



Office of the Merit Commissioner

Upholding Fair Hiring in the BC Public Service



2023/24

MERIT PERFORMANCE AUDIT REPORT

December 2024

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EXECUTIVE SUMMARY

Background

A total of 11,467 appointments were made to and within the BC Public Service from April 1, 2023 to March 31, 2024. Of these, the Office of the Merit Commissioner (the Office) audited 272 randomly selected appointments, which makes a statistically valid representational sample from which broader generalizations and conclusions may be drawn.

In accordance with the *Public Service Act* (the Act), the purpose of each audit was to determine:

- whether the recruitment and selection process was properly designed and applied to result in an appointment based on merit; and,
- whether the individual appointed was qualified (i.e., possessed the qualifications specified as required for the position).

Fairness principles in hiring that support merit-based hiring were examined. These principles are:

- open and transparent processes;
- objective and relevant means of assessment;
- reasonable decisions; and
- fair and consistent treatment of applicants.

Each audit also determined whether there was adequate and appropriate documentation to support the hiring decision.

Findings

Most notable this year were our findings with respect to the recruitment and selection process. Our findings showed that:

- 59% of appointments were found to have **fully applied** the principle of merit to the hiring process (rated as “merit”).
 - This represents 6485 appointments when extrapolated to the larger population.
- 10% of appointments were found **not to have fully applied** the principle of merit to the hiring process, with a **known negative impact on the outcome** of the competition (rated as “merit not applied”).
 - This represents 1114 appointments when extrapolated to the larger population.
- 31% of appointments were found **not to have fully applied** the principle of merit to the hiring process, with either an **unknown or mitigated impact on the outcome** of the competition (rated as “merit with exception”).
 - This represents 3370 appointments when extrapolated to the larger population.

These results diverge from the minor overall positive trend in merit-based hiring performance seen in recent audit years. This may be a temporary decline, and the Merit Commissioner would expect to see a return to the positive upward trend in merit-based hiring in the next audit year.

This year's audit found that 96% of the audited individuals appointed (representing 10542 appointees) were qualified for their role upon appointment. However, in the remaining 4% of the audited individuals appointed (representing 427 appointees), the audit found that the individuals either did not meet the posted role qualification requirements or the auditors were unable to determine if the individuals were qualified.

The state of the hiring competition file documentation remained favourable with 66% of the hiring decisions determined to have a proper ("good") level of documentation. This has been a relatively constant rate over the last five fiscal years.

Where the issues are occurring

As a part of each audit, we examined the overall approach used in the hiring process and typical stages of the competition process, to determine if/where errors in merit-based hiring were most likely to occur. The 2023/24 findings offer some similarities and some differences to previous years.

- The number of errors at the short-listing stage has increased by 71% since last year's reporting (2022/23).
- The interviewing and testing stages show an increase in errors from 20% of the total number of errors to 29% since last year's reporting (2022/23).
- The past work performance stage has seen a decline in errors – from 17% of errors last year to 8% this year.
- Years of continuous service errors have decreased from 7% of errors in 2022/23 to 4% this year.
- The number of audited appointments with an error in any phase increased from last year's results, from 95 to 111. This represents an increase of 17% since last year.

Recommendations

Based on the audit findings, the Merit Commissioner makes five recommendations for improving merit-based hiring to deputy ministers, organization heads, and their delegated hiring managers:

1. Educate hiring managers about how to conduct short-listing fairly, consistently, and in accordance with the mandatory posted education and experience job requirements.
2. Review all job requirements criteria (qualifications) used for short-listing and assessment *prior to* posting a competition to ensure relevancy and accuracy for the role being filled.
3. Define "equivalent qualifications" in competitions where they may be accepted (education and/or experience) *in the job posting*.

4. Improve competition documentation for “Expressions of Interest” (EOI) competitions where the appointment term is greater than seven months.
5. Ensure that pre-determined, detailed, and substantive marking criteria with a corresponding rationale to support all decisions in the assessment processes are documented when assessing candidates’ knowledge, skills, and abilities.

AUDIT OVERVIEW



AUDIT OVERVIEW

Section 8 of the *Act* states that all appointments to and from within the BC Public Service (BCPS) must be based on the principle of merit. In addition, according to section 5(1) of the *Act*, the Merit Commissioner is responsible for monitoring the application of the merit principle through random audits of appointments. To this end, the Office conducts yearly merit performance audits.

When the merit principle is correctly implemented, it results in the fair, objective, and non-partisan appointment of a qualified individual to the public service.

In the recruitment and selection context of the *Act*, the merit principle means that candidate selection is based on:

- possessing the established qualifications for a role;
- an assessment that includes the six factors of merit listed in the *Act*; and
- non-partisanship and impartiality.

To ensure the merit principle is properly applied, recruitment and selection require:

- a well-conceived process supporting reasonable, consistent, and fair decisions;
- an approach that is open, transparent, and well documented; and
- a fair and consistent implementation of the hiring process.

Scope

The annual merit performance audit focuses on the appointments that form the BCPS's long-term workforce. These are permanent positions and long-term temporary appointments (those seven months and over) in ministries and other organizations, such as agencies, boards, tribunals, and commissions, whose employees are hired in accordance with section 8 of the *Act*. Appendix A lists these ministries and organizations.

Section 8(2) of the *Act* sets out the matters to be considered in determining merit, which must include education, experience, skills, knowledge, past work performance, and years of continuous service.

For the 2023/24 Merit Performance Audit, the Office collected quarterly lists of permanent appointments and long-term temporary appointments made in the organizations listed in Appendix A. Between April 1, 2023 through March 31, 2024, a total of 11,467 appointments were identified.

Sample

For the overall audit findings to be statistically generalizable to all 11,467 appointments, the Office selected a random sample of appointments each quarter based on a pre-determined sample size. Of the total sample of 284 appointments selected, 12 were out of scope, resulting in 272 appointments subject to audit. For more details on the sampling methods used, see the *2023/24 Report on the Sampling Methodology and Extrapolations for the Merit Performance Audit* posted on the Office's website.

Methodology and criteria

Using the Office's established audit program, auditors assessed whether:

- recruitment and selection processes were both properly designed and applied to result in appointments based on merit; and,
- the individuals, when appointed, possessed the required qualifications for the positions to which they were appointed.

With respect to the recruitment and selection process (referred to as the hiring process), the auditors examined the overall approach of the seven common stages of a competition. These stages are recruitment, short-listing, interviewing, testing, past work performance, years of continuous service, and selection. The auditors assessed whether the hiring processes had been designed and applied in accordance with the requirements of the Act, relevant policy, and provisions of collective agreements. The auditors also evaluated the hiring processes in accordance with the following fairness principles:

- open and transparent process;
- objective and relevant means of assessment;
- reasonable decisions; and
- fair and consistent treatment of applicants.

With respect to the individuals appointed, auditors examined whether the appointees met the education and experience specified as required for the position at the time of their appointment as well as the minimum criteria established for the other requirements assessed during the process.

Further, auditors considered whether there was proper and appropriate documentation on file to support the hiring decision.

At the end of each audit, two findings were made:

1. the recruitment and selection process finding; and
2. the qualifications finding of the individual appointed.

The Office also determined whether there was proper documentation for the hiring process and decisions. The following three tables describe the types of findings and their criteria.

Table 1 - Recruitment and Selection Process

Criteria	Audit Finding
The recruitment and selection process was properly designed and applied to result in an appointment based on merit.	Merit
The recruitment and selection process contained one or more errors in design or application: the impact on the outcome was known to be negative and as a result, the appointment was not based on merit. This finding is also made if there is insufficient evidence to demonstrate that the design or application of a process was based on merit.	Merit not applied (MNA)
The recruitment and selection process contained one or more errors in design or application: there was no identifiable negative impact on the outcome.	Merit with exception (MWE)

Table 2 - Individual Appointed

Criteria	Audit Finding
The individual, when appointed, possessed the qualifications specified as required for the position.	Qualified
The individual, when appointed, did not possess the qualifications specified as required for the position.	Not qualified
There was insufficient evidence provided to demonstrate that the individual, when appointed, possessed the qualifications specified as required for the position.	Qualifications not demonstrated

Table 3 – Documentation

Criteria	Determination
The hiring process was comprehensively documented with minimal or no follow-up required.	Good
The hiring process was partially documented. Some key documents were missing or incomplete and/or some aspects of the process required more than simple clarification. There was sufficient information to conduct the audit.	Sufficient
The hiring process was insufficiently documented. Key aspects of the process were not documented, and a detailed explanation was required from the organization representative to complete the audit.	Insufficient

Auditors also identified “notes for improvement” for any aspects that were not of consequence to the overall merit-based hiring process and competition outcome, but had implications related to transparency or had the potential to introduce an error in merit into the process. Unlike errors, these notes do not impact the merit finding.

Types of errors in merit

Errors in merit observed in the hiring process are classified into one of three types of competition outcome impacts.

- **Unknown impact:** The audit cannot confirm what effect the error had on the outcome. Typically, these errors occur at the beginning or middle of a hiring process.
 - For example, when qualified applicants were incorrectly eliminated from a competition at short-listing, there is no way of knowing if they would have passed subsequent assessments and been offered an appointment.
- **Known negative impact:** An error occurs in the hiring process that has an observable adverse effect on the outcome.
 - For example, due to a miscalculation of interview scores, the wrong candidate is appointed to the position.
- **Mitigated impact:** An error with an adverse effect occurred, but because of subsequent events or decisions, this impact had no lasting impact.
 - For example, imagine that a candidate is offered a position, but no reference was obtained for the candidate: this could result in appointing an individual without considering a critical factor of merit. However, if the candidate declines the job offer, that adverse impact is mitigated.

Errors with unknown or mitigated impacts result in less severe findings, while errors with known negative impacts result in more negative findings. However, the errors in each case may be the same, and in each case the errors represent a flaw in the hiring process. The same error may result in a less negative or more negative finding depending on whether the error was mitigated/unknown.

Where an error is identified as:

- having a negative impact on the competition process or outcome, the audit finding is “merit not applied.”
- having either an unknown and/or mitigated impact on the competition process or outcome, the audit finding is “merit with exception.”

Reporting

The Office provided deputy ministers and organization heads with detailed individual reports for audited appointments within their organizations bi-annually. These reports were shared so that organization heads may take any necessary action to improve hiring practices and share findings with the hiring managers responsible for the appointments. These reports were also provided to the deputy minister of the BC Public Service Agency (Agency Head) who is responsible for staffing policy, support, and training in the BCPS.

Each fall, the Merit Commissioner prepares this annual merit performance audit report, which consolidates all audit findings to disclose the overall audit findings. This report is submitted to the Legislative Assembly and available to the public on the [Office of the Merit Commissioner website](#). This report also informs the Office’s annual report published in May of each year.

Case management system

This past year, the Office made a significant shift and improvement in the audit process through the introduction of a new and updated case management system. This foundational tool is used to collect, store, and run reports on statistical data on audits that the Office undertakes. The new system was launched to coincide with the start of the 2023/24 Merit Performance Audit cycle.

AUDIT RESULTS



2023/24 AUDIT RESULTS

Recruitment and selection process results

Of the 272 appointments audited this year:

- 161 appointments (59%) were the result of a merit-based recruitment and selection process.
- In 28 appointments (10%), the audit found errors with negative impacts on the competition outcome, resulting in “merit not applied” findings.
- 83 appointments (31%) were deemed “merit with exception”; this means that while there were design or application errors in the hiring process, those errors had no known negative impacts on the outcome of the competition.

The sampling approach allows the overall findings from the audited sample to be generalized to all in-scope appointments from that time period in the public service.

Table 4 shows the audit results extrapolated from the sample of audited appointments to the total population.¹

Overall findings	Appointments audited		Extrapolated results – Estimated population
Merit	161	59%	6,485
Merit not applied	28	10%	1,114
Merit with exception	83	31%	3,370
Total	272	100%	10,969¹

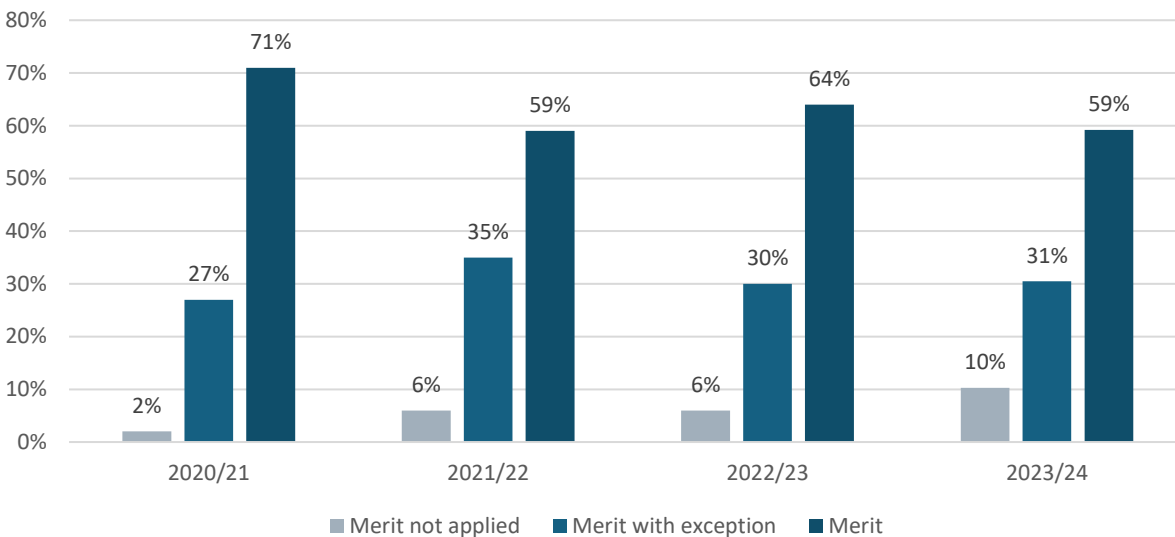
Note:

1: Estimated population size adjusted for out-of-scope appointments.

