

**Navy Command FOI Section
Navy Command Headquarters
MP 1-4, Leach Building
Whale Island
PORTSMOUTH
PO2 8BY**

FOI 2018/02188

E-mail: Navysec-foimailbox@mod.uk

4 April 2018

Dear 

Request for Information

Further to our letter of 12 March 2018, I am now in a position to respond to your request for information on the Air Engineering Professional Command Selection Board (PCSB) process. Your enquiry is being treated as a request for information under the Freedom of Information Act 2000 (the Act).

Please see Annex A to this letter where each part of your request is addressed in order.

You will recall that, in our previous correspondence, we provided confirmation that a search had been conducted within the Ministry of Defence and information in scope of your request is held. We also explained that it was determined that to provide some of the information you requested could fall within the scope of the exemption at Section 26 (Defence) of the Act. After careful consideration, it has been concluded that no prejudice would be caused by the release of this information and the balance of public interest therefore lies in releasing the information.

The Department does, however, consider that some of the information you have requested falls within the scope of the absolute exemptions at Sections s40(2) (Personal Data) and s41 (Information provided in Confidence) of the Act. After careful consideration, and for the reasons set out below, it is concluded that the Department has no obligation under the Act to disclose this information and it is therefore being withheld in its entirety.

Section 40(2) applies to personal data relating to third parties. The release of personal information relating to other individuals would contravene the principles of the Data Protection Act 1998, namely Principle 1 – personal data shall be processed fairly and lawfully and not unless certain specified conditions are met - and Principle 2 – personal data shall be obtained and processed only for specified and lawful purposes and not further processed in a manner incompatible with the purposes.

It is considered that release of the information in the format you have described at parts 2.c. and d. of your request could result in individuals being identified. We are not obliged to comply with a request where such a response would disclose information relating to another individual who can be identified from that information. I am, however, able to provide you with the total number of officers eligible for the PCSB for 2017 and the number that were

selected. I should advise you that information on sexual orientation is not held by the Department as the Board is not required to compile this data.

With regard to part 2.n. of your request for information concerning the Royal Navy's submission to the Stonewall Workplace Equality Index in 2017, it has been assessed that this information falls within the absolute exemption at Section 41 (Breach of Confidence).

Under Section 41(1) information is exempt if its disclosure would be an actionable breach of confidence, an action for breach of confidence can be brought to prevent disclosure of commercial, personal and official information of a confidential nature. A public authority will not only be under an obligation of confidence where it has accepted information on the express understanding that it will remain confidential - as is the case in respect of this information. It will also be bound by an obligation of confidence where the circumstances in which it receives information suggest that the information is held confidentially. Disclosure of such information could potentially affect the integrity of the Stonewall process and survey and has therefore been withheld under Section 41(1) (Breach of Confidence) of the FOI Act.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

Navy Command Secretariat – FOI Section

Q.a. A copy of the Board instructions or similar documentation associated with the 2017 OF3 Air Engineering Professional Command Selection Board process.

A. Copies of the Defence Instructions and Notices 2017DIN01-156 (Selection Board Procedure for OF3 and OF4 Air Engineering Professional Command (AEPC) Assignments) dated October 2017 and the 2017 Annual Air Engineer OF3 Professional Command Selection Board Selection Letter dated 28 September 2017 are enclosed for your information.

Q.b. A copy of the Equality Analysis, Equality Impact Statement or similar documentation held that is associated with the 2017 OF3 Air Engineering Professional Command Selection Board.

A. Please be advised that no specific Equality Analysis, Equality Impact Statement or similar documentation is held that is associated with the 2017 Board.

Q.c. For the 2017 OF3 Professional Command Selection Board process, a breakdown of the number of officers selected for Professional Command based on:

- i. Ethnicity*
- ii. Gender*
- iii. Sexual Orientation*

Q.d. For the 2017 OF3 Professional Command Selection Board process, a breakdown of the number of who were officers eligible for selection for Professional Command based on:

- i. Ethnicity*
- ii. Gender*
- iii. Sexual Orientation*

A. In respect of parts c.i. and ii., and d.i. and ii., this information is withheld under Section 40(2) (Personal Data) of the FOI Act. However, I am able to provide the following information:

Air Engineering Professional Command Selection Board	Total Number Eligible	Total Selected
7 November 2017	38	6

With regard to c.iii. and d.iii., I should advise you that information on sexual orientation is not held by the Department as the Boards are not required to compile this data.

