



HOW TO RECORD SELECTION PANEL DECISIONS ON APPLICANTS AND CANDIDATES

Introduction

The Office of the Commissioner for Public Appointments in Scotland (OCPAS) has dealt with a number of enquiries from sponsor teams unsure about recording selection panel decisions on applicants and candidates. This paper has been produced to assist sponsor teams to comply with the [Code of Practice for Ministerial Appointments to Public Bodies in Scotland](#) (the Code) when recording panel decisions during the key stages of an appointment round.

What the Code says about records of panel decisions

The most relevant principles of the Code here are 'Merit' and 'Openness and Transparency'.

“Merit

All public appointments are governed by the overriding principle of selection based on merit. Individuals selected will be those who have demonstrated that they best match the skills, knowledge and personal qualities required for the appointment in question.”

“Openness and Transparency

The practices employed at every stage in an appointment round must be transparent. Decisions taken at each stage will reflect this Code of Practice and be fully documented.”

For further reference, the following Code paragraphs flow from these principles and are of particular relevance to this guidance:

19.4 to 19.8

These paragraphs advise that the selection panel's assessment of each application must be fully documented and that assessment will be against the publicised criteria for the role.

22.3, 22.9, 22.10, 22.11

These paragraphs advise that the selection panel's collective assessment of each candidate interviewed is to be agreed and recorded.

26.2

This paragraph refers to feedback:

“Feedback will be based on the evaluation form(s) completed on the individual at each stage of the appointment round and will provide a clear explanation for the decision taken at each of these stages.....”

How this is to be understood

Taking the above into account, the following gives guidance on the way in which selection panel decisions should be recorded.

The Code requires individual panel members to complete their own assessments of applicants and candidates. The Code also requires selection panel members to agree collective decisions as to the suitability of applicants and candidates. Recording these collective decisions and the reasons for them is the responsibility of the sponsor team.

The collective decisions of the panel will inevitably vary somewhat from individual panel member's decisions as to the suitability of applicants and candidates. Therefore:

- the collective decisions of the panel are the most important pieces of evidence generated at any stage of an appointment round.

It is the collective panel decision that determines who goes forward to interview, and who is considered appointable. The panel also decides who does not go forward to interview and who is not appointable. Each decision as to the suitability of applicants and candidates must be accompanied by the panel's collective reason for the decision.

The records of the panel's decisions have to be sufficiently detailed to:

- provide evidence that the panel decision is a valid one and to ensure that this is demonstrably the case in the event of a complaint of non-selection
- provide constructive feedback, particularly for unsuccessful applicants and candidates

The record of the panel's decisions should concentrate on how each applicant or candidate met, or failed to meet, each of the publicised criteria for the role.

At the shortlisting stage, these records do not have to go into as much detail for those applicants that are going forward for interview. It is, however, best to take care and record where such an applicant's application was, in the panel's view, weak in a given area or areas. This is useful for demonstrating the validity of panel decisions and for providing feedback. It will also assist in ensuring that interviews are tailored to individual candidates and to the strengths and weaknesses identified in their written applications.

Definitions

Sponsor teams should be aware that the Code draws a distinction between applicants and candidates (see the Code's glossary on pages 30 and 31):

- An applicant is an individual who has completed and submitted an application form.
- A candidate is an applicant who has progressed to interview.

Status of this guidance

The Commissioner has the power, under the Public Appointments and Public Bodies etc. (Scotland) Act 2003, to issue guidance to the Scottish Ministers as to compliance with the [Code of Practice for Ministerial Appointments to Public Bodies in Scotland](#) (the Code). Sponsor teams should note that failure to comply with such guidance will represent non-compliance with the Code. If sponsor teams are in any doubt as to whether this guidance applies to a round that they are administering, they should contact the Resourcing Centre of Expertise within Scottish Government for advice.