¹ This chart outlines permanent appointments and temporary appointments exceeding seven months made from April 1, 2023 through March 31, 2024, within specified margins of error. Further details can be found in the *2023/24 Report on the Sampling Methodology and Extrapolations for the Merit Performance Audit* posted on the Office’s [website](#).

Chart 1 illustrates the frequency of findings in the samples of appointments audited since 2019/20.

Chart 1 - Frequency of Findings in Audited Appointments – Recruitment and Selection Process



This year’s findings represent an increase in “merit not applied” findings, significantly higher than the previous two audit years (6% in 2021/22 and 6% in 2022/23). This year’s “merit not applied” finding of 10% extrapolates to 1,114 appointments. In comparison, in the 2022/23 audit cycle, there were “merit not applied” findings of 6% extrapolated to 622 appointments.

In addition to a rise in “merit not applied” ratings, this year’s audits also saw an increase in the number of appointments with errors relating to the application of merit. 111 appointments (41% of all the audited appointments) had errors in the recruitment and selection stage compared to 95 appointments (35% of all the audited appointments) last year.²

These errors are identified in the individual audit reports and discussed in [Observations by Stage of the Hiring Process](#) of this report.

Findings of “merit with exception” did not increase at the same rate as did the “merit not applied” findings. Historically, “merit with exception” findings vary significantly.³

² 2016/17 and 2017/18 have a higher-than-average number of appointments with an error (146 and 148 respectively, totalling 57% of audited appointments in each year). Removing these from consideration, the average number of audits with one or more errors since 2018/19 is 105 per year (or an average of 39%).

³ The most notable variance of “merit with exception” findings year to year was a decrease of 10% between 2017/18 and 2018/19 and then again in 2019/20 to 2020/21, with a drop from 37% to 27%. Another significant change included that between 2021/22 and 2022/23, a decrease of 5%.

This year, “merit with exception” represented 31% of audited appointments, compared with 30% in the last audit year. Merit with exception rates were much higher in 2016/17 and 2017/18, with 48% and 51% of findings in those years, respectively. Since 2019/20, the average rate of merit with exception has been 32%.

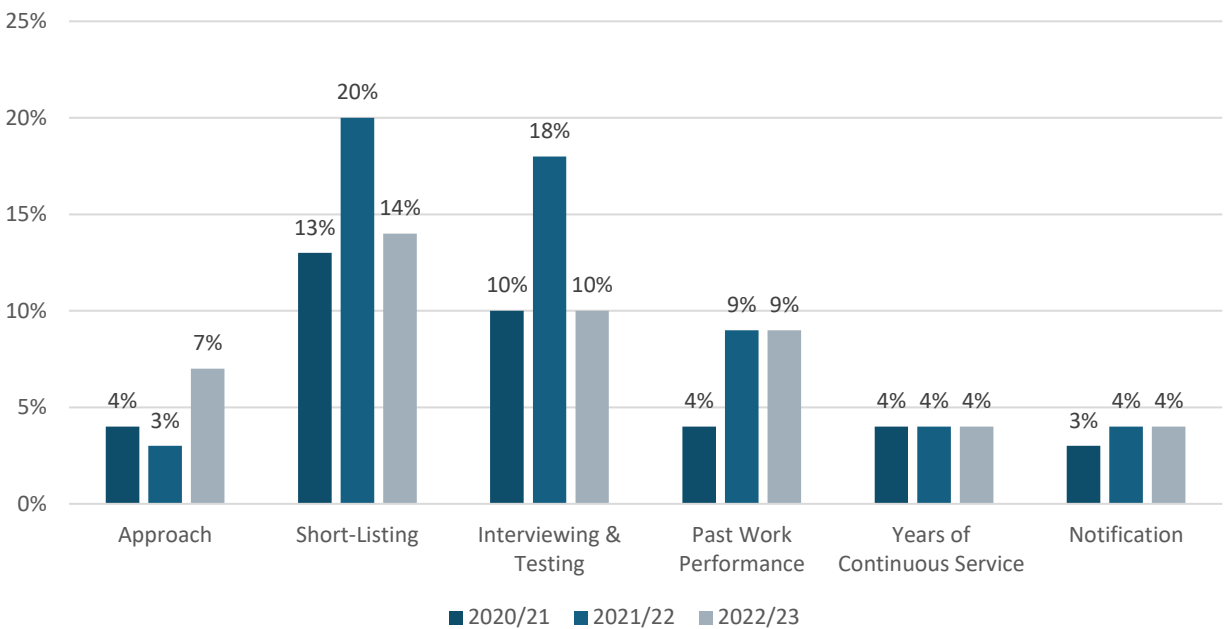
Since 2016/17, “merit” findings have generally been on an upward trend. As the rate of merit has increased, the “merit with exception” rate has decreased. Two notable upward increases occurred in the 2020/21 and 2022/23 audit cycles. In 2016/17 and 2017/18, the rate of “merit” findings were less than 50%, with each year reporting a “merit” finding of only 43%.

This report provides detailed observations and analysis in the section titled [Observations by Stage of the Hiring Process](#) for the standard recruitment and selection processes and [Appendix B](#) for the audited inventory processes.

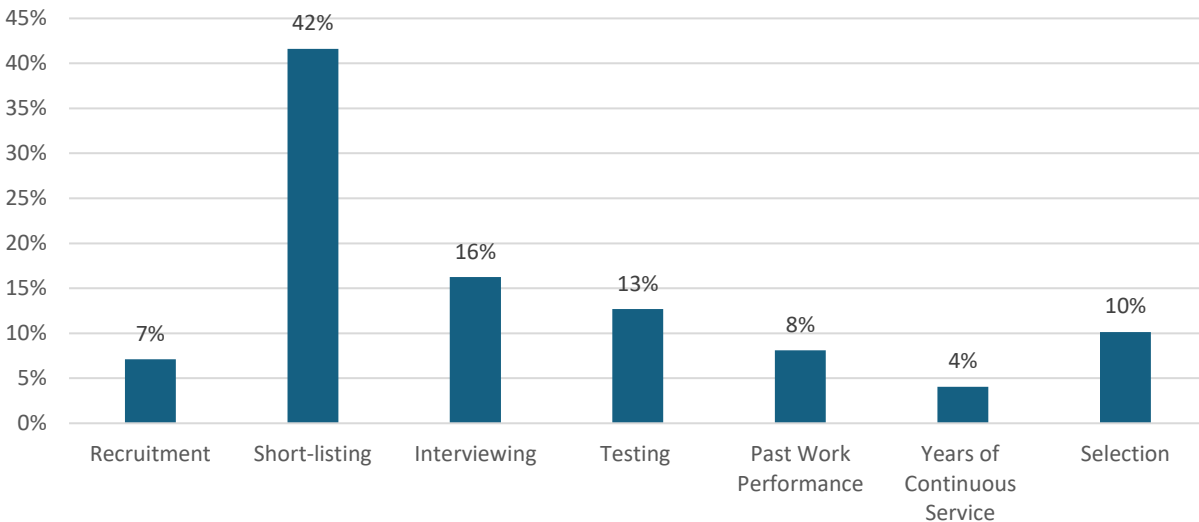
Some appointments audited had only one error whereas others had multiple errors in one or more categories. Chart 2 shows the number of appointments with errors in each of these categories as a percentage of all appointments audited.

Chart 2 - Percentage of Audited Appointments with Errors Per Category

Past Years:



Current Year (2023/24):⁴



Notes:

- The tables show the number of appointments with one or more errors per category. As some appointments had errors in more than one category, the percentages do not add up to 100 percent.
- The percentage for years of continuous service is based on all positions covered by BCGEU and PEA agreements, as well as other positions where this factor was considered.

The 2023/24 findings offer some similarities to previous years. Past work performance and years of continuous service align closely with the 2022/23 error findings. Since last year's reporting (2022/23), there has been an increase in the errors concerning interviewing and testing. The percentage of errors in short-listing has almost doubled while past work performance has seen a slight decline in errors.

Overall errors

Errors in the application of merit increased overall by 35% in this year's merit performance audit to 197 errors in this audit year from 146 errors in the last audit year.

Appointments with multiple errors may have had two or more distinct errors within the same category, two or more errors in different categories, or some combination thereof. For example, for one appointment, the audit identified nine distinct errors: one recruitment error, four short-

⁴ Coinciding with the change to a new internal database tool, the Office introduced new definitions for some of the stages. "Approach" is now within "recruitment," and "notification" is now within "selection."

listing, one interviewing and three testing errors. Of the 111 appointments with errors, 64 (57%) had a single error and 47 (43%) had two or more errors.

Individuals appointed

Patronage results

There was no evidence of patronage in any appointment this year.

Qualification results

Under section 5.1 of the Act, the Merit Commissioner is required to ensure that those appointees to the BCPS possess the qualifications for the position to which they were appointed. To determine this, auditors assess the appointee, and any internal eligibility list candidates, against all required/mandatory education, experience, knowledge, skills and abilities, in addition to any preferences statements used, as found in any job posting and in any associated job profile/description.

Of the 272 audits:

- 261 appointees (96%) were found to be **“qualified”** for the role.
- 5 appointees (1.8%) were found to be **“not qualified.”**
- 6 appointees (2.2%) were found to have **“qualifications not demonstrated.”**

The findings of “not qualified” are higher than in past years. The rate of “qualifications not demonstrated” is lower than 2022/23 but still higher than 2021/22. Despite this, the indication is that the majority of individuals being appointed to the BCPS meet the required qualifications. [Appendix C](#) contains detailed observations of the individual appointed findings.

Documentation results

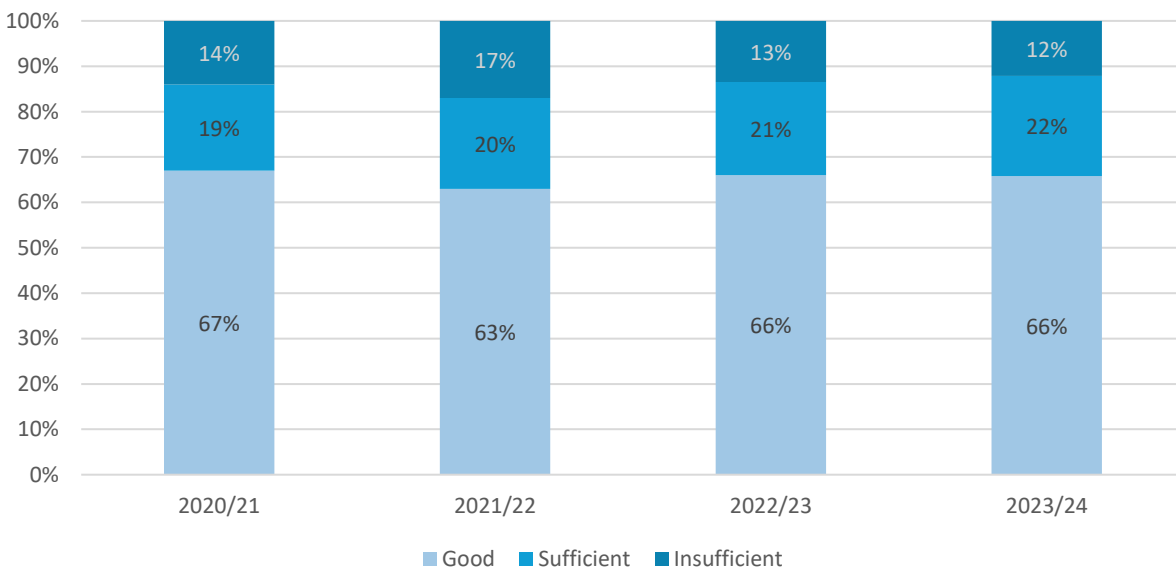
Accountability for decision-making, particularly a decision as significant as the offer of an appointment in the BCPS, requires that the decision and the steps leading up to it be properly documented. Proper documentation should demonstrate a transparent, fair and consistent approach to all hiring decisions within a competition, and support the final decision of the successful appointee.

Of the 272 audited appointments:

- 179 of the competitions (66%) had a documentation finding of **“good.”**
 - These required little or no follow-up with the hiring manager to conduct a thorough audit.
- 60 of the competitions (22%), had a documentation finding of **“sufficient.”**

- Here the hiring manager provided incomplete or unclear documentation which required them to clarify or explain certain aspects of the hiring process; however, there was adequate documentation to conduct the audit.
- 33 of the competitions (12%), had a documentation finding of “insufficient.”
 - Where generally one or more key elements were poorly or not documented. In these situations, the auditor had to take into consideration additional evidence provided by the hiring manager, verbally or in writing, to complete the audit.

Chart 3 - Documentation Results



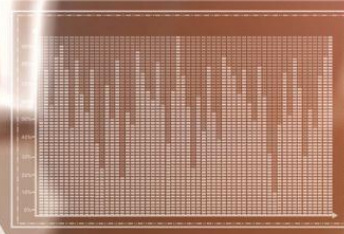
As shown in Chart 3, the overall quality of documentation has remained relatively stable over the last three audit cycles. [Appendix D](#) contains detailed observations of the documentation findings.

DISCUSSION OF 2023/2024 RESULTS



64%

WORLD	+111.61	▲	-99.31
AMERICA	+92.21	▲	-87.59
EUROPE	+87.14	▲	-67.54
ASIA	+131.94	▲	-121.49
AUSTRALIA	+74.68	▼	-67.24
AFRICA	+94.71	▲	-61.41
CRAP	+77.91	▼	-59.35



DISCUSSION OF 2023/24 RESULTS

Overall results

Overall, this year's findings represents an increase in "merit not applied" findings⁵, a small increase in "merit with exception" findings, and a decrease in "merit" findings.

This audit year, "merit not applied" findings increased significantly. The "merit not applied" rate was 10%, higher than the 6% reported in last year's audit findings⁶. While this rate of "merit not applied" has been observed in the past, after 2020/21's findings of only 2% "merit not applied," this increase appears more significant. A similar rate of the "merit not applied" finding was reported in 2016/17 where the "merit not applied" rating increased from 6% in 2015/16 to 9% in 2016/17.

