



## **Late Applications Policy and Procedure**

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## Policy Statement

### 1 Introduction

- 1.1 Disputes can arise over date and time of receipt of applications therefore it is necessary to develop a clear and transparent Policy and Procedure to implement handling arrangements for late applications to appointment schemes.

### 2. Policy Objectives

- 2.1 NIJAC is committed to:

2.1.1 implementing a fair and transparent process regarding the handling of late applications where disputes arise,

2.1.2 applying this policy and procedure fairly and consistently to ensure no advantage to any one applicant,

2.1.3 outlining the key roles, responsibilities and procedures for those involved in the consideration of late applications to ensure fairness at this initial stage.

### 3. Scope

- 3.1 This policy and procedure will apply to all applicants for judicial office and:
- Commissioners,
  - Committees (ad hoc or otherwise),
  - NIJAC staff,
  - Co-opted Selection Committee members

### 4. Key Principles

- 4.1 It is the policy of NIJAC that **late applications will only be considered in exceptional circumstances**. The on-line system does not have the facility to accept late applications. However, to encourage the submission of applications from the widest possible pool, the system will automatically remind applicants a number of days prior to the closing date.

## **5. Roles and Responsibilities**

- 5.1 It is the responsibility of the applicant to ensure their application is received on time. NIJAC will ensure that Applicant Information Booklet will include the closing date and time as will the advertisement.
- 5.2 It is the responsibility of the applicant to make a request for a late application to be considered with a clear explanation of why they consider their circumstances exceptional. Applicants should also explain what steps they made to meet the closing date and time (reasons of poor planning and organisation are not considered exceptional).
- 5.3 If an applicant requests that a late application be considered the matter will be referred to the Issues and Character Committee (ICC).
- 5.4 The ICC will normally comprise one Nominated Commissioner. The Nominated Commissioner will be a Commissioner who is not a member of the SC. With the agreement of the Chief Executive the Nominated Commissioner may call upon another Commissioner or seek other assistance if they consider it appropriate to do so, for example, where the matter under consideration is unique or potentially contentious.
- 5.5 Staff will support the ICC independently of the Selection Committee. This arrangement will ensure that the Selection Committee is neither aware of, nor influenced by, late applications and will work independently focusing on assessing applicants in the selection process. The Chief Executive and/or Chairman may be consulted if required.
- 5.6 Staff will be responsible for processing information and compiling reports for consideration by the ICC. Staff will provide advice and information to ensure consistency and to inform the decision-making process. NIJAC staff do not have any decision making role. Staff will implement decisions made by the ICC.
- 5.7 In relation to any actual, potential or perceived conflict of interest the Conflict of Interest Policy should be referred to.

## **6. Variation to Policy**

- 6.1 This policy, or the arrangements under it, may be varied, amended or adjusted at any time.

## **7. Review**

- 7.1 The Late Applications Policy and Procedure will be reviewed every three years or as required due to relevant legislative changes or in light of new learning.

## **8. Complaints**

- 8.1 All complaints relating to this policy will be considered, dealt with or investigated promptly and confidentially, in accordance with NIJAC's Complaints Policy and Procedure which is available at [www.nijac.gov.uk](http://www.nijac.gov.uk)
- 8.2 Complaints may be escalated to the Northern Ireland Judicial Appointments Ombudsman's office

Northern Ireland Judicial Appointments Ombudsman  
c/o Northern Ireland Public Service Ombudsman  
Progressive House  
33 Wellington Place  
Belfast  
BT1 6HN  
Email: [nipso@nipso.org.uk](mailto:nipso@nipso.org.uk)

## **9. Procedure**

- 9.1 Upon notification of a potential late application request, NIJAC staff will liaise with the applicant, and provide the Late Applications Policy. Staff will consider the details provided by the applicant surrounding their late application and, if applicable, contact Hallmark Solutions (GetGot) to check the technical details around the completion/ attempted submission e.g. errors, incomplete mandatory sections, if and what time the applicant attempted to hit 'submit'.

Hallmark Solutions will provide an activity log of the application. NIJAC staff will provisionally advise the applicant of the feedback from Hallmark Solutions and provide advice around making a late application.

- 9.2 If an applicant wishes their late application to be considered, staff will submit a report to the Issues and Character Committee (ICC). The ICC will consider all issues and any supporting evidence received; please refer to Appendix 1 detailing a flowchart of the procedure.
- 9.3 The ICC shall consider (on an anonymous basis) the stated exceptional circumstances, any supporting evidence and any relevant precedents. This will include consideration of the stated exceptional circumstance for the late submission and determine, on the individual merits of the particular circumstances, whether or not to admit the late application. It is expected that the applicant will provide information as to why their circumstances are exceptional and what steps they made to submit their application on time. Where required, further information may be sought from the relevant IT service provider to provide evidence to assist the ICC to reach a decision.
- 9.4 The ICC will document their decision and the specific reasons for it. NIJAC staff will communicate the determination to the applicant.
- 9.5 If the ICC takes the view that the late application should be admitted to the competition then the application will be permitted to progress through the assessment and selection process.

# Flow Chart for Late Applications

# Appendix 1:

