*Conservative, Stourbridge*)
Simon Kirby MP (*Conservative, Brighton Kemptown*)
Ann McKechin (*Labour, Glasgow North*)
Mr David Ward MP (*Liberal Democrat, Bradford East*)
Nadhim Zahawi MP (*Conservative, Stratford-upon-Avon*)

The following members were also members of the Committee during the parliament.

Luciana Berger MP (*Labour, Liverpool, Wavertree*)
Jack Dromey MP (*Labour, Birmingham, Erdington*)
Dan Jarvis MP (*Labour, Barnsley Central*)
Gregg McClymont MP (*Labour, Cumbernauld, Kilsyth and Kirkintilloch East*)
Ian Murray MP (*Labour, Edinburgh South*)
Nicky Morgan MP (*Conservative, Loughborough*)
Chi Onwurah MP (*Labour, Newcastle upon Tyne Central*)
Rachel Reeves MP (*Labour, Leeds West*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the internet at www.parliament.uk/parliament.uk/bis. A list of Reports of the Committee in the present Parliament is at the back of this volume.

The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume. Additional written evidence may be published on the internet only.

Committee staff

The current staff of the Committee are James Davies (Clerk), Neil Caulfield (Second Clerk), Louise Whitley (Inquiry Manager), Peter Stam (Inquiry Manager), Ian Hook (Senior Committee Assistant), Jennifer Kelly (Committee Assistant), Pam Morris (Committee Assistant), Henry Ayi-Hyde (Committee Support Assistant).

Contacts

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1 Appointment of the Director of the Office for Fair Access

Introduction

1. The post of Director of the Office for Fair Access is one of the posts identified by the Government as suitable for a pre-appointment hearing by our Committee.¹ Following a recent recruitment exercise, the Department forwarded to us the Secretary of State's letter confirming the name of the preferred candidate; the candidate's curriculum vitae; and supporting material setting out the requirements of the post and the details of the recruitment process. These papers are printed as appendices to this Report.

The Office for Fair Access

2. The Office for Fair Access (OFFA) was set up under the Higher Education Act 2004 to ensure that the introduction of higher tuition fees in 2006–07 did not deter people from entering higher education for financial reasons and to provide a means of monitoring universities' and colleges' commitment to increasing participation in higher education among under-represented groups.²

3. The Office for Fair Access has three core aims:

- To support and encourage improvements in participation rates in higher education from low income and other under-represented groups;
- To reduce as far as practicable the barriers to higher education for students from low income and other under-represented groups by ensuring that institutions continue to invest in outreach and financial support; and
- To support and encourage equality of opportunity through the provision of clear and accessible financial information for students, their parents/carers and their advisers.

These aims are primarily delivered through the implementation of approved access agreements between OFFA and individual universities.³

The role of the Director of OFFA

4. All higher education institutions which intend to charge more than the basic £6,000 annual graduate contribution have to demonstrate to the satisfaction of the independent Director what more they will do to attract students from under-represented and disadvantaged groups.⁴

1 www.publications.parliament.uk/pa/cm200708/cmselect/cmliaisn/594/594.pdf

2 www.offa.org.uk/about/background/

3 www.offa.org.uk/about/objectives/

4 Appendix 3

5. The Government's White Paper on Higher Education Reform, *Students at the Heart of the System*, announced proposals to strengthen both the powers of OFFA and the role of the independent Director, so that it could "provide more active and energetic challenge and support to universities and colleges".⁵ In the information sent to candidates, the Government stated that it wanted to see:

A shift away from assessment of inputs and processes, to a focus on clear outputs from access activities and measurable progress against appropriate measures and targets chosen by the institution and agreed with OFFA.⁶

The information for candidates also stated that:

We will ask the new Director to advise on whether OFFA's current powers are the right ones to achieve its statutory goals, or whether some clarification or extension is required. We have already asked for advice in the autumn following the first round of approval of new access agreements. While ensuring that the Director has appropriate powers and resource to promote and champion access, we will retain the Director's independence, discretion and duty to protect academic freedom.⁷