Q.e. The total number of LGBT personnel who have taken up an OF3 Air Engineering Professional Command assignment since 1 October 2017.

A. Information on sexual orientation is not held by the Department.

Q.f. Details of the requirement for Equality/Diversity/Inclusivity or similar training for 2017 OF3 Air Engineering Professional Command Selection Board members and the percentages of OF3 Air Engineering Professional Command Selection Board members who were in date for such training for the 2017 Board.

Q.g. For any such Equality/Diversity/Inclusivity or similar training provided to Board Members. the syllabi, Instructional Specification or similar training material that details the course content.

Q.h. For the Defence Senior Officers' Equality, Diversity and Inclusive Leadership Course - R057 held at the Shrivenham Leadership Centre, Defence Academy, the syllabi, Instructional Specification or similar training material that details the course content.

A. In respect of your questions at f., g. and h., all personnel must be in date for Diversity and Inclusion training and Unconscious Bias training. This is checked and confirmed by the Promotion Section and the Career Manager prior to commencement of the Board process. All board members for 2017 were verified and in date for this training.

A copy of the Unconscious Bias course content is enclosed with this response. Information on the Defence Senior Officers' Equality, Diversity and Inclusive Leadership Course can be found by following the link below:

<https://www.da.mod.uk/course/R057>

i. Minutes/emails or other documentation relating to any follow-up discussions/meetings/reviews regarding the 2017 OF3 Air Engineer Professional Command Selection Board, with regard to any lessons identified or proposed improvements to the process.

A. I can confirm that a 'wash-up' discussion is conducted after each Board to consider whether refinement to future processes is required, however, no minutes or notes were taken on this following the 2017 board.

Q.j. The percentage chance of reaching further service in the Engineering (Air Engineering) (E(AE)) Branch for a Lieutenant Commander with 14 years' service in the Royal Navy.

A. Table 1 below details the percentage chance of an OF-3 Air Engineer with Length of Service (LOS) of 14 years achieving further service before exiting:

Length of Service (years)	Chance of Completing length of service
0	100%
1	100%
2	100%
3	100%
4	100%
5	100%
6	100%
7	100%
8	100%
9	100%
10	100%
11	100%
12	100%
13	100%
14	100%
15	93%
16	81%
17	74%
18	65%
19	63%
20	59%
21	58%
22	54%
23	50%
24	45%
25	42%
26	35%
27	30%
28	25%
29	24%
30	22%
31	21%
32	21%
33	17%
34	13%
35	10%
36	3%
37	0%
38	0%
39	0%
40	0%

Source: Defence Statistics (Navy)

Notes:

1. Please note that the figures for an OF-3 Air Engineer with a LOS of 14 years may be misleading due to the small size of the group in the source data.
2. Expected LOS in Table 1 is calculated by using averages of historic data and represents full years of completed service.
3. Averages are produced using the time period 1 April 2010 – 31 March 2017.
4. Exiting denotes anything that results in an ending of Regular service e.g. time expiry, voluntary outflow, death etc.

5. For the current rank this is expected LOS in rank from 1 April of the year from which the forecast is being run. To get the total expected LOS in the current rank, LOS up to 1 April of that year will need to be added.

Q.k. The percentage chance of a Lieutenant Commander with 14 years' service attaining promotion to further ranks and average Length of Service (LoS) on promotion to these ranks. Please could you also provide the percentage chance of promotion between ranks, having already achieved the previous rank.

A. Table 2 below details the chance of promotion for an OF-3 Air Engineer with a LOS of 14 years.

Rank		Chance of Promotion to rank
OF-4	Commander	54%
OF-5	Captain	22%
OF-6	Commodore	11%
OF-7 +	Rear Admiral	2%

Source: Defence Statistics (Navy)

Table 3 below details the expected LOS in rank and expected LOS on promotion to rank, in years, for an OF-3 Air Engineer with LOS of 14 years.