"Merit with exception" findings did not increase as dramatically as the "merit not applied" findings. This year "merit with exception" findings increased from 30% to 31%. "Merit with exception" findings have traditionally varied year over year.⁷ Since 2019/20, the average rate of merit with exception has been 32%. This year, "merit with exception" findings represented 31% of audited appointments.

"Merit" findings decreased by 6% since last year, from 65% last audit year to 59% this audit year. Prior to this year, "merit" findings had generally been on an upward trend, with two notable upward spikes in 2020/21 and 2022/23.⁸

The number of errors increased significantly this year, from 146 to 197, a 35% increase in errors. 41 percent (111) of audited competitions had an error finding, resulting in a finding of "merit not applied" or "merit with exception." The number of competitions with errors has averaged 105 per year since 2018/19, so this year represents a larger number of competitions than average with one or more errors. The overall percentage of audits with one or more errors also increased: 36% or 95 audited competitions in 2022/23 compared to this year at 41% or 111 audited competitions⁹.

⁵ When reporting on this data our office is mindful to consider of our margin of errors as has been reported in our technical report, which is roughly $\pm 6\%$.

⁶ The reported data is reliable within a margin of $\pm 6\%$ so reviewing several years of reported findings for context is critical.

⁷ The most notable variance year to year was a 10% decrease between 2017/18 and 2018/19. There was another decrease of 10%, between 2019/20 and 2020/21. Another significant change included that between 2021/22 and 2022/23, a decrease of 6%.

⁸ This year's "merit" findings are the same as 2021/22's findings, and similar to 2019/20's findings. In 2016/17 and 2017/18, the rate of "merit" findings were less than 50%, with each year reporting a "merit" finding of 43%.

⁹ The number of audits with one or more errors may be in part attributed to a higher number of audits; an additional four audits were added to the random sample. If each of these additional audits added an additional three errors each, that would account for 12 of the 51 increased errors over last year's audit. While this increase in the number of audits cannot explain the increase fully, it may be a contributing factor.

Contributing to the error rate was the high number of short-listing errors this year. There was a notable increase in short-listing errors. The number of errors at the short-listing stage has increased by 71%, from 48 (33% of all errors) last year to 82 (42% of all errors).

Appointee qualifications and documentation findings remain consistent with past years. The number of appointees who were considered qualified remains extremely high, with 261 of 272 (96%) audited appointments resulting in an “appointee qualified” finding. Last year’s qualification findings indicated that 256 of the 268 (96%) audited appointments resulted in a qualified finding. Similar to last year, 88% of audited appointments had “sufficient” or “good” supporting documentation, almost identical to last year’s rate of 87%.

Overall, this year’s audit observed a concerning increase in “merit not applied” findings and overall errors, along with a decrease in “merit” findings. To more fully understand these results, the Office analyzed the findings in relation to the Office’s principles of fair hiring:

- open and transparent processes;
- objective and relevant means of assessment;
- reasonable decision-making; and
- fair and consistent treatment of applicants.

The discussion below examines the audit findings in detail to comment on the audit results in these four areas. In each area, this report comments on areas of risk and strength.

Open and transparent processes

BCPS competitions have been characteristically based on open and transparent hiring processes, a cornerstone of fairness. Overall this year, despite a concerning increase in “merit not applied” findings, the Office continues to see a significant portion of audits resulting in findings of “merit.” It will be critical to continue to monitor these findings to assess if this increase in “merit not applied” is a spike as has been seen in previous audit years or may be part of an increasing trend of non-merit-based hiring processes.

Openness and transparency can be observed in several ways:

- when opportunities are available to a sufficient pool of applicants;
- when the posting is complete and accurate;
- when the qualifications contained in the notice are used for short-listing;
- when assessments are designed to assess candidates on the knowledge, skills, abilities and behavioural competencies in the job profile; and
- when the final competition outcome notification clearly and accurately explains the results to unsuccessful candidates and is in compliance with requirements of the Act and, if applicable, any collective agreement.

Competition type

With respect to the types of hiring processes audited in 2023/24, 76% were standard competitions, with 11% being “expressions of interest”¹⁰ (usually limited to employees within a ministry). The remainder were larger processes designed to fill multiple vacancies efficiently (i.e., inventories, batched processes, and competitions to establish province-wide eligibility lists). In all but one instance, some form of notice was provided. Commonly, the notice takes the form of a posting, that includes details regarding the job opportunity, outlines the mandatory and any preferred qualification and outlines application requirements. The reported data shows that job opportunities were broadly available. Almost 81% of competitions were open to external as well as internal applicants, and just over 16% of competitions were limited to internal candidates. This rate of open competitions is similar to the 2022/23 audit year.

Notices and transparency

Transparency is undermined when the notice (posting) is missing, includes incorrect or unclear information, and when information in the notice is inconsistent with the job profile. In one audited competition there was no form of notice of a permanent opportunity. In another an eligibility list was used to fill a different position than the one posted, with different qualifications. We note that there were no instances of an eligibility list being established without prospective applicants being made aware of that possibility. That error occurred in a small number of audits during the 2022/23 audit year.

However, lack of transparency issues appeared as a “note for improvement” in numerous audits. The top three issues that resulted in notes were:

1. the posted mandatory job requirements were not clear;
2. there were discrepancies between the posting details and the job profile; and
3. the appointment type was posted incorrectly.
 - a. In these files the position was posted as a temporary opportunity with a possibility in the future of a permanent appointment but candidates were offered permanent positions immediately.
 - b. If the notice was for a temporary opportunity and did not include any indication that a permanent opportunity was a possibility, this is an error related to lack of transparency.

Short-listing and transparency

Short-listing continues to be an area where several issues are identified through audits. There is one type of error that undermines the overall transparency regarding required qualifications: that is, when the qualifications and requirements accepted by the hiring panel are less than stated in the job posting.

¹⁰ In addition to expressions of interest and standard competitions, other types of competitions include batches and inventories.

This is a serious risk to transparency and was the subject of a special study completed by the Office in 2023. In the [Lessened Qualifications Special Study](#), the average lessened qualifications finding was 14% of audited appointments, while in the 2022/23 audit year, lessened qualifications appeared in 9% of audited competitions. For this audit year (2023/24), 8% of files had an error relating to lessened qualifications. The continued errors of this type undermine the overall transparency of hiring in this year's audit.

Assessment design and transparency

The job profile associated with the posting normally includes a section on the position accountabilities, as well as sections outlining knowledge, skills and abilities for the position, in addition to behavioural competencies. The job profile outlines for candidates what is important in the position. It provides information and insight to candidates regarding what will be assessed. Transparency is negatively impacted when an assessment includes areas to be assessed that are not in the existing job profile. In the 2023/24 audited files, there were 35 "notes" that the assessment design had included an unstated qualification. These 35 instances occurred in 13% of audited files. During the interviewing stage, this issue most commonly arose when the panel asked a question relating to one or more behavioural competencies not included in the job profile. Transparency could be improved if the assessments were designed to be consistent with the job profile.

Final notice and transparency

Overall audit results show a reasonable level of transparency regarding final notification. However, 27% of the audited files had errors and/or notes in this area, suggesting room for improvement. This was a slight increase over the 2022/23 audit year. At the completion of the process, it is best practice for transparency to notify external applicants of the final outcome of the process and their status. Further, the Act and Regulation 443/2003 require that notice of the staffing decision be provided to unsuccessful employee applicants in order that they may access their right to a staffing review as outlined in the regulation. Most competitions demonstrated proper final notification, with "notification missing" arising as an issue in 11 or 4% of the audited competitions. The 2022/23 audit found this issue in nine, or 3%, of the audited competitions.

There was an increase in notes for improvement given in the area of final notification: 68 this cycle compared to 60 notes in the 2022/23 audit year. The audits revealed a lack of completeness or correctness in the notification details, including:

- not providing the name and classification of the successful employee candidates;
- not indicating an eligibility list was established;
- incorrectly listing the placement order of candidates on eligibility lists; and
- not including an offer of feedback in the letter.

Objective and relevant means of assessment

Using objective and relevant methods of evaluating applicants is vital to fair hiring processes. Many hiring panels take advantage of the tools developed by the BC Public Service Agency for BCPS hiring managers, and some develop their own. These tools include marking guidelines, reference check templates, and “ideal responses” with scoring criteria for written assignments. The results from this year’s audit once again confirm that overall, objective and relevant means of assessment are being used within the BCPS. However, with the increased number of errors in short-listing, interviewing, and testing, the Office will continue to monitor these stages in the next audit cycle.

Short-listing

The majority of competitions used a short-listing process, which means (in most cases) applicants are being moved forward with an objective and relevant means of assessing their education and experience. However, in several cases, there was no evidence at all that a short-listing process was used. In these hiring processes, all applicants were advanced to the written and/or interview stage without any short-listing being conducted or documented. Not assessing whether applicants met the education and experience requirements for the position could result in the appointment of an unqualified candidate.

Despite evidence showing a short-listing process existed in most competitions, it is important to note that this year’s audit again found the greatest number of errors occurred in the short-listing stage. 42% of errors in this year’s audit cycle were short-listing errors. This is a significant increase over last year’s result. Last year’s audit cycle found that short-listing errors comprised 33% of errors. Notably, 14% of “expression of interest” competitions had errors in the short-listing stage, including one competition that had two different error types with unknown impacts on the final outcome of the competition. “Expression of interest” competitions are required to exercise the same high standards of objectivity and reasonable assessment as other public service hiring processes.

Similar to last audit cycle, the short-listing error types fell largely into “inconsistent assessment of qualifications” (13% of all errors) and “lessened qualifications” (11% of all errors). The prevalence of these types of errors suggests that while short-listing assessments may have been relevant to the positions, they may not always have been objective or fair. The inconsistent assessment of qualifications was seen in more than 25 cases and was particularly evident where applicants were internal or otherwise known to the panel. The onus is always on the applicant to fully articulate how they meet all of the mandatory requirements so that panels can objectively assess their qualifications, rather than relying on any panel’s knowledge of the individual and any assumptions of an applicant’s qualifications. Lessened qualifications were seen in 22 audits, where hiring panels made adjustments at the short-listing stage either in error, or by design for reasons such as increasing the size of the applicant pool or as a result of posting outdated qualifications from the role profile.

Interviewing and testing

This year's interviewing and testing findings showed an increase in the number of overall errors in these two stages. In 2022/23, interviewing and testing errors made up a total of 20% of errors overall. This year, interviewing made up 16% of errors, and testing made up 13% of errors. Combined, interviewing and testing errors comprised 29% of all errors this year. With the Office's new data tracking capabilities, the Office is now able to report out on the errors at the interviewing and testing stages separately this year for the first time. Fifty-seven errors were identified in these two stages this audit cycle, compared with 29 errors in the previous year.

At both the interviewing and testing stages, in most cases, the assessment methods were properly designed to determine whether candidates met the mandatory job requirements. There is room for improvement, however, as 31 errors were identified at the interviewing stage and 26 errors in the testing stage. A significant number of these errors (25) in both stages were the result of either missing or unclear marking criteria. At the interview stage, in numerous audits, marking guides were either absent or limited guidelines were available to assess candidates' interview responses (no set target levels, behavioural interpretive guides, or answer keys). In some cases, panels used a generic 10-point rating scale and/or interpretive guides with no indication of how they were used which results in a decrease in objectivity. At the testing stage, there were several instances where only an overall final mark was available for the written assessment, with no evidence of how the hiring panel arrived at the score. In all cases, the audit was unable to establish that candidates had been objectively assessed against a common set of standards. This lack of clear marking criteria increases the risk of candidates advancing in the competition without demonstrating they possess the mandatory knowledge, skills, and competencies necessary for the position.

Past work performance

With respect to objectivity at the past work performance stage, the principal method of assessing candidates continues to be references obtained from current or previous supervisors. In most cases, panels verified candidates' past work performance with multiple referees using a standard set of job-related questions. With these approaches, panels were able to obtain sufficient information to make an objective assessment and informed hiring decision. Most audits revealed that a standardized template had been used and had been designed to assess common aspects of past work performance. These aspects included competencies, overall performance, areas for development, and standards of conduct, as well as reliability and attendance.

Consistent with the previous two audit cycles, past work performance errors remain low, at 8% of the overall errors in all stages.

Reasonable decision-making

A fair hiring process requires that decisions made through the process meet a standard of reasonableness to ensure that successful candidates are qualified and that decisions are not based on patronage. Overall, hiring managers demonstrated reasonable decision-making in the competitions audited. A few cases for improvement were identified.

In three of the audited competitions, the panel used their personal knowledge of the candidate to short-list them and advanced them to the next stage of the competition. This approach, the use of personal knowledge, is not a reasonable way to short-list candidates. Evaluating candidates' qualifications based on personal knowledge does not allow for a fair and consistent competition process as it advantages some applicants and not others that the panel may not know. The audit concluded that the candidates in these three cases received special treatment in short-listing. In two of these cases, the candidates were ultimately appointed.

Another area of concern regarding reasonable decision-making is applying equivalencies. An equivalency is an alternate form of credential/formal education, or type of experience or a combination of education and experience, other than what is stated in the posting as a requirement, that is applied in the short-listing process. While it is reasonable to accept equivalencies, the hiring manager's willingness to accept the equivalent combinations of education or experience must be posted and the panel must apply equivalencies in a reasonable and consistent manner. In 11% of the short-listing errors, the panel accepted the candidate's unrelated experience or education as an equivalency to the posted mandatory requirements. As a result of this error, the candidate did not demonstrate the qualifications applied at short-listing nor the qualifications posted as mandatory in the job profile.

Some additional issues of reasonable decision-making resulted from the panel waiving posted requirements or documents required for the application process. In three instances of the audited competitions, the posting stated that a cover letter was required as part of the application and that the content and/or format of the cover letter might be evaluated as part of the assessment process. However, the panel waived this requirement and several applicants who did not submit a cover letter were still short-listed. This approach, waiving posted requirements, is not reasonable. Other qualified individuals may have applied if this requirement had not been posted as mandatory.

Reasonable decision-making in hiring is critical not only so that applicants and candidates are treated fairly, but so that appointed public servants are qualified and hired based on merit rather than any real or perceived favouritism.

Fair and consistent treatment of applicants

The 2023/2024 Merit Performance Audit observed several concerns in relation to the fair and consistent treatment of applicants. Elements of the hiring process must be applied fairly and consistently to all applicants (while allowing for adjustments if needed for candidates requesting accommodations). The most numerous and serious risks to fairness and consistency continue to arise from errors in judgment or simple mistakes that may disadvantage one or more applicants.

One of the greatest areas of concern regarding fair and consistent treatment of applicants involved the short-listing stage. In 26 instances or 32% of the short-listing errors, panels inconsistently short-listed candidates. For example, some candidates were short-listed when they did not meet the mandatory posted qualifications while other candidates, who did meet

the mandatory posted qualifications, were eliminated. This approach of short-listing resulted in candidates who did not meet the mandatory posted qualifications being appointed and applicants who met the mandatory posted qualifications not being advanced further in the competition; this was a violation of the principle of merit.

Another area of concern in the treatment of candidates was at the interviewing and testing stage. In 14 instances, or 25%, of the interviewing and testing errors, panels inconsistently or inappropriately marked the interview or written assessment. For example, an assessment approach was not applied consistently across all candidates, such as no marking rationale for candidates' written assessments or interview responses. This approach is unfair and resulted in candidate responses being marked in an inconsistent manner. Without consistent assessment approaches it is not possible to determine if candidates had been fairly assessed.

Administrative errors (poor record-keeping or human error) also undermined the fair and consistent treatment of candidates. These occurred across almost all stages of hiring competitions. In 10% of the audited competitions, the concerns were due to administrative errors, such as:

- the panel had applied a filter to the short-listing spreadsheet which hid applicants' names from the list and they were not considered further in the competition;
- calculation and transcription errors of competition scores;
- candidates' tied final scores with no indication of how the tie was broken to establish their final rank order; and
- using the wrong assessment tools (e.g. wrong marking guide used to mark the written assessment, or incorrect behavioural guides used to assess competencies).

While it was apparent that most administrative errors were unintentional, they pose a serious risk to merit-based hiring because an unqualified candidate may be appointed and a qualified candidate may be eliminated.

Some additional issues of inconsistency arose at the past work performance stage. While past work performance assessments were generally well conducted, in some instances, the way they were conducted was not done with an appropriate level of consistency. For example, in four audited competitions, candidates in the same competition were assessed using different templates and questions, to the effect that they were not consistently or fairly assessed on the same criteria. In four other audited competitions, the panel decided to defer reference checks for employee candidates who were placed on an eligibility list. This decision meant that these individuals were notified of their final status in the competition before they were fully assessed. Had an individual later failed the subsequent reference check, their right to seek a review would have been negated by being outside the statutory time limit. In addition to being contrary to BCPS hiring policy and the Act, this decision resulted in the inconsistent treatment of candidates.

Expressions of interest

In the [2022/23 Merit Performance Audit](#), “expressions of interest” (EOIs), typically restricted internal competitions, were noted as a particular area requiring improvement. This year’s audited EOIs showed some improvements over last year’s results. In the 2023/24 audit year, EOIs had a 52% “merit” finding compared with 38% in the 2022/23 audit year.

This audit year, the audit findings for EOIs and non-EOIs differed less dramatically. However, audit findings for EOIs remained lower than for non-EOIs:¹¹

- “Merit”: 52% for EOIs, compared with 59% overall in this audit cycle.
- “Merit not applied”: 7% for EOIs, compared with 10% overall.
- “Merit with exception”: 41% for EOIs, compared with 31% overall.
- “Good documentation”: 48% for EOIs compared with 66% overall.
- “Insufficient documentation”: 41% for EOIs compared with 12% overall.

Errors identified in EOIs varied and included issues such as a lack of short-listing; missing final notifications; missing calculations; and unclear consideration of years of continuous service.

In the 2022/23 audit year, four of the 24 EOIs in the audit sample were for Bands 1 to 5 excluded positions: the results for these were “merit with exception” and “merit not applied.” This year there has been a notable improvement, where the five Bands 1 to 5 excluded positions in the EOI audit sample had a finding of “merit,” with the exception of one instance of a “merit with exception.”

Hiring processes for EOIs, have the same requirements for a merit-based hiring process and appropriate documentation as other hiring processes. They are not to be treated as a “light” or “shortcut” process where qualifications are not rigorously assessed. High standards for openness and transparency, objective and relevant means of assessment, reasonable decisions, and fair and consistent treatment of applicants should be met regardless of whether hiring processes are open to a limited or large applicant pool.

Summary and recommendations

This audit found areas of strength and areas for improvement in the BCPS hiring processes audited in 2023/24.

- The “merit not applied” findings increased to 10% and “merit with exception” increased to 31%, while “merit” findings decreased to 59%.

¹¹ In 2022/23, of the 268 appointments that were audited, 24 (9%) were EOI’s. This year’s audit cycle showed an increase of 2% in the number of EOI’s that were selected for audit; of the 272 appointments that were audited, 29 of those were EOI’s.

- Open and transparent processes continued to be an area of strength for BCPS competitions. However, the lessening of qualifications at short-listing, while a modest improvement over last year, continues to be an area of concern that undermines transparency.
- Generally, the principle of objective and relevant assessment was applied in the audited competitions. The Office still finds a number of hiring processes that have missing or unclear marking criteria.
- With respect to reasonable decision-making, the audit found that reasonable decisions were being made. It also identified some room for improvement in how equivalent qualifications were defined and applied.
- Overall, fair and consistent treatment of applicants is an area for improvement. The audit found that inconsistent marking and short-listing, as well as administrative errors, posed a risk to merit-based hiring.

Based on these findings, the Merit Commissioner makes the following five recommendations which are, for the most part, directed to deputy ministers and organization heads. It is recognized, however, that action and assistance from the BC Public Service Agency may be necessary to support the implementation of these recommendations.

This report was shared with the deputy minister of the Public Service Agency, whose response is attached in Appendix E.

Recommendations

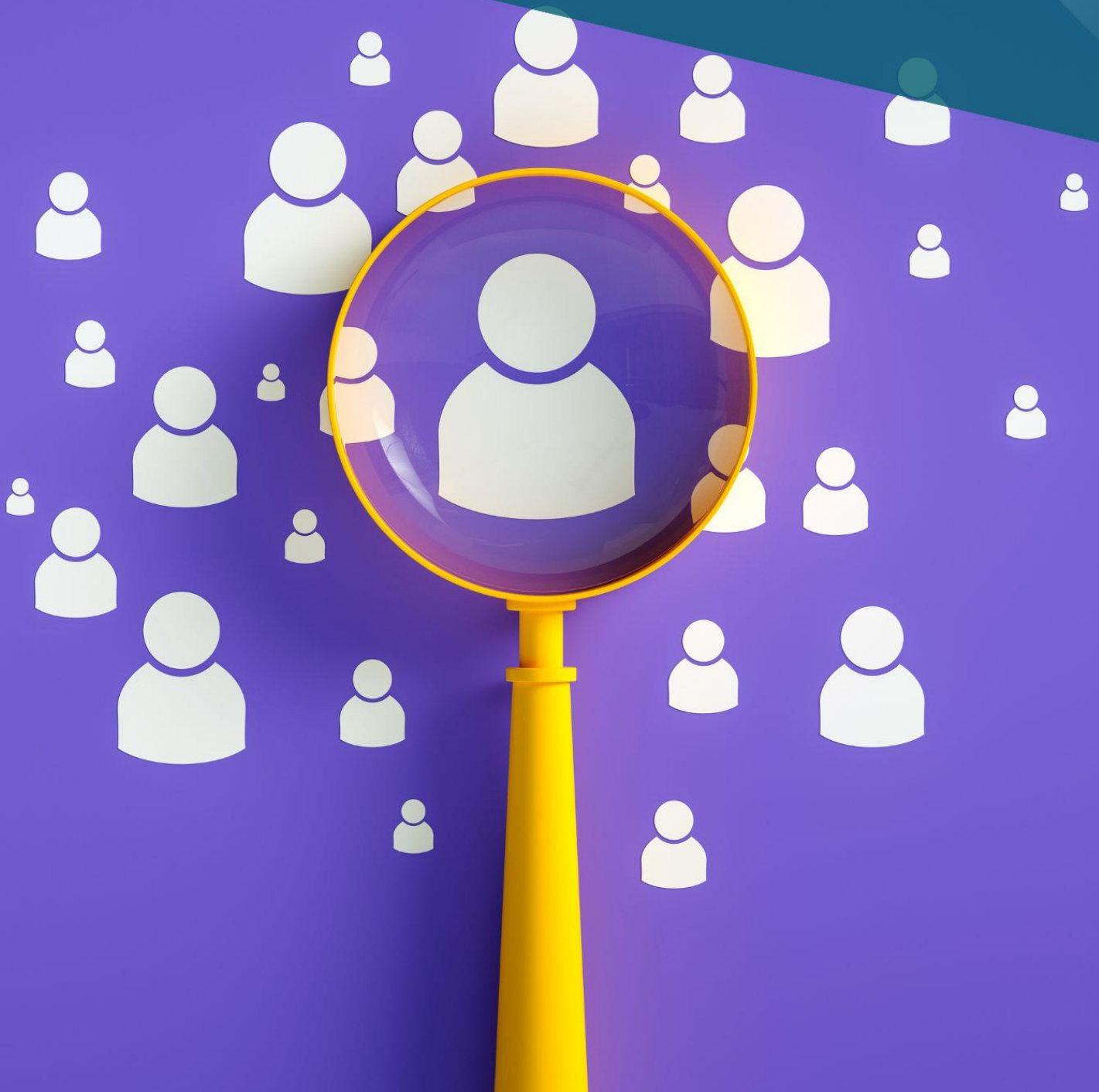
1. Educate hiring managers about how to conduct short-listing fairly, consistently, and in accordance with the mandatory posted education and experience job requirements.
2. Review all job requirements criteria (qualifications) used for short-listing and assessment *prior to* posting a competition to ensure relevancy and accuracy for the role being filled.
3. Define “equivalent qualifications” in competitions where they may be accepted (education and/or experience) *in the job posting*.
4. Improve competition documentation for “Expressions of Interest” (EOI) competitions where the appointment term is greater than seven months.
5. Ensure that pre-determined, detailed, and substantive marking criteria with a corresponding rationale to support all decisions in the assessment processes are documented when assessing candidates’ knowledge, skills, and abilities.

Recommendation	Benefits
<p>1. Educate hiring managers about how to conduct short-listing fairly, consistently, and in accordance with the mandatory posted education and experience job requirements.</p> <p>Success measure: The number of short-listing errors decreases over the next two audit cycles.</p>	<p>Improved short-listing can help hiring managers avoid many errors in merit and negative audit outcomes.</p> <p>These negative outcomes include:</p> <ul style="list-style-type: none"> • unqualified candidates moving forward in the hiring process; • qualified candidates being unfairly screened out; and • increased risk of hiring manager bias. <p>This hiring manager education about short-listing should include:</p> <ul style="list-style-type: none"> • not lowering posted qualifications after the competition is posted; • when and how to fairly apply any posted preference statements; and • avoiding a “points-scored” short-listing process.
<p>2. Review all job requirements criteria (qualifications) used for short-listing and assessment prior to posting a competition to ensure relevancy and accuracy for the role being filled.</p> <p>Success measure: The number of “lessened qualifications” errors decreases over the next two audit cycles</p>	<p>This review of all qualifications prior to posting will:</p> <ul style="list-style-type: none"> • ensure the mandatory requirements continue to be accurate and relevant to the role; and • ensure there is no “re-adjustment” of short-listing and assessment criteria after the role is posted. <p>Ensuring accurate and relevant job qualifications:</p> <ul style="list-style-type: none"> • is more inclusive of diverse candidates; • lessens the temptation to lower qualifications during the short-listing stage (to increase a more suitable pool of applicants); • reduces the likelihood of unqualified appointments; and

	<ul style="list-style-type: none"> • increases internal and external transparency and trust in public service hiring.
<p>3. Define “equivalent qualifications” in competitions where they may be accepted (education and/or experience) in the job posting.</p> <p>Success measure: The number of “Inconsistent assessment of qualifications” errors decreases over the next two audit cycles.</p>	<p>It is important to ensure that:</p> <ul style="list-style-type: none"> • “equivalency” statements are not applied without such definition to applicants in the initial posting. • defining “equivalent qualifications” in advance is a clearer and more transparent practice regarding what alternate qualifications may be accepted. <p>Providing clear and transparent definitions on acceptable “equivalency” statements benefits both hiring managers and applicants because:</p> <ul style="list-style-type: none"> • this more inclusive approach allows applicants to better assess if they are qualified and may produce more qualified applications; • defining “equivalent qualifications” in advance supports reasonable, consistent, and fair decision-making; and • early transparency by posting “equivalent qualifications” discourages bias and any manipulation of competition outcomes for favoured candidates.
<p>4. Improve competition documentation for “Expressions of Interest” (EOI) competitions where the appointment term is greater than seven months.</p> <p>Success measure: Documentation of findings of “good” for audited EOI competitions will increase above 48% (as much as possible) for all audited EOI competitions over the next two audit cycles.</p>	<p>These internal competitive processes should be conducted with as much rigour as an externally posted competition process.</p> <p>This would enable hiring managers to explain all hiring decisions and to provide meaningful feedback regardless of whether they were restricted to an internal applicant pool or posted externally.</p> <p>Better documentation and rigour in EOIs competitions are important to:</p> <ul style="list-style-type: none"> • increase transparency and trust in public service hiring; • reduce bias and any manipulation of competition outcomes for favoured candidates; and

	<ul style="list-style-type: none"> • ensure public servants are fully qualified for the roles into which they are appointed.
<p>5. Ensure that pre-determined, detailed, and substantive marking criteria with a corresponding rationale to support all decisions in the assessment processes are documented when assessing candidates’ knowledge, skills, and abilities.</p> <p>Success measure: The number of “interviewing and testing” errors attributed to either missing or unclear marking criteria decreases over the next two audit cycles.</p>	<p>Effective marking criteria should be:</p> <ul style="list-style-type: none"> • determined in advance of the assessment; • communicated to all panelists involved; and • relevant to the knowledge, skills, or abilities being assessed regarding the nature of the job. <p>Having substantive, relevant, and pre-determined marking criteria:</p> <ul style="list-style-type: none"> • reduces bias and supports objective assessment of candidates; • supports a consistent treatment of candidates, regardless of other factors such as panel fatigue; • creates accountability for hiring panel decision-making; and • allows for more meaningful feedback to candidates.