Job Specification

6. The published criteria for the shortlist were as follows:

- demonstrate strategic and influential leadership over a sustained period, operating at top-management level in a complex and dynamic environment with developing resources;
- provide convincing evidence of successfully motivating stakeholders and partners and persuading them to fulfil their responsibilities, and of interaction with Government and influential national bodies;
- manage and bring about sector-wide change in the light of new or developing arrangements, policies and priorities;
- promote the strengths of the arguments in face of opposition;
- communicate persuasively and publicly, with excellent presentational skills;
- demonstrate their understanding of financial and corporate governance standards, including an appreciation of good practice in equality and diversity and standards of conduct in public life;
- use his or her powers to enforce agreements that are not being fulfilled;
- reveal a solid understanding of English higher education; and

5 Appendix 3

6 Appendix 3

7 Appendix 3

- operate independently within a legal framework, and maintain that independence—taking responsibility for their own decisions, justifying publicly the approaches taken and withstanding robust interrogation including from the media.

7. The appointment is for three years, with the possibility for re-appointment. The appointment will be made on a part time basis, averaging 3 days a week and remuneration will be pro-rata to a full time equivalent of up to £130,000 per annum.⁸

The preferred candidate: Professor Les Ebdon

The candidate's background

8. Professor Les Ebdon has over 44 years of experience in Higher Education. He is currently the Vice Chancellor and Chief Executive of the University of Bedfordshire. In addition, he is also the Chair of million+, the university think-tank, a member of the board of Universities UK and Chair of Universities UK Students Quality and Participation Network. Since 2004, Professor Ebdon has been a member of the Measurement Board at the Department for Business, Innovation and Skills and is also a member of the Department's Further Education and Skills Ministerial Advisory Panel.⁹

Our evidence

9. In line with the guidance produced by the Liaison Committee on the conduct of pre-appointment hearings, our evidence session assessed the candidate's professional competence and personal independence. In particular, we questioned Professor Ebdon on the following specific matters:

- What relevant expertise he would bring to the post and in particular his record of widening participation;
- Real or perceived conflicts of interest in relation to both his views on the Government's higher education reforms and a number of posts he currently holds;
- His understanding of access agreements between universities and OFFA and the enforcement of those agreements;
- Future priorities for the Office for Fair Access; and
- The future role and powers of the Office for Fair Access and its Director.¹⁰

8 Appendix 3

9 Further information on these positions can be found at www.bis.gov.uk

10 The oral evidence will be printed as HC1811-i and published in due course on the Committee's website www.parliament.uk/biscom

The Committee's view on the suitability of the candidate

10. Professor Ebdon has extensive experience in higher education. However, concerns about his suitability for the post of Director of OFFA arose during his evidence and we struggled to get a clear picture of Professor Ebdon's strategy for the future of OFFA.

11. While he demonstrated an all-round understanding of widening participation, we were not convinced by Professor Ebdon's descriptions of the root causes of the obstacles to accessing universities. Therefore, we have to question his evidence in respect of two of the criteria for selection, namely "promote the strengths of the arguments in face of opposition" and "communicate persuasively and publicly, with excellent presentational skills". We are unable to endorse the appointment of Professor Ebdon as the Director of OFFA and we recommend that the Department conduct a new recruitment exercise.

12. We further recommend that the Department ensure that there is sufficient flexibility in the job description and package to attract the widest range of quality applicants to the job.

Appendix 1: Letter to the Chair from the Secretary of State for Business, Innovation and Skills

DIRECTOR OF FAIR ACCESS – PREFERRED CANDIDATE

David Willetts and I interviewed candidates for the post of Director of Fair Access last week. This is an extremely important post, central to the Government's objectives for fair access in higher education.

I am delighted to be able to inform you that we have chosen Professor Les Ebdon as our preferred candidate. Professor Ebdon brings with him a wealth of experience from higher education, most recently as Vice Chancellor of the University of Bedfordshire and Chair of the million+ group of Universities.