Rank		Expected LOS in Rank	Expected LOS on promotion to the rank
OF-3	Lieutenant Commander	5.3	N/A
OF-4	Commander	5.8	20.0
OF-5	Captain	5.0	26.3
OF-6	Commodore	4.4	29.5
OF-7 +	Rear Admiral	1.0	32.5

Source: Defence Statistics (Navy)

Notes:

1. Please note that the figures for an OF-3 Air Engineer with a LOS of 14 years may be misleading due to the small size of the group in the source data.
2. N/A is present in Table 3 because the figures have been produced for personnel already at OF-3.
3. Averages are produced using the time period 1 April 2010 – 31 March 2017.
4. Exiting denotes anything that results in an ending of Regular service e.g. time expiry, voluntary outflow, death etc.
5. In Table 3 'Expected LOS in rank' includes all exits from that rank, for example promotion to the next rank or exiting the service.
6. For the current rank this is expected LOS in rank from 1 April of the year from which the forecast is being run. To get the total expected LOS in the current rank, LOS up to 1 April of that year will need to be added.

Q.l. The average length of service in the Engineering (Air Engineering) (E(AE)) Branch.

A. The expected LOS for a new entrant Air Engineering Officer is 16 years.

Q.m. If it helps, with regards to paras 2j, 2k, and 2l I am looking for something similar to the response provided in FOI2017/08608, albeit for the situation I have set out in the paras above.

A. No question to answer.

Q.n. Any information regarding the Royal Navy's submission to the Stonewall Workplace Equality Index (WEI) in 2017 (plus all previous years if available) plus a breakdown of the resulting scores (rather than overall positions which are already publically available) from the WEI in 2017 (plus all previous years if available), as well as any trend information or general themes feedback that Stonewall provided. In particular, information on how the Royal Navy scored on the staff survey element would be welcome.

