

Compliance Review Bodies

Annex I

Rules and Procedures for the UNDP Compliance Review Panel (CRP)

Competence and Terms of Reference

1. In Headquarters at New York, country offices, regional centers and non New York Headquarter locations¹ where quorum criteria defined below can be met, a Compliance Review Panel (CRP) for UNDP locally recruited staff serving under UNDP Letters of Appointment is established by the Administrator or the head of office on behalf of the Administrator, under the provisions of Staff Rule 4.15 for the purpose of making recommendations in respect of:
 - a) UNDP Fixed Term (FTA) and Permanent Appointments (PA) against locally recruited posts GS1 – 7 and NOA – D.
 - b) All initial appointments to UNDP FTA local posts (GS1 – GS7 and NOA – NOD): this applies when the candidates selected are recruited from outside UNDP or were previously hired by UNDP under another contractual modality; or are current holders of Fixed Term Appointments without prior clearance of an APP.
 - c) Selection of a UNDP locally recruited staff member to a post one or more grade level(s) above their current grade or, exceptionally, to posts one grade below their current grade Selection of a UNDP locally recruited staff member to a post in a different category (higher or lower e.g. GS to NO or NO to GS)
 - d) Review of job classification and reclassification submissions prior to their approval by the Resident Representative (Please see [job classification POPP](#) for procedures)
 - e) Selection of staff from other agencies at the duty station even when it is to positions of the same grade level.

2. In non-New York Headquarter offices where the quorum criteria cannot be met, the head of office is required to make alternative arrangements with the CRP in New York for the review of their cases. Country Offices that cannot meet the quorum requirements may utilize the New York CRP. Additionally, when adequate capacity in terms of staffing, logistics, policy awareness and proper delegations of authority have been established in a Regional Centre, their CRP may be utilized in lieu of New York. Regional Centres who meet the criteria and will be designated by the Director OHR as able to perform this function.

¹ E.g. Bonn, Brussels, Copenhagen, Geneva, Tokyo and Washington, D.C.

3. The CRP may also review the recommended selections for recruitment of locally recruited staff at levels GS1 – 7 and NOA – NOD of other UN organizations at the duty station for which such authority and arrangements have been established.
4. The CRP does not review:
 - a) Temporary Appointments
 - b) Selections of staff to posts at the same grade level

Composition, Procedure and Quorum

5. A quorum for any CRP to conduct business is four staff members. Exceptionally, three members may constitute a quorum when the Chair is available and the secretary has confirmed that other members are not available due to leave. High workloads, even in peak periods, are not a sufficient justification for reducing the quorum to three. Alternates are no longer appointed so the total membership should be broadened to at least eight. The total membership in New York will be up to twenty.
6. Membership should consist of both staff from both the National Officer and General Service categories.
7. The CRP at Headquarters in NY consists of staff from the GS and P categories in roughly equal numbers.
8. Composition of any specific CRP should consider recommendations for selections to those posts equal to the level of the lowest graded member of that CRP. In other words, no member will attend meetings or portions of meetings where staff or posts higher than their grade level are being reviewed.
9. For national officer selections where quorum composition requirements are difficult, the Resident Representative, in consultation with the local staff association, may do the following:
 - a) Include eligible staff from other UN agencies at the commensurate grade level
 - b) Temporarily use internationally recruited staff on FTA or PA.
10. Where there is adequate capacity, CR Panels at one location may also be requested to review and endorse selection processes on behalf of country offices or regional centers where local bodies may not have been set up at the time of selection.
11. The rule that the ex officio Secretary of the Panel does not vote may be waived to facilitate constituting a quorum.

12. In both HQ and country office locations, when half or more of the appointed members are on leave (mission travel, Sick Leave, Annual Leave, Home Leave etc) or are otherwise unable to perform their functions as CRP members, a special emergency quorum of three members may be called provided that there is one voting Chair and two voting members. In no cases may the ex officio vote or be counted toward a quorum. This arrangement is confirmed by the CRP Secretary and head of office or Director of OHR in NY.
13. If it is still not possible to meet the quorum requirement then the Resident Representative may take other viable arrangements, in consultation with the local staff association, including working with and through the UNDP Regional Centre CRP.

Appointment to CRP

14. In country offices, the Resident Representative is responsible for appointing CRP members. Local staff associations, where they exist, should nominate staff for appointment. These nominations should meet the criteria set forth below. The total number of nominations by the staff representatives should not exceed half of the number of total membership of the CRP. Additionally, staff representatives and management are encouraged to work together on the membership and when possible jointly name some of the members. When a local staff association is not available, either a meeting of all staff shall be convened or all staff may be invited to submit names for the Resident Representative's consideration.
15. In other locations that have CRPs, including New York, it is the same process whereby the local Staff Association nominates fifty percent of the membership and the head of office appoints members. In New York the Associate Administrator appoints CRP members.
16. All staff who serve on a CRP do so in their capacity as staff member (those staff holding a FTA or PA), not as either management or staff representatives.
17. Only active staff members may serve on CRPs. The work of CRPs is strictly confidential and must protect the rights of the individual staff and candidates being considered as well as the independence of the CRP membership and the integrity of their decisions. As such, government officials and non UN staff may not under any circumstances be members or observers to a CRP meeting or deliberations or have access to their documentation.