You have expressed a wish for our preferred candidate to attend a pre-appointment hearing with the Committee and have set aside time on Thursday 2 February. I would be grateful if you would issue Professor Ebdon with an invitation to attend, and I look forward to receiving the Committee's report once the hearing has been held.

30 January 2012

Appendix 2: Professor Ebdon's Curriculum Vitae

Name	Professor Leslie Colin Ebdon CBE DL
University	1965 – 1971 Imperial College of Science and Technology University of London
Qualifications	1968 - BSc(Hons) Chemistry Class II, London University A.R.C.S. 1971 - A.R.I.C. - D.I.C. - PhD (London) 'Analytical Atomic Spectroscopy in Flame and Non-Flame Cells' 1975 - M.I.W.E.S. M.R.I.C., C.Chem 1981 - F.R.S.C. 1988 - M.C.I.W.E.M. C.W.E.M. 2008 - F.R.S.A. - DSc (Hon) University of Plymouth

Present Position Vice Chancellor and Chief Executive, University of Bedfordshire

Higher Education Experience

Lecturer in Chemistry, Makerere University, Uganda.

Lecturer/Senior Lecturer in Analytical Chemistry, Sheffield City Poly

Reader/Professor of Analytical Chemistry, Plymouth Polytechnic/Polytechnic South West

Head of Department of Environmental Sciences and VG Professor of Analytical Chemistry, Plymouth Polytechnic/Polytechnic South West

Deputy Vice-Chancellor (Academic) and VG Professor of Analytical Chemistry, University of Plymouth

2003 Vice Chancellor and Chief Executive, University of Luton (now University of Bedfordshire)

Major Honours Awarded

- 1986 Royal Society of Chemistry, Analytical Division, Schools Lecturer
- 1986 Royal Society of Chemistry, 13th SAC Silver Medal for Analytical Chemistry
- Benedetti-Pichler Memorial Award, American Microchemical Society
- 2008 Honorary Doctor of Science, University of Plymouth
- 2009 Commander of the Order of the British Empire (New Year's Honours)
- 2011 Deputy Lieutenant for Bedfordshire

Major Committees

- 1995 to 2003 Various working parties of Ministry of Agriculture, Fisheries and Food on trace metal speciation in food.
- 1985 to 2003 Member of various EC - Bureau of Community Reference Working Parties and consultant to BCR. Technical Secretary of tin speciation group.
- 1999 to 2007 Chair, DTI Valid Analytical Measurement Working Group
- 1999 to 2009 Member, DTI Measurement Advisory Committee
- 1990 to 2007 Member DTI SQMAC (Measurement Advisory Committee) Steering Group and Working Party
- 1990 to 1995 Member Programme Management Committee DTI/SERC LINK Programme on Techniques of Analytical and Physical Measurement'.
- 1991 to 2007 Member Council, Royal Society of Chemistry
- 1991-1997 Chair, Royal Society of Chemistry Publications Board
- 1995 Member, Central Science Laboratory Review Group
- 1995 to 2003 Member Structure and Bonding College of EPSRC
- 1997 Chair, Masters Courses in Chemistry Review Panel, EPSRC
- 1997 Member, Certification Evaluation Panel, European Commission, DGXII
- 1998 Chair, EPSRC Mass Spectrometry Service Review Group Member, Research Proposal Evaluation Panel, European Commission, SM&T, DGXII
- 1998 to 2007 Trustee, National Marine Aquarium
- 2003 to 2009 Member, DEFRA Central Science Laboratory Advisory Board
- 2003 to 2005 Chair, Royal Society of Chemistry Strategy and Resources Board

- 2003 to 2008 Member, Royal Society of Chemistry Publishing Board
- 2003 to 2008 Chair, Chemistry World Editorial Board
- 2003 to date Executive Member, million +
- 2003 to 2006 Member, Universities UK Strategy Group on Leadership, Management and Governance
- 2003 to 2006 Chair, Universities UK Strategy Group on Student Experience
- 2003 to 2006 Member, Universities UK Health Committee
- 2003 to 2011 Member, Association of Universities in the East of England
- 2004 to 2008 Member, Bedfordshire and Luton Learning and Skills Council
- 2004 to 2008 Director, Luton Dunstable Partnership
- 2005 to 2006 Member, Universities UK Part-time Research Steering Group
- 2005 to date Member, Chinese journal Spectroscopy and Spectral Analysis Editorial Advisory Board
- 2005 to date Member, Universities and Colleges Employers Association
- 2006 to 2011 Chair, Association of Universities in the East of England
- 2006 to date Member, Universities UK Board
- 2006 to 2010 Chair, Universities UK Student Experience Policy Committee
- 2006 to 2010 Member, Universities UK Health and Social Policy Committee
- 2006 to 2010 Member, University Vocational Awards Council
- 2007 to date Member, Education Chaplaincy Working Group, Baptist Union of Great Britain
- 2007 to date Editorial Board member, British Journal of Higher Education in Further Education
- 2007 to 2010 Member, Universities UK Delivery Partnership Steering Group
- 2007 to 2008 Member, Universities UK Expansion Project Steering Group
- 2007 to date Chair, million+ Universities Group
- 2007 to date Member, The Times Higher Education Supplement Editorial Board
- 2007 to date Member, Department for Business, Innovation and Skills Measurement Board
- 2007 to 2010 Member, National Council of Education Excellence

- 2007 to date Member, Parliamentary University Group Council
- 2008 to date Fellow, Royal Society of the Arts
- 2009 to date Trustee, Royal Society of Chemistry
- 2009 to date Vice Patron, Luton Christian Education Trust
- 2009 to 2010 Member, Regional Economic Forum, East of England
- 2009 to date President, United Nations Association-Luton
- 2010 to 2010 Member, Luton Gateway Board
- 2010 to date Vice President, The Bedford Hospitals Charity
- 2010 to date Member, Further Education and Skills Ministerial Advisory Panel
- 2011 to date Chair, Universities UK Students, Quality and Participation Policy Network
- 2011 to date Member Universities UK Health Education and Research Policy Network
- 2011 to date Member Joint Research Centre of the European Commission Thematic Area Board 'Reference Materials and Measurements'
- 2011 to date Member, South East Midlands Local Enterprise Partnership Board
- 2011 to date Patron, The Bletchley Park Trust

Current Directorships

Director, University of Luton Enterprises Ltd

Director, Centre for Competitiveness Ltd

RESEARCH

Interests

Chemistry and Environmental Science: Analytical Chemistry, particularly the development of new methods of analytical atomic spectrometry, on-line monitoring and trace element speciation.

Papers

Over 250 publications in refereed journals, a list is available on request.

Over 260 conference presentations, including plenary lectures in 17 countries on 6 continents.

Grants

Awarded over £1 million in research grants in the last 10 years and 22 studentships.

Supervision Experience

Successfully supervised 52 PhD; 7 MPhil and 42 Postdoctoral Fellows

External Examining

External Examiner at some time for 3 BSc, 4 MSc and 3 Postdoctoral Diploma courses and 23 PhDs.

Editorial Boards

Served or serving on 11 Editorial Boards and the Chair of Publications and Information Board of the Royal Society of Chemistry.

Appendix 3: Director of OFFA: role specification

Introduction from Sir Adrian Smith

Thank you for your interest in becoming the Director of Fair Access. The Director heads up the Office for Fair Access (OFFA), an independent, non departmental public body promoting and safeguarding fair access to higher education for lower income and other underrepresented groups following the introduction of higher tuition fees in 2006-07.

The role of the Director is to promote and increase fair access to higher education, a key part of the Government's social mobility agenda. All institutions that intend to charge more than the basic £6,000 annual graduate contribution have to demonstrate to the satisfaction of the independent Director what more they will do to attract students from under-represented and disadvantaged groups. We want to see a shift away from assessment of inputs and processes, to a focus on clear outputs from access activities and measurable progress against appropriate measures and targets chosen by the institution and agreed with OFFA.

The Government's White Paper, *Students at the Heart of the System*, announced a strengthening of OFFA and the role of the independent Director, so that it can provide more active and energetic challenge and support to universities and colleges.

The position will be appointed by the Secretary of State for Business, Innovation and Skills but will be independent. We are seeking candidates from a wide range of backgrounds who can develop very high level cooperative working relationships with a diverse set of stakeholders. The essence of the role surrounds negotiating and securing agreement to challenging plans to make progress to significantly increase access to higher education, and taking steps to enforce agreements that are not being fulfilled. It is therefore critical that you are able to maintain your independence whilst commanding respect across the entire higher education sector as you encourage universities to strive towards more challenging goals.

The role is very high profile and requires a candidate that can communicate persuasively and publicly the process and outcomes of the role. This is a uniquely important, challenging and rewarding opportunity, and we will be looking to appoint someone with exceptional skills. We look forward to hearing from people with the experience, knowledge and ability needed to take on this role. For more information on the Office for Fair Access please visit www.offa.org.uk and speak to our advising consultants at Veredus.

Appointment

The Director of Fair Access to Higher Education will be appointed by the Secretary of State for Business, Innovation and Skills but will be independent. He or she will head the Office for Fair Access.

The Secretary of State wishes the appointment to take effect from 1 January 2012.

Role and function

All institutions that intend to charge more than the basic £6,000 annual graduate contribution have to demonstrate to the satisfaction of the independent Director for Fair Access what more they will do to attract students from under-represented and disadvantaged groups – a key part of the Government’s social mobility agenda. Ministers at the Department for Business, Innovation and Skills wrote to the Director of Fair Access on 10 February this year setting out the Government’s expectations about how he should approach the approval and monitoring of new Access Agreements.

The guidance set out significantly increased expectations for the priority that institutions should give to fair access and widening participation. We want to see a shift away from assessment of inputs and processes, to a focus on clear outputs from access activities and measurable progress against appropriate measures and targets chosen by the institution and agreed with OFFA. We have made clear that we expect there to be a strengthened process for agreeing the level of investment each institution should make in activities to improve access, linked to progress being made and distance to travel to achieve published measures.

We will ask the new Director to advise on whether OFFA’s current powers are the right ones to achieve its statutory goals, or whether some clarification or extension is required. We have already asked for advice in the autumn following the first round of approval of new access agreements. While ensuring that the Director has appropriate powers and resource to promote and champion access, we will retain the Director’s independence, discretion and duty to protect academic freedom.

Person Specification

Applications are welcomed from all suitably experienced people.

The successful candidate will be able to support fully his or her application through a demonstrably successful track record at senior management level in either the public or business sector; and will have considerable appropriate experience of operating in social, economic, and/or regulatory policy environments.

The specification below sets out criteria for short-listing applications for the post of Director of Fair Access to Higher Education.

It will be essential that applicants can:

- demonstrate strategic and influential leadership over a sustained period, operating at top-management level in a complex and dynamic environment with developing resources
- provide convincing evidence of successfully motivating stakeholders and partners and persuading them to fulfil their responsibilities, and of interaction with Government and influential national bodies.

- manage and bring about sector-wide change in the light of new or developing arrangements, policies and priorities
- promote the strengths of the arguments in face of opposition
- communicate persuasively and publicly, with excellent presentational skills
- demonstrate their understanding of financial and corporate governance standards, including an appreciation of good practice in equality and diversity and standards of conduct in public life
- use his or her powers to enforce agreements that are not being fulfilled
- reveal a solid understanding of English higher education
- operate independently within a legal framework, and maintain that independence—taking responsibility for their own decisions, justifying publicly the approaches taken and withstanding robust interrogation including from the media.

Terms and Conditions

The Director will be a statutory office holder, not an employee or a Crown servant.

Working pattern

The appointment will be on a part time basis, averaging 3 days a week.

Contract term

This will be a fixed term appointment for three years, with the possibility of re-appointment.

Remuneration

Remuneration will be pro rata to a full time equivalent of up to c£130,000 per annum. The post is not pensionable. Travel and subsistence expenses are payable at rates provided by the Higher Education Funding Council for England.