A. This information is being withheld under the absolute exemption at Section 41 (Breach of Confidence) of the FOI Act.



Unconscious Bias

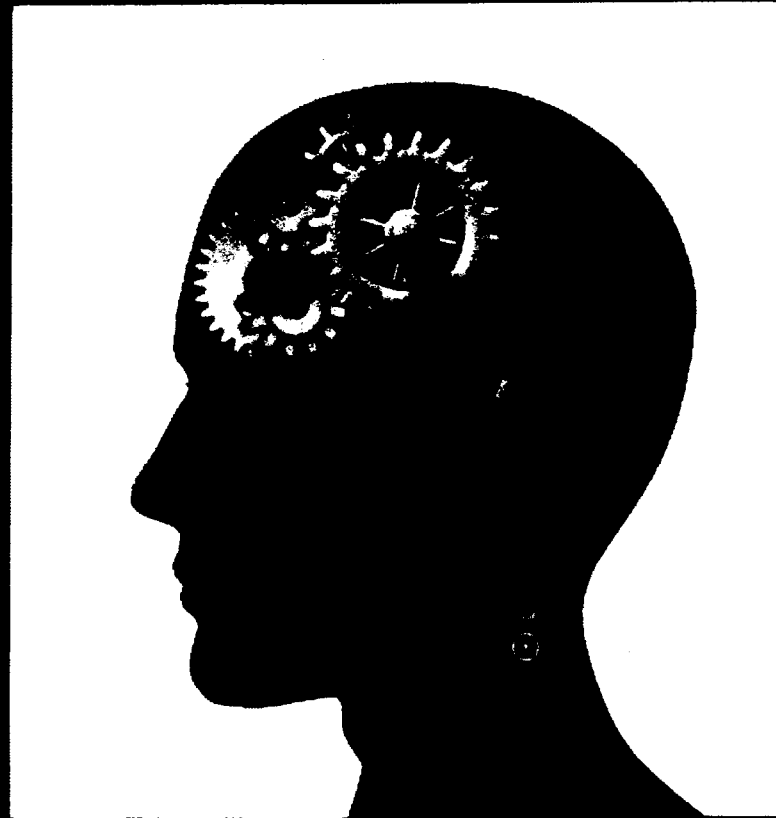
