



**The Commissioner for
Public Appointments**

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Rt Hon Robert Halfon MP
Chair, Education Select Committee
House of Commons
London, SW1A 0AA

By email to educom@parliament.uk
Cc: DfE Public Appointments

Dear Robert,

As you know, I have a role to provide assurance over the process by which ministers make public appointments in line with the Government's Governance Code, particularly those which are subject to pre-appointment scrutiny by Select Committees of the Commons. This role has been endorsed by the Government in its response to an inquiry by the Public Administration and Constitutional Affairs Committee in the last Parliament.

I noted in late December that the Government had announced its choice of preferred candidate for the role of Chair of the Office for Students.

Last summer, I raised concerns with the Department for Education's then Permanent Secretary about the possible options for the choice of Senior Independent Panel Member for that competition. I was pleased to see that ministers then reviewed the position and proposed a SIPM who met the requirements of the Governance Code. The Government has recently issued new advice to departments on Senior Independent Panel Members which are in line with my views, and which should prevent any weakening of the Code's clear provisions on this matter.

After the competition was launched, and the membership of the full Panel was announced, I expressed concern about the composition of what had become a five member Panel. My concern was not about the merits of the individuals, each of whom on their own could be an acceptable member of an interview Panel, but, rather, with the overall balance in terms of experience and political activity. This concern was in terms of the broader perception of the fairness of the process of the competition under the Code.

I have followed up on my monitoring of this competition by requesting a copy of the Panel report about the interviews for the role. I am grateful to officials from the Department for Education who fulfilled this request. I have made clear to Select Committees my willingness to provide my views on any public appointment recruitment process in order for them to fulfil their scrutiny role, as I

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recently did for the DCMS Select Committee on the appointment of the new Chair of the BBC. I have read the Panel report in order to provide you with my views, ahead of your Committee's pre-appointment hearing with the Government's preferred candidate, Lord Wharton.

I note that Lord Wharton was assessed as appointable by the Panel, along with three other candidates. The choice between these appointable candidates is entirely a matter for ministers. I am satisfied that the Panel questioned the candidates at interview consistently and with reference to the published criteria for the role which are very specific on what ministers believe is required in relation to the Government's policy objectives. The Panel considered matters of due diligence and any conflicts of interest of each candidate. Each of the candidate's relative strengths and weaknesses were clearly identified by the Panel in its report provided to ministers. I am satisfied that the panellists declared and managed their own conflicts of interests, and commend the Senior Independent Panel Member for her sensible advice on the handling of these. She, in accordance with her role, has provided her assurance that the appointment process was conducted in accordance with due principles and process. This once again underlines my comments in the summer on the importance of a strong independent voice on panels.

I understand your committee will be holding a pre-appointment scrutiny hearing with Lord Wharton shortly. I would be happy to deal with any other questions which your committee might want to raise about the appointment process. I have copied this letter to the DfE public appointments team.

With best wishes,



Peter Riddell
Commissioner for Public Appointments