2023/24 OBSERVATIONS BY STAGE OF HIRING PROCESS



2023/24 OBSERVATIONS BY STAGE OF THE HIRING PROCESS¹²

Results snapshot

Each year at the end of the merit performance audit cycle, the Merit Commissioner reports on results and trends observed in the last audit year. This report has reported overall findings of “merit,” “merit not applied,” and “merit with exception,” as well as overall findings regarding appointee qualifications and overall observations regarding documentation. To provide more insight into the state of public service hiring, the merit performance audit program also analyzes in detail what auditors observed at each stage of the hiring processes audited. This section reports on those observations, starting with an overview of error rates by stage. In addition to describing error types and rates in detail, this section of the *2023/24 Merit Performance Audit Report* also provides anonymized case studies from the files audited, providing both good and bad practices for learning purposes.

Stages in a typical hiring process

While not specifically prescribed through the Act, the recruitment and selection processes (or “hiring processes”) are traditionally conducted in the following manner:

1. Prior to advertising the opportunity, the hiring manager reviews the position description to ensure that the minimum mandatory requirements posted are accurate (“recruitment” stage).
2. Once the requirements are confirmed, the process starts with a notice of the opportunity inviting individuals to apply (“recruitment” stage).
3. A hiring panel is convened (“recruitment” stage).
4. The hiring manager, with or without the assistance of other panel members, reviews applications to determine which candidates meet the minimum requirements, usually education and experience (“short-listing” stage).
5. Using a variety of methods, the panel then assesses less easily observable qualifications such as knowledge, technical and general skills (e.g., behavioural competencies), and abilities (“interviewing” and “testing” stages).
6. Past work performance (typically in the form of reference checks) is assessed (“past work performance assessment” stage).
7. Years of continuous service are considered for bargaining unit positions (“years of continuous service” stage).
8. Usually, an offer of appointment is given to the successful candidate(s) (“selection” stage).

¹² This section of the report was formerly titled “Appendix B: 2022/23 Recruitment and Selection Process Observations.”

9. The process ends with notification to other applicants of the outcome of the competition, including those who are placed on the eligibility list, and the applicant's candidacy status ("selection" stage).

Hiring processes are *not* required to follow this traditional pattern. They may vary in the order and types of assessments, as long as they do so in a way that is fair, transparent, consistent, and reasonable.

Auditors examine each stage in detail to determine whether the hiring process was designed and applied according to the principles of a merit-based competition. Where they observe errors, they describe the error and record at what stage of the hiring process the error occurred. In the 2023/24 audit year, 111 audited appointments (41%) out of 272 resulted in a finding of either "merit with exception" or "merit not applied." This means that in each of those 111 hiring processes, one or more errors in the application of the factors of merit were identified. In that group, this year's audit identified a total of 197 errors compared with 146 errors in 95 appointments in the previous audit cycle. These additional 51 errors represent a 35% increase in errors since the last audit cycle.

Overview of error rates by stage

The short-listing, interviewing, and testing stages continue to have the most errors of merit this year. Over the last three audit cycles, errors in merit in these areas were observed as follow:

- short-listing: 45 (2020/21), 73 (2021/22), 48 (2022/23), and this cycle 82 (2023/24).
 - This is a significant increase. This is discussed in more detail in [the short-listing discussion](#).
- interviewing and testing: 57 (2019/20), 30 (2020/21), 58 (2021/22), 29 (2022/23), and this cycle 57 (2023/24).
 - In previous years, "interviewing" and "testing" were tracked and reported on together. Beginning with this audit year, they are now tracked and reported on separately.
 - There were 31 interviewing errors and 26 testing errors (for a total of 57).
 - Similar interviewing and testing error rates were observed in 2019/20 and 2021/22.

The number of "years of continuous service" and "past work performance" errors are mostly consistent with previous years of audit data. Past work performance errors decreased this year.

- 11 years of continuous service errors and 27 past work performance errors in 2021/22;
- 10 years of continuous service errors and 25 past work performance in 2022/23; and
- 8 years of continuous service errors and 16 past work performance errors in 2023/24.

Previously, the Office reported out on a stage called “approach.” This stage included activities that occurred at the beginning and end of a hiring process. This year, the errors in the “approach” category have been split into recruitment errors and selection errors for this audit cycle. The new way of classifying errors includes many of the same aspects; however, in the Office’s new database, staff can report on more focused aspects of the recruitment and selection stages.

As the recruitment phase encompasses slightly different aspects than would have been encompassed in what was previously classified as approach, it is not appropriate to compare them directly. This year, the Office findings indicate that 14 recruitment errors were observed in the 2023/24 audit cycle.

Overview of error categories

The most common categories of errors across all stages of the hiring process observed were:

1. “Administrative errors” were the most common error type this year. These types of errors occur in several stages of audits and can arise as miscalculations and transcription errors. There were 27 errors related to administrative errors, almost 14% of all errors.
2. “Inconsistent application of qualifications” is the next most common category of errors. This was observed in 26 instances at the short-listing stage, equating to 13% of all errors.
3. “Missing, incomplete, or unclear guidelines” were observed at the interviewing and testing stages with 25 errors across both phases, making up 13% of errors.
4. “Lessened qualifications accepted.” This category remains high from last year’s audit cycle with 8% of all audited competitions containing this error at the short-listing stage. This year, as with last year, there were 22 instances of lessened qualifications.
5. “Inconsistent or inappropriate marking,” which is observed in both interviewing and testing stages accounted for an additional 14 errors. This equated to 7% of all errors.

Database changes

As noted in the [2023/24 Annual Report](#), at the start of the 2023/24 fiscal year, the Office implemented a new database to track audits and report on audited data. As with all new systems, there was a learning curve as Office of the Merit Commissioner staff adjusted to a new system and method of data collection. This year it was noted that data was not provided for a small number of questions, which resulted in a “null value.”¹³

Notes for improvement

Merit performance audits also observe issues in the hiring process that, under different circumstances, could potentially lead to an error or affect the transparency of the hiring process. These are captured as “notes for improvement” in the individual audit reports.

¹³ A null value occurs when no value is selected for a data field. In the statistics, the null values were removed.

“Notes for improvement” do not reflect errors of merit that will directly affect the finding of the hiring process under audit. Instead, these notes identify issues that are related to transparency, best practices, or ideas for future improvement.

What differentiates notes and errors observed in a competition ultimately comes down to the impact, if any, on the hiring process. For example, a miscalculation of interview scores can result in:

- **a note for improvement**, where the miscalculation has no effect on the final rank order of candidates; or,
- **a mitigated impact error**, where the rank order of candidates changes but, due to circumstances such as the withdrawal of the affected candidates or the same day appointments of all the affected candidates, the severity of the impact is lessened; or,
- **an unknown impact error**, where the miscalculation affected a candidate who should have passed, but instead, they were deemed to have failed and eliminated from the process; or,
- **a negative impact error**, where the rank order of candidates changes because of the error and either the wrong candidate is appointed, or successful candidates are appointed in the wrong order.

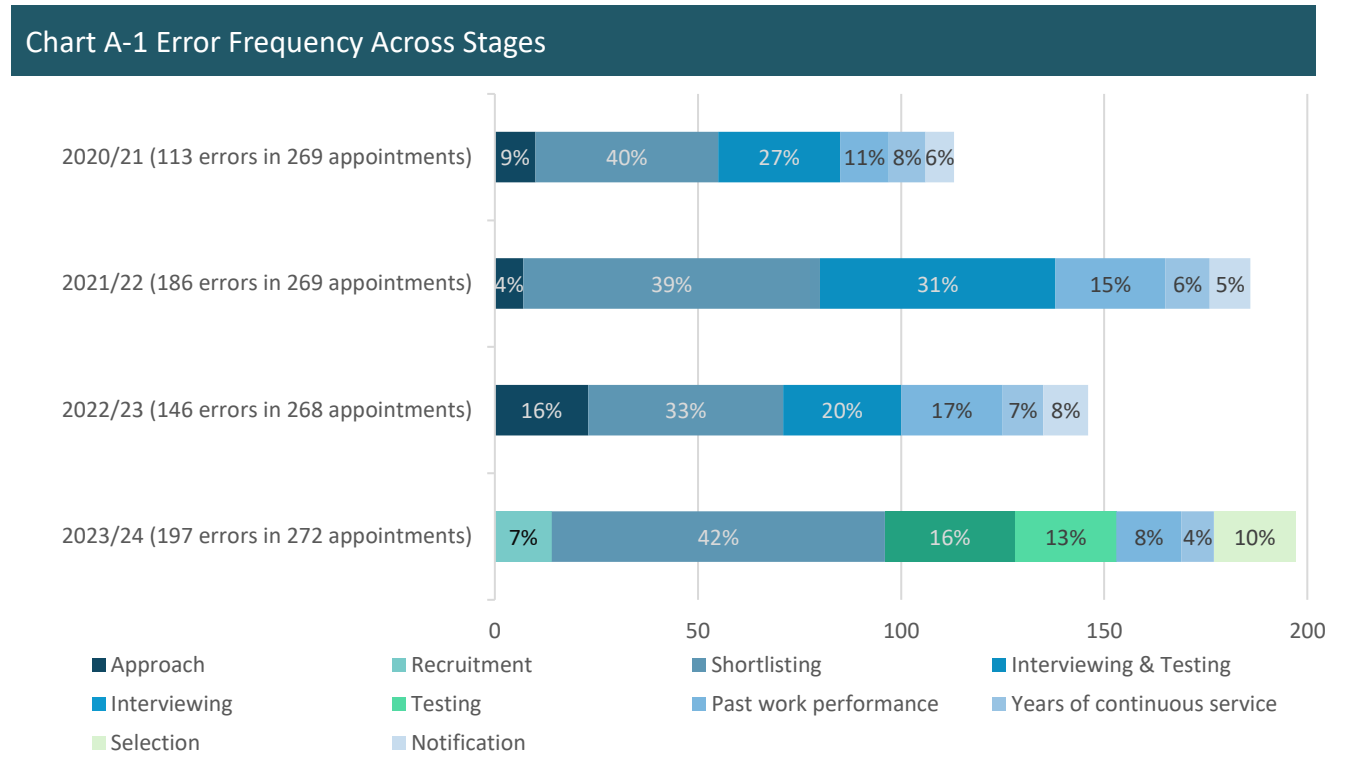
In the 2023/24 audit cycle, of the 197 errors identified in audits, 105 (53%) had an **unknown** impact, 55 (28%) had an impact that was **mitigated**, and 37 (19%) had a known **negative** impact.

Error findings in 2023/24

Table A-1 provides a breakdown of the 197 errors by the stage of the process in which they were identified and shows them as a percentage of total errors.

Table A-1 Errors Identified by Stage		
Stage	# of errors	% of total errors
Recruitment	14	7%
Short-listing	82	42%
Interviewing	31	16%
Testing	26	13%
Past Work Performance	16	8%
Years of Continuous Service	8	4%
Selection	20	10%
Total	197	100%

Chart A-1 illustrates these same values for the last four audit years, the number of errors per stage as a percentage of overall errors.



*Each percentage indicates the error as a percentage of the total number of errors (in 2023/24, 197 total errors).

**The horizontal axis indicates the total number of errors by total count.

***Percentages are proportional to the total number of errors per year; therefore, the actual number of errors may be higher or lower in a different year even though the percentage is the same.

Understanding errors by stage

The errors in each stage of the hiring process are discussed in detail in the sections below.

Recruitment stage and observations

Each merit performance audit examines and reports out on “recruitment.” This refers to the overall structure of the hiring process and the necessary elements that ensure it is merit based. It includes the start of the process, with some form of notice of the opportunity, and the creation of a hiring panel.

Recruitment process

When evaluating “recruitment,” the audit process considers whether:

- the structure of the hiring process was fair;
- enough notice of the opportunity was provided;
- the pool of applicants was reasonable;
- a hiring panel was put in place to safeguard objective assessment of candidates;
- the requirements were clear and relevant, and the standards were reasonable;
- all who applied were accounted for throughout the competition; and
- a standardized evaluation approach was put in place.

There were almost 300 notes for improvement in this year’s audit. The most common stages with notes for improvement were “interviewing” (96) and “selection” (91).

Number of appointments with a recruitment error	Number of Errors – Recruitment			
	Total	Unknown impact	Mitigated impact	Negative impact
14	14	4	2	8

Recruitment errors represent 7% of all errors.

This year’s audit reveals the following observations regarding “recruitment” in the audited competitions.

- The most common error was a flawed overall approach (11).
- “Posting” errors reduced slightly from 2022/23 (6) compared to this year’s audit (2).
- In one instance, no recruitment process was applied.

Flawed overall approach errors

Section 8(2) of the Act states that the “matters to be considered in determining merit must, having regard to the nature of the duties to be performed, include the applicant’s education, skills, knowledge, experience, past work performance and years of continuous service in the public service.”

If the process by which a candidate is assessed does not appropriately consider the factors of

merit, the overall approach is considered flawed. A competition's overall approach can be flawed for not demonstrating the rigour necessary to objectively and consistently identify, consider, and evaluate applicants. For example, the audit could not conclude that, overall, decisions resulting from an assessment process were reasonable, fair, or that the appointment of one candidate over another was not arbitrary.

Posting errors

In hiring processes, to be transparent, the type of appointment should be consistent with what is advertised or posted. For example, if a competition is posted as a short-term temporary assignment with no indication that it could become permanent, but results in a permanent appointment, the audit process will inquire into the gap between the posted approach and the outcome.