Location

OFFA is located in HEFCE's Bristol offices. However permanent location within daily travelling distance is not necessary.

Disqualification

Applicants should note that the House of Commons Disqualification Act 1975 applies to this post.

How to Apply

If you are interested in being considered for this position please:

Examine the Role Specification and Person Specification carefully to assess whether you are suitable for this role.

Complete the application form, including the enclosed monitoring forms.

This application form is separated into 4 sections. It is important you complete the application form in full. This is to ensure the selection panel can easily find the information

they require in order to compare the responses from all candidates equally and transparently against each other. For this reason, applications from candidates who have not completed the application form will not be considered, and CVs alone will not be acceptable.

All information will be treated in strictest confidence. However, if you are successful, the information provided on the political activity form will be published with the announcement of your appointment.

Application forms may be passed, in confidence, to the Commissioner for Public Appointments and the Commissioner's auditors for the purposes of complaints investigation and audit.

Monitoring Forms

In the application form, we have provided specific forms for you to fill in and return on equal opportunities and political activity. These are for monitoring purposes. By collecting data and analysing the data of those applying and obtaining a public appointment, we can improve our diversity strategy. These forms are not part of the selection process and will be treated in confidence. They will be kept separate from your application and not be seen by the selection panel.

Please clearly quote reference number 12545 on your application.

The closing date for applications is Monday 5th December at 12pm.

Late applications will not be considered.

Appendix 4: The recruitment process

All applications will be acknowledged. Candidates who are selected for interview will be informed by telephone and invited to a selection board interview at BIS in London on 5 January 2012. All applicants are urged to note the interview dates in their diaries. Those who are not selected will be notified by letter.

The selection board will comprise:

Sir Adrian Smith, Director General, Knowledge and Innovation, Department for Business, Innovation and Skills

Tim Melville Ross, Chair of the Board of the Higher Education Funding Council for England

Sheila Drew Smith, Independent Public Appointments Assessor

Alan Milburn, Independent Expert on Social Mobility

The selection board will then agree on which candidates will be interviewed by the Secretary of State for Business, Innovation and Skills (Rt Hon Dr Vince Cable, MP) and the Minister of State for Universities and Science (Rt Hon David Willetts, MP).

The preferred candidate for the post may be required to appear before a Parliamentary Select Committee prior to appointment.

Please see the timetable below:

Stage	Indicative dates
Strict Close date:	5 December (midday)
Initial sift meeting:	13 December 2011
References:	Prior to selection board
Selection board interview:	5 January 2012
Ministerial interview	18 January 2012
Select Committee Scrutiny	31 January 2012

Expenses

Reasonable travel expenses will be reimbursed to candidates who are required to attend an interview.

Public Appointments

BIS is committed to the principles of public appointments based on merit with independent assessment, openness and transparency of process as defined by the Commissioner for Public Appointments in the Code of Practice. The recruitment process for the Director of Fair Access will be regulated by the Commissioner's Office for Public Appointments and carried out in accordance with the Code of Practice.

Standards of Conduct and Conflicts of Interest

Successful candidates will be required to show commitment to the Seven Public Principles of Public Life, as drawn up by the Committee on Standards in Public Life, more usually known as the Nolan Principles. These can be found at:

http://www.public-standards.gov.uk/Library/Seven_principles.doc.

Candidates invited to interview will be questioned about any real or perceived conflicts of interest. These do not constitute an automatic bar to appointment, but they must be manageable. Conflicts could include: financial arrangements, eg fees or shareholdings, of the candidate, business associates or close family; membership of organisations whose aims might be perceived to be in conflict with those of the Office of Fair Access; and any activity which, if revealed after appointment, could cause embarrassment to BIS or the Minister.

Equal Opportunities

BIS is committed to providing equal opportunities for all and welcomes applications from candidates irrespective of race, age, disability, gender, marital status, religion, sexual orientation, transgender or working patterns.