18. The Resident representative designates an international staff member to serve as ex-officio non-voting member and secretary to the panel.
19. When reviewing cases of candidates for appointment to other organizations for whom the UNDP CRP is designated as the compliance review body, a representative of those organizations should be included in the meeting quorum. This designation should be spelled out in the MoU with that organization. Members from these organizations are appointed to the CRP in consultation with their local head of office.
20. When an appointment is for an organization without such an agreement but UNDP is the hiring agent, the relevant agency headquarters should be advised and confirm in writing their understanding and agreement to the CRP authority and proceedings.
21. CRP members are selected to serve on the CRP according to the following criteria:
 - a) Internal staff members in active service on Permanent and Fixed-term appointments (PA, FTA) at the G6 & NO level and above.
 - b) Preferably staff members with at least 3-4 years of service as staff within the UN system.
 - c) A sound knowledge of the UN Staff Rules and Regulations and the ability to interpret these rules and regulations
 - d) Demonstrated familiarity with UNDP recruitment policies, principles and procedures as well as corporate guidelines.
 - e) Judgment, integrity, discretion: a willingness to speak on principle as well as a willingness to reach consensus,
 - f) Dedication to ensuring due process, fairness, equity, transparency and open competition.

Members can be appointed from any Headquarters, Regional Service Centre or Country office.

22. The Resident Representative or the officer-in-charge is not eligible to be a member.
23. The Resident Representative appoints new members to fill vacancies from other eligible staff.
24. At its first meeting of the year, the CRP elects its own Chair and Vice Chairs.
25. At this meeting, each member must be provided with the links to the following policies and documents:
 - a) Staff Rules and Regulations
 - b) Rules of Procedure for the CRP
 - c) POPP

- d) UNDP Recruitment and Selection Framework and recruitment and selection policies including those on academic qualifications and family relationships
 - e) Cumulative listings of policy recommendations of previous CRPs (LAPPs)
 - f) Job Classification POPP and procedures
26. The CRP at its first meeting will establish its meeting schedule for the year. This schedule may be adjusted as necessary and the CRP may be called to meet by the Resident Representative at any time for urgent reviews.
27. In order to allow adequate reviews, the agenda and all necessary documents will be communicated to members and alternatives at least one week (five working days) prior to the date of the Panel meeting.

Recommendations

28. Consensus recommendations are the expected norm. It is the Chair and Vice Chair's responsibility to facilitate discussions that arrive at consensus. In the event that consensus cannot be reached, the Chair will call for a vote of all present members. All members are not required when a vote is called. A simple quorum is sufficient. The Chair does cast a vote and a simple majority is decisive. All votes, including that of the Chair, are equal. In the event of a tie, the Chair decides the outcome.
29. In order to avoid any conflict of interest or appearance thereof, a member will not participate in the review of recruitment or selection cases in which he or she has been involved in a way or another or is the subject of the selection or recruitment case under review or is a spouse or has *any* family relation (including those beyond mother, father, brother, sister, aunt, uncle niece or nephew) to the considered candidate.
30. CRP members will be appointed for a period of two years and shall serve a maximum of three consecutive years.

Job Reclassifications

31. In accordance with the current policies in [job classification](#), in Country Offices, prior to submission of the classification case to the Resident Representative for approval (decentralized classification), documents are submitted to the CRP which reviews the classification package, examines the completeness of the submission in terms of an adequately written job description, supporting documentation, justifications for reclassification of the position in question, changes in functions, availability of the

position and budget, due classification process and makes recommendations to the Resident Representative.

Basic Documents and Procedures

32. For all appointments, including staff previously under the 100 or 300 series who have been selected for a higher level local FTA position, the CRP will be presented with information on all eligible and available candidates. This information will include an updated and signed UN Personal History Form (P.11) and indicate each candidate's name, function, professional background, qualifications and nationality.
33. For UNDP staff members and candidates from the UN Common System, relevant performance evaluation reports for at least the past two years will be provided.
34. No external candidate, including candidates from the UN Common System, will be presented for the CRP for review until all references have been conducted and academic qualifications have been verified [see Policy on academic qualifications and Recruitment and Selection Framework for reference checking].
35. The recruitment and selection case under review will include a [UNDP CRP Submission Form](#) together with:
 - a) the vacancy announcement;
 - b) the completed P.11 of the proposed candidates under consideration;
 - c) the competency-based assessment, the short list and long list memo, listing the different assessment/selection methods used; including the corporate interview report , the performance evaluation reports and the reference checking report;
 - d) the Hiring Manager's summary, recommendation and justification for recruitment, and any other relevant information.
 - e) Updated classification memo
 - f) Hiring unit's most recent organigram
36. The CRP submission form must clearly indicate the primary, recommended candidate put forth by the hiring manager. When another candidate(s) has passed the selection process, he/she/they may be included in the submission as an alternate candidate(s). The submission of an alternate candidate is optional.
37. The primary candidate is the candidate, in the judgment of the Hiring Manager (HM) (not the interview panel), based on all the recruitment and selection data, that is best suited and/or the most appropriate candidate for the post.