In some cases, the hiring manager has no intent to mislead (such as funding for a permanent position becomes available partway through the process, after the posting has closed). Generally, however, if the nature of the position to be filled changes while the job is still posted, the most transparent approach is to update and re-post the job, including any updates to the associated job profile, if applicable.

Without such transparency, potential applicants interested in a position may opt to not apply based on incomplete or misleading information in the posting.

Providing notice of the competition opportunity

Not providing adequate notice of an opportunity undermines a merit-based process and may result in an error or errors. Notice of the opportunity (such as a job posting) must be distributed to a reasonably-sized applicant pool. Competitions can be limited or restricted, in accordance with the Act section 8(4), in a number of ways. Competitions that are limited or restricted must ensure a reasonably-sized pool of potential applicants to ensure the principle of merit was respected. A merit-based process also requires that the job posting clearly identify the requirements of the position, which should align with the job profile and the nature and location of the duties to be performed. In addition, potential applicants must have a reasonable opportunity to apply on posted notices. This amount of time may vary for each situation and usually follows collective agreement stipulations or standard corporate best practices.

Overall, competitions appear to be giving adequate notice in almost all audited competitions.

- In 98% of the audited appointments, a notice was provided about the competition.
- 99% of these competition notices provided information about the application requirements for the position. 94% of these competitions provided information about an eligibility list.

- With regard to posting duration, of the 272 audited appointments, 211 appointments listed a specific posting duration.¹⁴ At least 196 were posted for 14 or more days.
- 12 were posted for less than 14 days. Of these, 2 were posted for 3 days only.
- However, in the EOI competitions, the audits revealed that, on average, EOI positions were posted for shorter durations. Of the 29 EOI competitions, 18 were posted for 14 or more days but 6 were posted for less than 14 days.

With regard to giving notice to a reasonably-sized applicant pool, in this year’s audit cycle, 81% of competitions were posted externally.

Case Study A-1 outlines a competition where the location of work did not align with what was advertised and was not clearly outlined for prospective applicants.

OPPORTUNITY FOR IMPROVEMENT

Case Study A-1: Unclear posting details

The posting stated that remote work was allowed and that applicants could work full time from their home in British Columbia, subject to an approved telework agreement. The posting provided a list of potential locations for the purpose of assisting applicants in searching for the job opportunity but was not a complete list of locations. At the offer of employment stage, the successful candidates were notified they could not work from anywhere in the province and were required to report to one of two specific locations. They were further informed that moving expenses and travel expenses associated with reporting to one of those locations would not be approved, resulting in several successful candidates having to decline offers of employment after going through the entire competitive process. Transparency would have been improved had the restricted locations of the positions been clearly described in the posting.

¹⁴ Detailed data about posting duration was not available for all audited files in this audit year as a result of the transition to a new case management system, and therefore numbers may not add up to 100%.

Hiring panel and standardized evaluation were put in place

In almost all audited competitions, a panel was convened. To ensure objectivity and avoid risks of patronage, a merit-based process should be designed to include a panel to assess candidates.

The standardized evaluation relates to what is being asked of candidates. This process should be kept consistent throughout the competition. If not, the design of the competition could be compromised.

Types of competition

While most of the appointments audited were the result of a traditional competition (82%), there were several appointments resulting from larger processes designed to fill multiple vacancies.

The vast majority (81%) of appointments were open externally.

Additionally, 94% of competitions included information about an eligibility list.

- Two of the audited appointments resulted from ongoing/batch competitions for positions in a variety of locations around the province.
- There were four inventory audits this fiscal year. Two were inventory audits from this year and two were inventory audits from last fiscal year.

Last year, in 174 (or 65%) of the audited appointments, the panel established an eligibility list. This year, the majority, 94% of competitions, indicated an eligibility list was established.

Short-listing stage and observations

Short-listing is the process of reviewing applications (e.g., cover letters, resumes, application forms or questionnaires) to determine which applicants meet the required qualifications and will advance for further assessment. The typical required qualifications evaluated at this stage are education and experience, two factors of merit in the Act. In addition to education and experience, short-listing may also consider other related requirements such as professional designations, certifications, and licences which can be confirmed through a review of application documents and do not require a qualitative assessment.

This year's audit found the greatest number of errors occurred in the short-listing stage of the hiring process. Of the 272 appointments audited, 58, or 21%, of competitions had short-listing errors. This is a significant increase over last year's results. During last year's audit cycle, of the 146 total errors identified, 48 or 33% of all errors were short-listing errors. This is discussed in [Error Findings in 2023/24](#) in this report.

Auditors examined whether the panel's approach to short-listing is appropriately designed to advance only those who demonstrate the minimum required qualifications at the time of application. Auditors also review if the criteria are relevant and consistent with the required qualifications identified as essential in the posting and/or job profile, and upon which applicants based their decision to apply. Auditors also consider if the panel applied the criteria fairly for all

applicants.

Case Study A-2 below shows a competition where the hiring panel completed and recorded a comprehensive short-listing review. In their short-listing process, where they reviewed each applicant’s questionnaire responses, cover letters, and resumes by evaluating all against the mandatory and preferred qualifications and documenting clear and concise rationales for short-listing decisions.

WHAT’S WORKING

Case Study A-2: Comprehensive short-listing approach

A competition for a management position attracted 16 applicants. The posting stated that applicants were required to complete and submit a comprehensive questionnaire to demonstrate how they met the job requirements. It also advised applicants to include a cover letter and resume, including all relevant information about their education and employment history including start and end dates. The hiring panel conducted a thorough examination of the questionnaire responses and reviewed the corresponding resumes and cover letters to verify the information provided in the questionnaire responses. They clearly documented the rationales for their short-listing decisions based on the job requirements. The documentation included a separate colour-coded screening summary spreadsheet that identified the short-listing results. At the end of their short-listing process, the hiring manager had identified eight candidates who met both the mandatory and the preferred qualifications. This approach demonstrated that applicants were short-listed in a consistent and objective manner.

Number of appointments with a short-listing error	Number of Errors - Short-listing			
	Total	Unknown impact	Mitigated impact	Negative impact
58	82	37	26	19

Short-listing errors represent 42% of all errors.

This year, the following errors in short-listing were noted:

- Inconsistent qualification application (26), which accounted for 32% of all short-listing errors.
- Lessened qualifications (22), which accounted for 27% of all short-listing errors.
- Panel error (10), which accounted for 12% of all short-listing errors.

- Unreasonable equivalency (9), which accounted for 11% of all short-listing errors.
- Screened out inappropriately (5), which accounted for 6% of all short-listing errors.
- Missing documents (4), which accounted for 5% of all short-listing errors.
- No short-listing (4), which accounted for 5% of all short-listing errors.
- Point rated (1), which accounted for 1% of all short-listing errors.
- Administrative error (1), which accounted for 1% of all short-listing errors.

Inconsistent assessment of qualifications

As with last year’s findings, the next most common short-listing error is inconsistent assessment of qualifications. Inconsistent assessment of qualifications occurs when very similar qualifications, or the same qualification, are assessed or weighted differently among candidates. This year, there were 26 instances of this type of error, whereas last year there were 15.

This year, hiring managers assessed qualifications inconsistently by:

- Assigning different marks for similar or the same experience.
- Changing the definition of a mandatory requirement to accept broader experience.
- Accepting experience that was too broad to fit a mandatory, specific requirement.

Lessened qualifications

The prevalence of “lessened qualifications,” as defined in a [special study](#) released by the Office, continues to be a concern with a significant number of errors in short-listing. Twenty-two lessened qualifications errors were found in this year’s audit. However, some improvement can be seen over past years. In the lessened qualifications special study, the average lessened qualification finding was 13.8% of audited appointments. In this year’s audit cycle, the number of lessened qualifications remained the same as last year. This year, lessened qualifications appeared in 8% of audited competitions.

Panel error

Panel errors occurred at the short-listing stage in 10 instances. This error encompasses a wide range of actions which negatively impact fairness or have the potential to impact fairness. Panel errors occur when panels do not consistently assess candidates against mandatory requirements and remove candidates or screen them inconsistently through to the next stage. This is a serious risk to fairness.

Notes for improvement are relatively low for short-listing, with 12 instances (4% of all notes).

This year, there was an increase in panel errors, from three observed last year to 10 this year. Examples of panel errors this year included:

- Candidates being short-listed despite not meeting the mandatory experience requirements.
- Removing candidates from further consideration based on unclear/not defined qualifications.
- Inconsistent application of mandatory qualifications.
- Inconsistent assessment.

Auditors identified several competitions in which applicants were inconsistently assessed at the short-listing stage. In these processes, some applicants were advanced while others with similar education and experience were eliminated. In some cases, the same required qualification was interpreted differently, leading to candidates who may be qualified being removed from competition, or unqualified candidates being advanced.

Auditors also identified cases where the panel made an inadvertent short-listing error. The impact of these errors varied in significance. In some of these instances, one or more applicants who met the short-listing criteria were mistakenly eliminated from further consideration. In others, the panel advanced one or more applicants who did not meet the minimum required qualifications of the short-listing criteria.

Assessing to screen out unqualified applicants

Most audited appointments (268 or 99%) had a short-listing stage in which a member or members of the hiring panel assessed the applicants against the posted qualifications, using one or more of the required application documents.

The following was noted from the collected data:

- The majority (93%) of competitions assessed mandatory education requirements.
- The majority (91%) of competitions assessed mandatory experience requirements.

Case Study A-3 is an example of a competition with a panel error for inconsistencies in short-listing. It also had limited documentation to demonstrate the hiring panel's short-listing decisions and processes.

PROCESS FLAWS

Case Study A-3: Mandatory Qualifications not Evaluated and Inconsistently Applied

The evidence of short-listing on file was limited to a list of candidates that "passed Grade 12 and had customer service." No supporting rationale was provided to show how each applicant was assessed in accordance with the selection criteria. While the hiring manager provided a description of the process used to short-list, the explanation conflicted with the documentation in the competition file. It was not possible to confirm that applicants were fairly and consistently assessed.

The overall approach to short-listing was flawed. Applicants were required to complete a questionnaire indicating how they met the posted education and experience requirements. They were also required to attach a resume and indicate they had Grade 12 graduation or equivalent (location and date) in their attached resumes; however, applicants were not notified of this additional requirement to specify Grade 12 graduation in their resumes. As a result of this approach, several applicants who listed post-secondary education were removed from consideration for not indicating Grade 12 graduation or equivalent in their resume.

Further, the audit identified this requirement was inconsistently applied, as several applicants who did not have Grade 12 graduation or equivalent listed in their resumes, including the appointee, were shortlisted.

Interviewing stage and observations

The assessment of the knowledge and skills necessary to undertake a position is essential to any merit-based hiring process. These qualifications are more qualitative factors of merit than education or experience and cannot usually be assessed effectively by reviewing resumes or questionnaires. As such, they usually require in-depth methods of assessment. Panels typically assess candidate performance on an individual basis in accordance with set standards and relative to others in the competition. Of the 272 appointments audited, 27 or 10% had one or more errors identified with respect to interviewing. There were 31 interviewing errors. This represents 16% of all errors in this year's audit.

Auditors consider whether interviews were well-designed and relevant. They also consider whether the panel established job-related marking criteria (e.g., behavioural indicators, key points, or essential elements) as an objective basis for marking and evaluation. They evaluate whether the panel reasonably and consistently assessed candidate performance in accordance with all evaluation criteria.

Case Study A-4 below presents an example where the hiring panel showed a well-conducted assessment using the behavioural competencies.

WHAT'S WORKING

Case Study A-4: Use of Behavioural Interpretive Guides and Wheel

An interview for a mid-level officer position included three behavioural competency questions, two of which were Indigenous Relations behavioural competencies. The panel assessed candidates' examples in accordance with the behavioural competency interpretive guides and "interpretive wheel." The interpretive guides are standardized marking guides that provide a general definition of the competency and a scale of range of levels of progressive performance. The "interpretive wheel" is a standardized marking guide that provides general definitions of the Indigenous Relations competencies and a range of "ready" and "not ready" levels of progressive performance. For each level of performance, there are behavioural indicators or examples of readiness behaviours.

In this competition, the panel evaluated responses in accordance with the full scale of competency levels and readiness behaviours. The panel had clear marking guides, detailed marking rationales, and concise notes. The hiring panel identified which level or readiness of each competency best reflected the requirements of the position and applied the candidate's responses against the competency guide and wheel consistently and fairly.

Number of appointments with an interviewing error	Number of Errors - Interviewing			
	Total	Unknown impact	Mitigated impact	Negative impact
27	31	22	7	2

Use of interviews as an assessment method

Of the assessed audits, 95% of the interviewing processes were found to be fair and objective, and 93% were found to be clear and transparent. While this is positive, some areas of improvement were identified. The observed error types in interviewing in this year's audit were:

- Administrative errors (9)
- Guidelines missing, incomplete, or unclear (14)
- Inconsistent or inappropriate marking (8)

Pre-established marking criteria

To assess candidates in a fair and objective manner, a merit-based hiring process requires pre-established marking criteria for each area of assessment against which the panel can consistently evaluate candidate responses. Auditors assessed whether interview marking guides had been established. In 91% of hiring processes audited, hiring panels had established a marking guide for the overall assessment. In 90% of cases, they had established marking criteria for each component within the marking guide.

Guidelines missing, incomplete, or unclear

Guidelines are critical to the consistent application of marking across all candidates' interviews. Without them, it is not possible to assess if candidates were treated fairly or consistently. In some audited competitions, significant portions of a candidate's score were awarded in ways that concerned the auditors. The scores in these cases comprised as much as 17%-25% of candidates' overall scores. In some of these cases, scores were awarded for responses without appropriate guidelines in place. In others, it was unclear how the scores awarded aligned with the marking guide that was in place. For example, points were awarded in generic categories such as "fit," without a clear outline of how the panel determined "fit." These practices are a risk to fairness.

Interviewing was the stage of hiring with greatest number of notes for improvement.

Inconsistent or inappropriate marking

A serious risk to fairness is discrepancies in scoring among candidates. Established criteria should be used when assessing all candidates and applied consistently. It was observed in some audits that while pass marks or passing criteria were established prior to an interview, these criteria were changed or not adhered to once the candidate completed the interview.

Assessing unposted job requirements

Auditors identified several processes in which the hiring panel assessed knowledge, skills, or competencies that were not listed as requirements in the job profile or posting.

See Case Study A-5 below for an example of how a lack of transparency or reasonableness, interview design flaws can negatively impact candidates' experience of the hiring process.

OPPORTUNITY FOR IMPROVEMENT

Case Study A-5: Assessing Competencies not in the Job Profile

The interview for a director role assessed three behavioural competencies that were not stated as qualifications in the job description or job profile. While the competencies assessed were relevant to the position, and candidates received the questions before the interview for preparation, there was no indication that the questions asked would be assessing specific behavioural competencies. At the same time, the job description and profile did contain six behavioural competencies; however, none of those six were assessed.

Administrative errors: calculating and transcribing marks in interviewing

Candidate scores determine relative merit and rank in a competition. Therefore, it is important that marks are determined and recorded correctly and accurately.

In almost 14% of the total number of errors, the auditors identified inaccuracies in the transcription or calculation of candidates' scores. Of the 31 interviewing errors, 9 were administrative errors. In many cases, the discrepancies were minor and did not affect the status (pass/fail or final rank order) of the affected candidates or impact the competition outcome. The impact of this error type was often mitigated because the affected candidates often received offers at the same time. However, in a small number of processes, the error was not mitigated and the error negatively impacted a candidate. In some cases, the impact of the error was significant and changed the final rank order of candidates.

See Case Study A-6 below, which shows an example of a calculation error at the interview stage that changed the final ranking of candidates.

PROCESS FLAW

Case Study A-6: Calculation assessment error

In this competition for a mid-level officer position, candidates' final rank order was based on their interview score plus points for years of continuous service for eligible employee candidates. Due to an error in calculation of the interview score total, the qualifying candidates were ranked and appointed out of order. The candidate with the fourth-highest interview score was ranked second.

This kind of error unfairly disadvantages candidates by impacting the order in which they are appointed.

Testing stage and observations

Panels may use one or more methods (e.g., interviews, tests, practical exercises, presentations, and role play scenarios) to assess candidates' suitability. The methods of assessment may be completed sequentially, such that only those who pass one type (e.g., the test) will progress to the next assessment (e.g., the interview). Hiring panels may use multiple rounds of testing to help narrow the pool of candidates (for example, a test prior to the interview, and then another more robust test after the interview).

In this audit cycle, testing was used less commonly than interviewing to assess candidates, yet was the cause of almost as many errors as interviewing. Testing was used to assess candidates in 172 (63%) audited appointments. Testing errors made up 13% of total errors. This is in contrast to interviewing, which was used in 98% of audited competitions, with interviewing errors comprising 16% of total errors. With testing being less prevalent than interviewing, yet generating a similar number of errors, this may indicate that hiring managers need more support in conducting error-free testing. This is concerning as last year there was a total of 29 combined testing and interviewing errors, and this year's audits resulted in a combined 57 interviewing and testing errors, with 26 of these errors being from testing.

Notably, 82% of audited appointments with a testing phase used pre-established marking criteria. In 79% of audited processes with a testing phase, hiring panels had established a minimum standard as part of their marking criteria.

Number of appointments with a testing error	Number of Errors - Testing			
	Total	Unknown impact	Mitigated impact	Negative impact
18	26	19	5	2

The error types in testing in this year’s audit were:

- Administrative error (9)
- Guidelines missing, incomplete or unclear (11)
- Inconsistent or inappropriate marking (6)

This year, interviewing and testing phases were reported independently of one another to provide a more detailed look at which phases may be prone to errors.

Administrative errors: Calculating and transcribing marks in testing

As noted above in interviewing, in testing, administrative errors can present a significant risk to fairness. 35% of testing errors relate to administrative errors.

Transcription errors were common again this year, along with scoring errors. These included instances where the wrong marking guide was used, and therefore candidates who should have passed, were failed, and candidates who should have failed progressed in the competition.

Testing guidelines

As noted above in interviewing, many competitions received an error for incomplete, unclear, or missing marking guidelines. There were six such errors in testing this year. Errors in this phase included situations where guidelines were not followed. For example, in one case, candidates were told “points will be deducted for late submissions,” but points were then not deducted as stated in the guidelines to candidates. This was unfair to the candidates who completed their assignments in the stated amount of time.

Another example includes situations where the marking guidelines were not appropriately detailed, and thereby significant discrepancies between how panel members scored the same question were found.

Case Study A-7 outlines a competition with significant discrepancies between how the panel scored the written assessments.

PROCESS FLAW

Case Study A-7: Marking variations

The panel members used the same marking guide to evaluate the written assignments. However, there were significant variations (up to a 17-point spread out of 25 possible points) in the scores awarded to each candidate by each panel member. The audit was unable to determine the cause of this significant variation. Panel scores were averaged to determine a final mark which was then used on a pass/fail basis to advance or eliminate candidates.

The means by which candidates are assessed should be established, clearly defined, and used consistently by all panel members. In this case, the audit found the variations in scoring were significant and it was not possible to determine if the candidates had been consistently and fairly assessed.

Past work performance stage and observations

Hiring panels conduct assessments of past work performance to evaluate and verify candidate suitability for the position. The Act requires the consideration of past work performance as one of the six factors of merit that must be observed when determining merit.

Merit performance audits examine if the method of assessing past work performance is fair. Auditors consider whether the panel objectively and consistently assessed candidates past work performance in accordance with the position requirements and made reasonable decisions.

Past work performance assessment was required in 270 audited appointments. In four of these, no past work performance check was completed. This process is generally done via conducting reference checks (but may include other methods) usually using a standardized template designed to assess general aspects of performance. In most competitions, the panel assessed past work performance for more than one candidate and with more than one referee.

Number appointments with a past work performance error	Number of Errors – Past Work Performance			
	Total	Unknown impact	Mitigated impact	Negative impact
14	16	8	5	3

Past work performance errors represent 8% of all errors.

- Three error types comprised the majority of past work performance errors this year:
 - No past work performance was completed (4 instances)
 - Past work performance was completed late or delayed (4 instances)
 - Template was inconsistent, inappropriate, or unclear (4 instances)
- In two instances, an inappropriate reference was given.
- One administrative error and one quantitative scale error were observed.

No past work performance completed or completed late

In a few hiring processes, the panel chose to defer reference checks for internal candidates placed on eligibility lists, or simply did not conduct them. To ensure **internal** candidates are fully qualified, reference checks must be conducted prior to any appointment. In addition, for internal candidates to have full access to their staffing review rights under the Act and Regulation, they must be fully assessed prior to being placed on an eligibility list so that they receive full and accurate information of their standing at the end of the competition.

Two risks arise regarding internal candidates:

1. Hiring managers sometimes neglect to complete deferred past work performance assessments when eventually appointing internal candidates from an eligibility list at a later date; deferring reference checks for internal candidates risks appointing candidates without assessing this required factor of merit.
2. There is no certainty that any individual will pass a past work performance assessment. Therefore, even though an internal candidate is on an eligibility list, they may subsequently be deemed “not qualified” after the past work performance check and be removed from the eligibility list. At that point, their rights to recourse (including the right to request a staffing review by the Deputy Minister/Organizational Head and/or Merit Commissioner) will have been adversely affected in the legislated timing, by the premature notification of their “success” in the competition when placed on the eligibility list.

It must be noted that **external** candidates may be placed on an eligibility list **without** their past work performance checks being complete. This is often to mitigate risk to the external candidate from being adversely impacted by such a check with their current employer. However, in these cases, to be placed on the eligibility list, it must be clearly indicated in their regret notification letter that the placement is subject to a successful check(s) later.

Case Study A-8 below shows an example of a past work performance assessment not being completed for a candidate who was placed on an eligibility list.

PROCESS FLAW

Case Study A-8: No past work performance assessment

In an expression of interest competition for a Licensed Science Officer, one internal candidate was placed on an eligibility list. The hiring manager was unable to find any documentation to indicate that past work performance had been assessed for the individual. All factors of merit, including past work performance, must be fully assessed for internal candidates during the competition process to ensure they are fully qualified and have full and timely access to their staffing review rights under legislation.

Change of practice in auditing past work performance

This audit cycle had a shift in practice whereby auditors no longer automatically assign “merit not applied” findings when the assessment of a candidate’s past work performance was not obtained from a supervisor or equivalent. The Act only states that appointments must include past work performance as a factor of merit and does not explicitly indicate from whom the assessment must be obtained. Best practice does suggest that assessments from a current or former supervisor would provide the most relevant information. This is also a policy of all ministries and some other organizations under the BCPS definition. It is not the role of the Office, however, to use the audit program to enforce individual policies of specific agencies or organizations. Therefore, the Office no longer automatically assigns “merit not applied” in these audited files.

Auditors look for evidence that the assessment was conducted in an objective, reasonable, and consistent manner and that it was relevant to the job duties. Instead of assigning a “merit not applied,” auditors now provide a “note for improvement” in these cases.

If this practice change from the previous auditing cycle not occurred, six additional findings of “merit not applied” would have been made.

Case Study A-9 outlines a well design of a consistent and thoughtful past work performance assessment. Reference checks should be consistent and thoughtfully designed as part of the overall assessment method.

WHAT'S WORKING

Case Study A-9: Well designed assessment

In a competition for an assistant position, the hiring manager used a modified past work performance assessment template that included instructions of how to conduct the assessment to assist the reference taker in making evaluations. Using a template helped ensure consistency in the questions that were asked and helped the reference taker to thoroughly document the conversations. The assessment template incorporated the behavioral competencies and specific skills for the position, and the reference taker asked for specific examples and questions that demonstrated the experience.

Years of continuous service stage and observations

The Act requires as a factor of merit that hiring processes consider the amount of time that an employee has been continuously employed in the BCPS.

The requirements for considering and assessing continuous service differ based on whether the position is excluded or covered by a collective agreement.

- For example, the BC General Employees' Union (BCGEU) and the Professional Employees Association (PEA) collective agreements prescribe the same set formula for the calculation of years of continuous service at the end of the hiring process.
- For excluded positions, there is no requirement to apply a specific formula or additional points, but consideration must still be given.

For positions that require the calculation and inclusion of points for years of continuous service under a collective agreement, auditors assess if the panel considered this factor and verify that the formula was correctly applied and calculated. For all other positions where years of continuous service are assessed, auditors examine whether it is done consistently and accurately.

Errors at the years of continuous service stage continue to represent less than 5% of all errors. The rate of this error has remained stable, at 10% or less for the last five fiscal years.

Generally, these errors fall into two categories:

1. years of continuous service were not assessed, or
2. years of continuous service were assessed incorrectly.

Of the 272 appointments audited in the 2023/24 cycle, the collective agreement provisions of either the BCGEU or PEA applied in 263 appointments (97%). Of these 263 appointments,

auditors identified 8 competitions (3%) with errors associated with the application of years of continuous service. Years of continuous service errors represent 4% of all errors.

Number of appointments with a years of continuous service error	Number of Errors – Years of Continuous Service			
	Total	Unknown impact	Mitigated impact	Negative impact
8	8	1	6	1

Properly considering years of continuous service

There were four audited processes (2%) where consideration of years of continuous service was required but not calculated correctly. This type of error has the potential to affect candidates’ final standing. This year, however, the incorrect calculation of scores had no impact on candidates’ final rankings.

Case Study A-10 is an example where the calculation of years of continuous service was based on an incorrect overall competition score.

PROCESS FLAW

Case Study A-10: Calculation based on incorrect score

In an “expression of interest” competition for a Licenced Science Officer, years of continuous service were calculated based on an incorrect overall competition score (100 points instead of 120 points). When recalculated during the audit using the correct score, there was no impact on the final rank order of candidates. However, this type of mistake can impact rank order and therefore negatively impact competition fairness.

Case Study A-11 is an example of where not calculating years of continuous service can negatively affect the competition’s outcome.

PROCESS FLAW

Case Study A-11: Calculation not done

In an “expression of interest” competition for a mid-level bargaining unit position, years of continuous service should have been assessed but were not. Evidence on file included an email from the panel chair advising the other panel members: “I’ve just confirmed that we do not have to factor in years of continuous service into the ranking of candidates that applied through the EOI.”

Although the posting was advertised as an “expression of interest” for a *temporary* opportunity under seven months, the notice also indicated that an extension or *permanent* appointment may result from the hiring process. Because the process was designed with the potential to result in a permanent appointment (and in fact did result in a permanent appointment), this factor of merit should have been assessed.

The audit confirmed a negative impact on the outcome in that if years of continuous service had been calculated as required, the rank order of candidates would have changed. The order of the candidate who was appointed and the candidate placed on the eligibility list would have reversed.

Selection stage and observations

Number of appointments with a selection error	Number of Errors - Selection			
	Total	Unknown impact	Mitigated impact	Negative impact
20	20	14	4	2

Selection errors represent 10% of all errors.

The “selection” stage includes notification and outcome. Unsuccessful employee applicants must be notified of the competition’s outcome to have access to their recourse rights (staffing review) in accordance with the Act and Regulation 443/2003. Timely notification allows employees to seek feedback and possibly challenge the decision of an appointment through the staffing inquiry and review process should they choose to do so. Auditors examine if unsuccessful employee applicants are properly advised of the results of a hiring process.

Another factor within the “selection” stage is the assessment of the hiring process outcome (candidates’ final rank order, offers of appointment, and placements on an eligibility list).

Selection errors in the 2023/2024 audit were relatively few, with 20 errors making up roughly 10% of all overall errors. In 11 instances, final notification was missing. In two instances, information was incomplete. Seven of the “selection” errors were administrative. Overall, 252 of the audited appointments (93%) noted no errors in the “selection” phase.

Case Study A-12 provides an example of good management of a large eligibility list.

WHAT'S WORKING

Case Study A-12: Well-managed eligibility list

An eligibility list was established for an Inventory Officer role. 64 candidates were placed on an eligibility list. The panel developed a detailed tracking list to manage this list which included the overall rank-order; rank-order by the location(s) of the candidate's choice; and requirements for placement (i.e., completion of past work performance).

The panel's detailed and careful documentation of the eligibility list is a best practice. It lessened the risk of eligibility list errors such as an out-of-order appointment or appointment from the list after it had expired.

Auditors also note where necessary notification details regarding the competition outcome may have been omitted or are inaccurate.

Notification missing

In the 272 appointments audited, the panels provided most applicants with proper final notification. Errors involving lack of notification were identified in 11 (4%) of the audited appointments.

Note on notification errors

Notification errors do not result in “merit not applied” finding as these occur after the hiring decisions are made and there cannot be a known negative outcome on the competition outcome.

However, the selection stage had the largest number of “notes for improvement” (91 or 31% of all notes), mostly due to missing details (such as names of successful candidates as required by collective agreements) in the letters to unsuccessful applicants.

A common error is when interim notice is provided to unsuccessful candidates, but no further notice is given. This is often a risk to fairness as the final notification often contains information regarding right to review, which is required under the Act.

Case Study A-13 describes an example related to lack of notification.

OPPORTUNITY FOR IMPROVEMENT

Case Study A-13: Insufficient Notification

While all candidates received interim notification of their standing at the short-listing or written assessment stage, multiple applicants, including five employees, did not receive final notification of the competition outcome. In not receiving final notification of the competition outcome, employee applicants had no access to the right of review provided by the Act.

Information incorrect or incomplete

It is considered an error if notification information is provided but is incorrect. This was observed in two instances in this audit cycle. It is important for candidates to be informed of candidate ranking information on eligibility lists, length of term, or other crucial information, especially if the competition has multiple locations where a candidate might be placed on an eligibility list.

APPENDIX A: ORGANIZATIONS SUBJECT TO OVERSIGHT BY THE MERIT COMMISSIONER¹⁵

(As of November 29, 2024)

Ministries*

Agriculture and Food
Attorney General
Children and Family Development
Citizens' Services
Education and Child Care
Emergency Management and Climate Readiness
Energy and Climate Solutions
Environment and Parks
Finance
Forests
Health
Housing and Municipal Affairs
Indigenous Relations and Reconciliation
Infrastructure
Jobs, Economic Development and Innovation
Labour
Mining and Critical Minerals
Post-Secondary Education and Future Skills
Public Safety and Solicitor General
Social Development and Poverty Reduction
Tourism, Arts, Culture and Sport
Transportation and Transit
Water, Land and Resource Stewardship

Statutory Offices

Auditor General
Elections BC

Human Rights Commissioner
Information and Privacy Commissioner
Ombudsperson
Police Complaint Commissioner
Representative for Children and Youth

Courts of British Columbia

BC Court of Appeal
Provincial Court of BC
Supreme Court of BC

Other Public Sector Organizations

Agricultural Land Commission
BC Athletic Commissioner
BC Container Trucking Commissioner
BC Farm Industry Review Board
BC Human Rights Tribunal
BC Pension Corporation
BC Public Service Agency
BC Review Board
Building Code Appeal Board
Civil Resolution Tribunal
Commission of Public Inquiry
Commissioner for Teacher Regulation
Community Care and Assisted Living Appeal Board
Creston Valley Wildlife Management Authority
Destination BC
Employment and Assistance Appeal Tribunal

¹⁵ Only roles that are hired under the *Public Service Act* are subject to Merit Commissioner oversight.

Energy Resource Appeal Tribunal
Environmental Appeal Board
Financial Services Tribunal
Forest Appeals Commission
Forest Practices Board
Health Professions Review Board
Hospital Appeal Board
Independent Investigations Office
Industry Training Appeal Board
Islands Trust
Legislative Library
Mental Health Review Board
Motor Vehicle Sales Authority of BC

Office of the Premier
Passenger Transportation Board
Property Assessment Appeal Board
Public Guardian and Trustee
Public Sector Employers' Council Secretariat
Royal BC Museum
Safety Standards Appeal Board
Seniors Advocate
Surface Rights Board
Workers' Compensation Appeal Tribunal

****Ministry names are current as of
publication.***

APPENDIX B: INVENTORY PROCESS OBSERVATIONS

In 2023/24, the BCPS continued to use inventories as a source of candidates for some hiring processes. An inventory is a pool of candidates who have undergone some degree of assessment and are considered pre-qualified for a specific position or a range of positions, usually at the same classification level.

When the Office selects an appointment for audit that was the result of a competition restricted to an inventory, auditors first review and report on the process(es) used to establish or replenish the inventory. The audit of the inventory establishment process reports on any areas of concern in the inventory creation, including any issues that could lead to an adverse finding for subsequent hiring processes that use the inventory as its source of candidates. The inventory report is sent to the organization responsible for the inventory's creation.

Second, a standard audit of the randomly selected appointment is conducted. This audit examines the subsequent hiring process that resulted in the appointment. If errors or areas for improvement are found, the Office determines if these are attributable to a concern in the inventory itself or in the subsequent selection process. The appointment-specific audit report is sent to the deputy minister responsible.

2023/24 Observations

Of the 272 appointments audited in 2023/24, four were made from hiring processes restricted to four candidate inventories. Two of the appointments was made from the Employment and Assistance Worker inventory which was audited by the Office in 2022/23. Table B-1 summarizes the inventory processes reviewed in the 2023/24 Merit Performance Audit.

Inventory name	Number and type of establishment processes audited in 2023/24	# of audited appointments
Employment & Assistance Worker (Community Program Officer 15)	1 (2 audited 2022/23)	3
Client Service Worker (Clerk 9)	1	1
Total	2	4

Table B-2 illustrates the number of inventory intake processes audited by the Office since 2018/19, the number of position types covered by those inventories and the total number of appointments in the audit sample that used inventories as the source of candidates.

Table B-2 Inventory Use Observations			
Audit Year	Number of Intakes (Establishment & Replenishment Processes) Audited	Number of Inventory Position Types*	Total Number of Inventory-Based Appointments Audited
2018/19	10	5	22
2019/20	4	3	9
2020/21	11	5	19
2021/22	3	3	8
2022/23	5	3	10
2023/24	2	2	4

*Clerical, Community Integration Special, Employment & Assistance Workers, Court Clerk, Forest Technician, Financial Officer, Client Services Worker, and Child and Youth Mental Health Clinician

Inventories typically attract many applicants. In 2023/24, the two inventory processes audited attracted between 402 and 605 applicants. Auditors observed the tracking and management of these applicants through the inventory process.

Of the four audited appointments made from hiring processes restricted to a candidate inventory, one was made from an Employment and Assistance Worker inventory and one was made from a Client Services Worker inventory.

The audit found that one out of two of these processes was well-conducted and documented by the inventory management team. In the other audit process, discrepancies were identified with short-listing. Specifically, the audit found candidates who did not meet the short-listing experience requirement but were invited to complete the next assessment stages. The specific concern was that an unreasonable substitution was used for one of the minimum-experience requirements. Using this short-listing practice had the potential to result in unqualified candidates being short-listed. This issue poses a risk to the merit of subsequent processes that rely on the inventory for their candidate pool and create the possibility that unqualified candidates will be appointed.

The two remaining appointments were based on the Employment and Assistance Worker inventories audited in the 2022/23 audit cycle. The audit found that both of these processes were well conducted and one was well documented and the other was documented insufficiently by the inventory management team. Applicants to the inventories were tracked accurately and assessed on a consistent basis, resulting in a qualified inventory pool.

APPENDIX C: INDIVIDUAL APPOINTED OBSERVATIONS

In accordance with the *Public Service Act*, each audit undertaken by the Merit Commissioner results in two findings. One of these findings is whether the individual appointed was qualified.

The 2023/24 Merit Performance Audit found that the appointed individuals met the qualifications specified as required for the position, with the exception of 11 cases. In six appointments, a finding of “qualifications not demonstrated” was made; evidence was insufficient to show that the individual, when appointed, possessed the required qualifications. Five appointees were found to be “not qualified.”

Qualifications not demonstrated

In four cases where the appointee had a finding of “qualifications not demonstrated,” the auditor identified that the appointees had not met one or more of the posted experience requirements for the position.

In one of the six cases where the appointee had a finding of “qualifications not demonstrated,” the assessment both written and interview was missing marking guidelines or evidence of marking, only final marks were noted. At the time of appointment, without sufficient assessment criteria identified, it cannot be determined if the appointee met the knowledge and skill requirements for the position.

In another case where the appointee had a finding of “qualifications not demonstrated,” at the time of the appointment, the auditor was not able to obtain the job profile; therefore, the auditor could not conclude the appointee possessed the qualifications specified as required for the position.

Not qualified

In two of the five cases where the audit found that the appointee was deemed “not qualified,” the appointee did not meet the mandatory education and experience. Further, the audit determined that one appointee also did not meet the education or experience equivalencies.

In two cases, the auditor found that neither appointee possessed the mandatory posted experience requirements.

In the last case of the five where the appointee was deemed “not qualified,” the audit at the time of the appointment found the appointee did not possess the posted educational requirements.

APPENDIX D: DOCUMENTATION OBSERVATIONS

When the Office randomly selects appointments for the annual merit performance audit, the hiring ministry, agency or organization is asked to provide a complete copy of the competition file. Ideally, the file is a comprehensive, stand-alone record of every aspect of the hiring process such that auditors do not require any additional information or clarification to complete the audit. The basis of conducting an audit is the competition file. In addition to making findings about merit and the qualifications of the appointee, auditors assess how well the competition documentation supports the hiring decision. Documentation is categorized as “good,” “sufficient,” or “insufficient.”

For a competition with documentation assessed as “good,” auditors can normally complete the audit based on the documentation submitted, with minimal or no clarification from the hiring manager required. A file can be missing some documentation and still receive a rating of “good,” but only in limited circumstances (for example, a resume when there is a completed self-assessment questionnaire). In the 2023/24 audit cycle, 66% (179 of 272) of the audited competitions had “good” documentation.

Auditors assess competition documentation as “sufficient” when the hiring process was partially documented, where some key documents were missing or incomplete and/or some aspects of the process required more than simple clarification. In these circumstances, a finding of “sufficient” is made because conflicts, discrepancies and gaps required a detailed explanation by the hiring manager. In the 2023/24 merit performance audit, 22% (60 of 272) of the audited appointments had “sufficient” documentation.

In a well-documented hiring process, there is clear and complete evidence to support each stage and decisions made. This also provides assurance that applicants were treated equitably.

Lastly, auditors may determine the competition documentation is “insufficient.” Typically, when auditing these files, documentation of a key stage or decision is missing, and it was not possible to determine what happened based on the file. In most “insufficient” determinations, the auditor had to rely on a detailed explanation provided by the hiring manager or organization representative of what occurred to complete the audit. An “insufficient” determination may also be made when several aspects of the process lack documentation. In the 2023/24 audit cycle, 12% of appointments (33 of 272) had “insufficient” documentation.

Overall, the quality of this year’s competition documentation is comparable to the results in the two previous merit performance audits, with a slight decrease in “insufficient” findings and a slight increase in “sufficient” findings in this audit cycle.

Auditors found documentation issues in all stages of the hiring process. Consistent with previous merit performance audits, in files where the documentation was found to be either

“sufficient” or “insufficient,” the most two most problematic areas occurred at the short-listing and interviewing and testing stages. In short-listing, two common issues were: candidates being short-listed when they did not meet the mandatory qualifications for the position, with no clearly documented rationale for the decision; and short-listing decisions being limited to final decisions with no supporting or inadequate rationale to clearly document why some applicants were screened in while others were screened out. As in previous audit cycles, a commonly observed documentation issue in both testing and interviewing was poorly recorded or missing marking criteria with no supporting rationale or documentation for results. Without marking guides, target behavioural competency levels, behavioural interpretive guides or anticipated responses, it is not possible to determine if candidates’ responses were marked in a reasonable and consistent manner. In these circumstances, additional information was required to conclude the audits.

Of note in this audit cycle is that 29 files selected for audit were “expression of interest” competition files.

Fifteen of these files, or 52%, resulted in a “sufficient” or “insufficient” finding for documentation.

Merit performance audits are a retrospective review of a competition, that can occur often several months after a hiring process has concluded. A properly documented competition file can assist hiring managers and/or organization representatives in responding to enquiries from the Office of the Merit Commissioner by being able to easily provide both missing and updated documentation or by providing verbal evidence in support of a meritorious process.

When a competition file is well documented, clear and complete, auditors rarely have to contact the hiring manager or organization representative for further information and do so where minimal clarification is required. As in previous audit cycles, the finding is “good” in the majority of competition files for the 2023/24 merit performance audit. For the remaining competitions, auditors were required to contact the hiring manager or organization representatives for missing documentation and/or clarification in order to conduct the audit. If the auditors had not followed up to obtain additional information, the number of audit findings of “merit with exception” and “merit not applied” would have been significantly higher.

APPENDIX E: PUBLIC SERVICE AGENCY RESPONSE



Where ideas work

December 20, 2024

David McCoy
Merit Commissioner
Office of the Merit Commissioner
5th floor – 947 Fort Street
Victoria, BC V8W 2C4

Dear David:

Thank you for sharing a confidential draft copy of your 2023/24 Merit Performance Audit Report. I am pleased to respond as the Deputy Minister of the BC Public Service Agency.

The findings in your report affirm that merit-based principles are being successfully applied at various stages of the hiring process. I'm particularly pleased to see that there is no indication of any hiring decisions being affected by political bias or favoritism, which aligns with our commitment to ensuring that qualified individuals are appointed within the public service.

The BC Public Service Agency remains firmly committed to upholding transparent and equitable hiring processes. We have consistently prioritized inclusive recruitment practices, and we will continue to refine these processes to ensure they are fully aligned with the highest standards of fairness, accessibility, and merit.

.../2

The insights and findings presented in your audit reports will remain a valuable resource in guiding and shaping our ongoing efforts.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Deb Godfrey". The signature is fluid and cursive, with the first name "Deb" being more prominent.

Deb Godfrey
Deputy Minister

pc: Inderjit Randhawa, Assistant Deputy Minister, Human Resource Operations
Division, BCPSA