Applications can be accepted in alternative formats, this candidate brief can be made available in different formats, such as audio tapes, Braille or large print etc. To discuss your requirements please contact Nina Witchell at Veredus, tel 020 7932 4284 or by e-mail nina.witchell@veredus.co.uk

The Code of Practice for Public Appointments

The Commissioner for Public Appointments regulates and monitors ministerial appointments to a number of public bodies. Government departments are required to follow the Commissioner's Code of Practice and detailed guidance when processing these public appointments.

The Commissioner is also charged with the responsibility for investigating complaints. The Commissioner will examine the process used to make an appointment or the manner in which an application for appointment was handled. The Commissioner will only investigate reasons for non-selection if it is felt that the Code has been breached. The Commissioner does not investigate how a body is run or the actions of its members.

If candidates have reason to complain they should first direct their concerns to the relevant department. If after receiving a comprehensive response candidates are still concerned, they can write to the Commissioner at the address below.

Departments are required to provide the Commissioner with a detailed report on all complaints received by them.

If you would like more information on either the role of the Commissioner or the appointment process, please contact this office:

The Office of the Commissioner for Public Appointments (OCA)

3rd Floor
35 Great Smith Street
London
SW1P 3BQ

Telephone: 020 7276 2625
Facsimile: 020 7276 2633
E-mail: oca@gtnet.gov.uk
Web site: www.oca.gov.uk

Please follow this link for a copy of an OCA Complaints Leaflet and the OCA Code of Practice for Public Appointments: <http://www.oca.gov.uk/>

Formal Minutes

Monday 6 February 2012

Members present:

Mr Adrian Bailey, in the Chair

Paul Blomfield	Simon Kirby
Julie Elliott	Ann McKechin
Katy Clark	Mr David Ward
Rebecca Harris	Nadhim Zahawi
Margot James	

Draft Report (*Pre-Appointment Hearing: Appointment of Director of the Office for Fair Access*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 9 read and agreed to.

Paragraph 10 read.

Amendment proposed, in line 1, delete from “education” to the end of the paragraph and insert “and we endorse his appointment”.—(*Ann McKechin*.)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2	Noes, 4
Katy Clark	Rebecca Harris
Ann McKechin	Margot James
	Simon Kirby
	Nadhim Zahawi

Question put, That the paragraph stand part of the Report.

The Committee divided.

Ayes, 4	Noes, 2
Rebecca Harris	Katy Clark
Margot James	Ann McKechin
Simon Kirby	
Nadhim Zahawi	

Paragraph agreed to.

Paragraph 11 read.

Question put, That the paragraph stand part of the Report.

The Committee divided.

Ayes, 4

Noes, 2

Rebecca Harris
Margot James
Simon Kirby
Nadhim Zahawi

Katy Clark
Ann McKechin

Paragraph agreed to.

Paragraph 12 read and agreed to.

Appendices agreed to.

Resolved, That the Report be the Thirteenth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 7 February at 10.00 a.m.]

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2010–12

First Report	The New Local Enterprise Partnerships: An Initial Assessment	HC 434 (HC 809)
Second Report	Sheffield Forgemasters	HC 484 (HC 843)
Third Report	Government Assistance to Industry	HC 561
Fourth Report / First Joint Report	Scrutiny of Arms Export Controls (2011): UK Strategic Export Controls Annual Report 2009, Quarterly Reports for 2010, licensing policy and review of export control legislation	HC 686
Fifth Report	Government Assistance to Industry: Government Response to the Committee's Third Report of Session 2010–11	HC 1038
Sixth Report	Is Kraft working for Cadbury?	HC 871
Seventh Report	Rebalancing the Economy: Trade and Investment	HC 735 (HC 1545)
Eighth Report	Trade and Investment: China	HC 1421 (HC 1568)
Ninth Report	Time to bring on the referee? The Government's proposed Adjudicator for the Groceries Code	HC 1224-I
Tenth Report	Pub Companies	HC 1369-i (Cm 8222)
Eleventh Report	Time to bring on the referee? The Government's proposed Adjudicator for the Groceries Code: Government Response to the Committee's Ninth Report of Session 201-12	HC 1546
Twelfth Report	Government reform of Higher Education	HC 885-I/II/III