38. The alternate candidate or candidates are those who in the judgment of the Hiring Manager meet all of the criteria for the post but are secondary in overall suitability to the primary candidate.
39. In the Hiring Manager's submission, **objective** reasons for the designation primary and alternate candidates must be provided.
40. The CR Body reviews both the primary and alternate candidates and may endorse any, all, or none of the candidates presented.
41. When more than one candidate is endorsed, the primary candidate (or the highest candidate if the Primary Candidate is not endorsed) is appointed. It may also recommend that either be retained by OHR for rostering against future vacancies.
42. The purpose of alternate (or secondary) candidates as part of the process is not to give the CR Body a voice in the substantive review or to create an additional step in the candidate evaluation process. The HM alone is accountable for the recruitment and selection process and its results.

Reasons for endorsing an Alternate Candidate

43. The recruitment process often generates more than one successful candidate. Occasionally, a Primary Candidate must withdraw or becomes unavailable. An Alternate Candidate allows the post to be filled with a fully qualified candidate without repeating the entire recruitment process.
44. As long as the recommended candidates, both primary and alternates, are suitable and their selection is found compliant, the CR Body is expected to endorse them.
45. A CR Body may find a substantive flaw in the recruitment process of the Primary Candidate which could be determined sufficient to endorse an Alternate Candidate. **In such a case, the HM should be consulted by the CR Body prior to non-endorsement for clarification or to obtain any relevant information.**
46. A CR Body may propose that the alternate candidate be offered the post over a primary candidate to achieve corporate objectives such as order of retention, gender or regional representation. However, the final decision as to which candidate the post should be offered remains with the Hiring Manager.

47. Given the investment in the selection process, in all cases of an Alternate Candidate endorsement instead of the Primary Candidate, it is highly desirable for the CR Body to consult with the HM as to any compelling issues that may be considered prior to final determination.

Conduct of Business

48. Normally, the cases are presented by the Administration (ex officio/secretary) and the CRP decides on its recommendations on the basis of written and oral presentation of the information contained in the CRP Submission Form. The CRP may request the Administration to provide additional information on any relevant matter and may call the hiring manager, and/or any other UNDP staff member involved in the recruitment process.

Reports, Recommendations and Records of Proceedings

49. As per Staff Rule 4.15(h)(ii), “The central review bodies shall review the process for compliance with the pre-approved selection criteria and shall offer recommendations”. Their role, therefore, is one of compliance review of the recruitment and selection process with established policy. The CRP insures that recruitments and selections to staff positions within UNDP comply with the applicable staff rules and UNDP corporate staffing policies. (Please see [Terms of Reference of the Compliance Review Bodies](#) Para 8. a) through h) for complete details)
50. The CRP may make the following recommendations:
- a) Endorsement of the recruitment and selection process and of the candidate recommended by the hiring manager;
 - b) Non-endorsement of the process and of the recommended candidate with explanation;
 - c) Request for additional information for the purpose of further review of the case.
51. In the cases of recommendations (b) and (c), the hiring unit will be given the possibility to provide further clarification to the CRB before the final recommendation is made.
52. When in doubt regarding the proper application of the evaluation criteria and/or the applicable procedures, the Chair requests the Secretary (Ex Officio member representing Human Resources) to answer questions of members and clarify issues so that the Panel may proceed to conclude their deliberations and move toward an endorsement for appointment.

53. If, after obtaining additional information, the panel finds that the evaluation criteria were improperly applied and/or that the applicable recruitment and selection procedures were not followed, the CRP Secretary transmits these findings to the Resident Representative without an endorsement for appointment.

Exceptional overruling of the CRP recommendation

54. In the exceptional cases where a hiring manager (i.e. the Resident Representative, the Director of a Regional Service Centre or the Head of an office outside New York) requests the overruling of the CRP recommendation, the properly documented request must be submitted to the Director OHR/BOM for recommendation to the relevant Bureau Director for final decision. If the hiring manager is a Bureau Director, the request is submitted to the Director OHR/BOM for recommendation to the Associate Administrator for final decision.

Records

55. The minutes of the CRP's meetings will record decisions and recommendations of the CRP. They will also serve to record policy recommendations for future reference by successive CRPs. The minutes will be anonymous with respect to positions taken except when a member specifically requests to be identified with a statement, policy or decision.
56. All minutes will be signed by the Chair (or member who chaired the meeting) and will be kept by the Secretary. They will be made available on request to members.
57. The deliberations, all documentation, recommendations and reports of CRPs are strictly confidential. All CRP members are to be informed upon their appointment of their obligation with respect to confidentiality. Their written acceptance to serve on the CRP indicates their knowledge of this requirement and confirms their accountability to uphold it.
58. In country offices, the CRPs recommendations on appointment and selection are transmitted to the Resident Representative. In other locations, it is to the head of office.
59. Candidates recommended by the Panel will have the status of "internal candidates" under staff previously 4.10 which will be recorded by HR of the country office.