

CS/AE

PA Copy

FROM: PS/SECRETARY OF STATE (B)  
28 February 1995

Mr Goodman  
Could you please find  
a suitable file for this  
and let me know.  
Thanks 14/3/95  
HNL

- cc PS/Secretary of State (B&L) - B
- PS/Sir John Wheeler (DFP,B&L) - B
- PS/Michael Ancram (DENI,B&L) - B
- PS/Baroness Denton (DANI,DED&L) - B
- PS/Mr Moss (DHSS,DOE&L) - B
- PS/PUS (B&L) - B
- Mr Semple
- Mr Elliott
- Mr Thomas (B&L) - B
- Mr Williams - B
- Mr Gowdy
- Mr Watkins - B
- Mr Wood (B&L) - B
- Mr Haire

cc Miss Cooper

H. Haire

Mr D Fell - B

**NICS EQUAL OPPORTUNITY POLICY**

The Secretary of State was grateful for your submission of 16 February 1995, setting out the rationale for the NICS Equal Opportunity Policy. The Secretary of State was content with the suggested reply to Reverend Martin Smyth, however he felt that the reply should be signed by him rather than by Mr Semple. The Secretary of State has accordingly written to Reverend Smyth as attached.

Signed

ROBERT CRAWFORD  
Private Secretary

Mr. Haire (1/2)  
- for pa with earlier papers.  
NH 2/3/95

BB/SOFS/22198



DEPT OF  
EMPLOYMENT  
28 FEB 1995  
DED  
PRIVATE OFFICE

Northern Ireland Office  
Stormont Castle  
Belfast BT4 3ST

The Reverend W Martin Smyth MP  
117 Cregagh Road  
BELFAST  
BT6 0LA

28 February 1995

*John Martin*

The Secretary to the Civil Service Commissioners for Northern Ireland, Miss Taylor, has drawn my attention to your recent exchange of letters about the advertisement for the post of Chief Medical Officer in the Northern Ireland Civil Service (NICS). Given my overall responsibility for the policy on appointment procedures and their integrity I wanted to reply personally to your latest letter.

At the outset I want to stress that appointment on merit remains at the hearts of NICS selection. This has been the position for many years and neither the Civil Service Commission, nor Ministers, foresee any change in this. This was made clear in the Memorandum on Proposals for the Management of the Northern Ireland Civil Service which was circulated to all Northern Ireland MPs in December last year.

Furthermore, the Civil Service's commitment to appointment on merit in fair and open competition is not simply rhetoric; we make it clear to those involved in our selection processes and go to considerable lengths to monitor the fairness of our selection arrangements in each competition. The outcome of such monitoring is summarised in NICS Equal Opportunity Reports and in the Civil Service Commissioners' Annual Reports, both of which are published.

As a major employer, we are aware of our responsibility to ensure fair participation between the two sections of the community in Northern Ireland. Indeed, the NICS, like every



other employer in Northern Ireland is obliged by the Fair Employment (Northern Ireland) Act 1989 to take any appropriate lawful action available to it to ensure that there is, and continues to be, fair participation in its employment. It is evident from the profile of the NICS at senior levels that there is a low representation of Roman Catholics and the Service is obliged to address this imbalance because of the prima facie evidence that there is not fair participation as required by the legislation.

The practice of "particularly welcoming" applicants from an under-represented section of the community - so called positive action advertising - is one of a range of affirmative action measures adopted by the NICS following its review of employment practices and religious composition of the workforce undertaken in 1992 under section 31 of the Fair Employment (Northern Ireland) Act 1989. Positive action advertising is specifically recommended as a key affirmative action measure in the Fair Employment Code of Practice, and is also supported by the Equal Opportunities Commission. This type of advertisement has been used by the NICS since 1993 to encourage applicants from Roman Catholics, Protestants, men or women in areas where the particular group has been significantly under-represented. It is also used in Great Britain to encourage applicants from women and from ethnic minorities. The objective is to increase the proportion of applicants from among an under-represented group. It is not intended to, and does not, confer any advantage when it comes to selection.

In deciding whether to use positive action advertising a general assessment is made of the extent of representation of the two sections of the community within previous applicant pools and in the area and management level concerned. This led in the case of the Chief Medical



Officer post to a decision to welcome in particular applications from Roman Catholics, whilst making it clear that applications from all suitably qualified applicants irrespective of religion, sex or disability were also welcome. The appointment itself, as with all appointments, was made on its merits.

*James Murray  
Patrick*