Cdr 

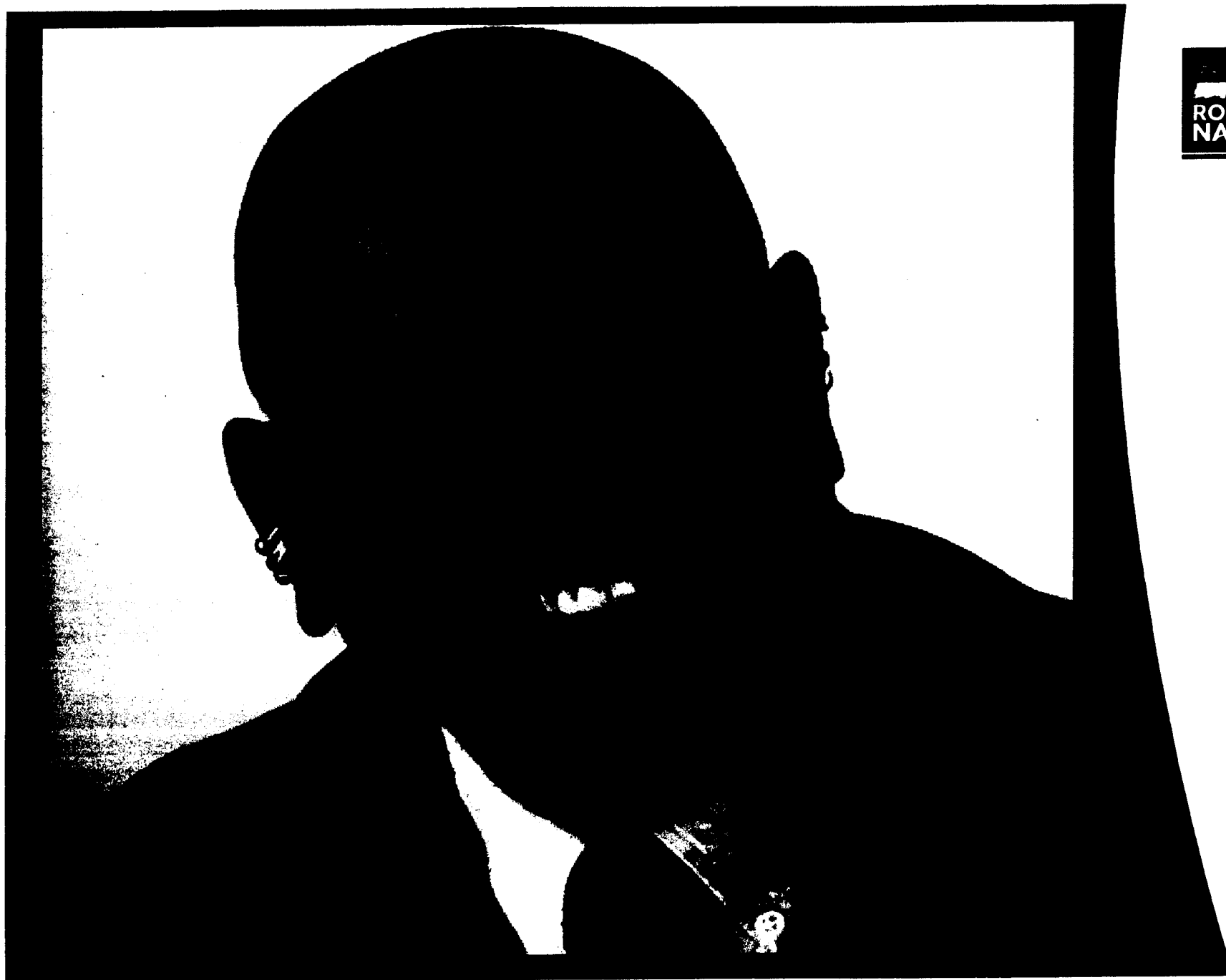
Unconscious Bias

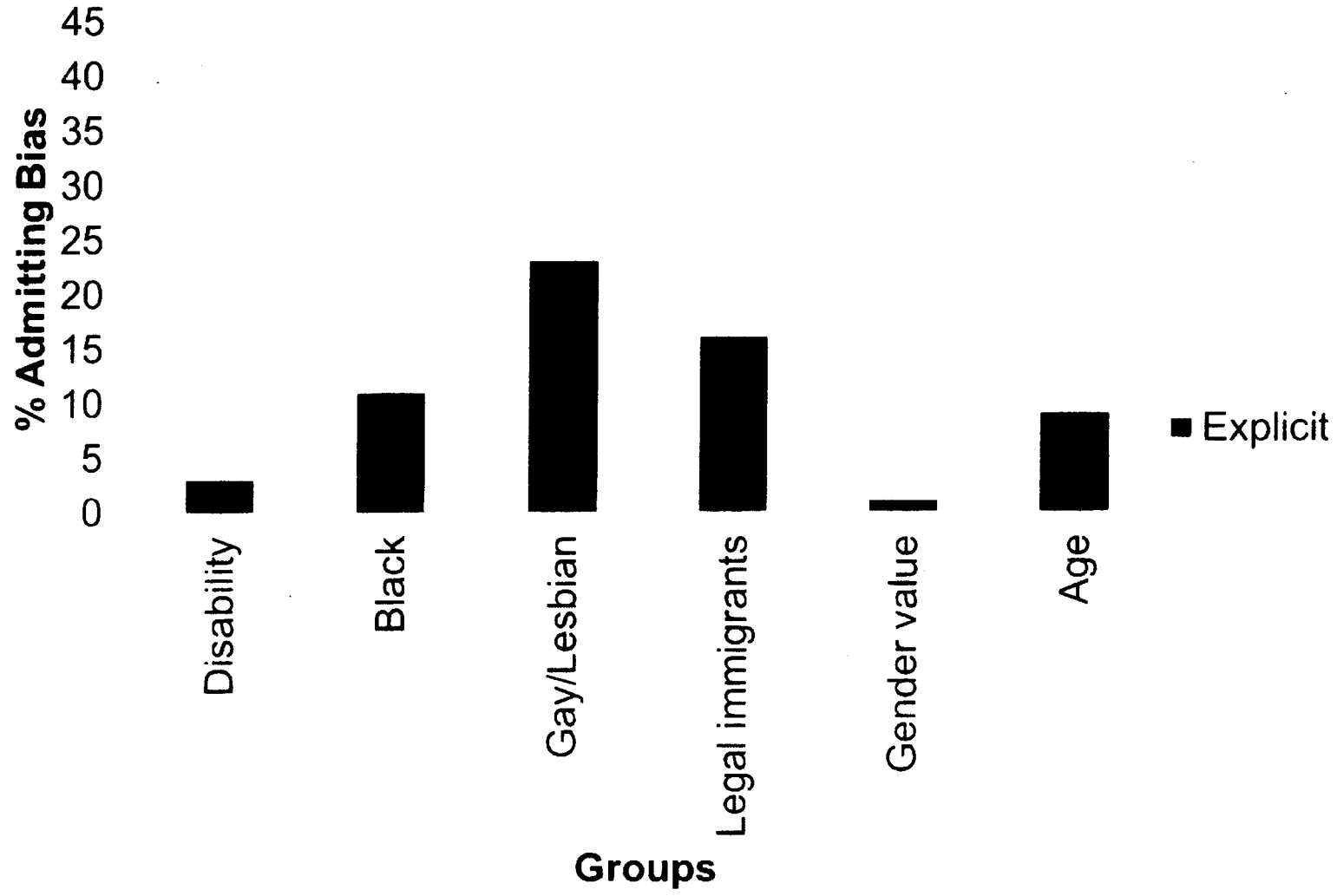
- Almost 60% of CEOs are over 6' tall.
- Almost 40% of CEOs are over 6'2" tall.

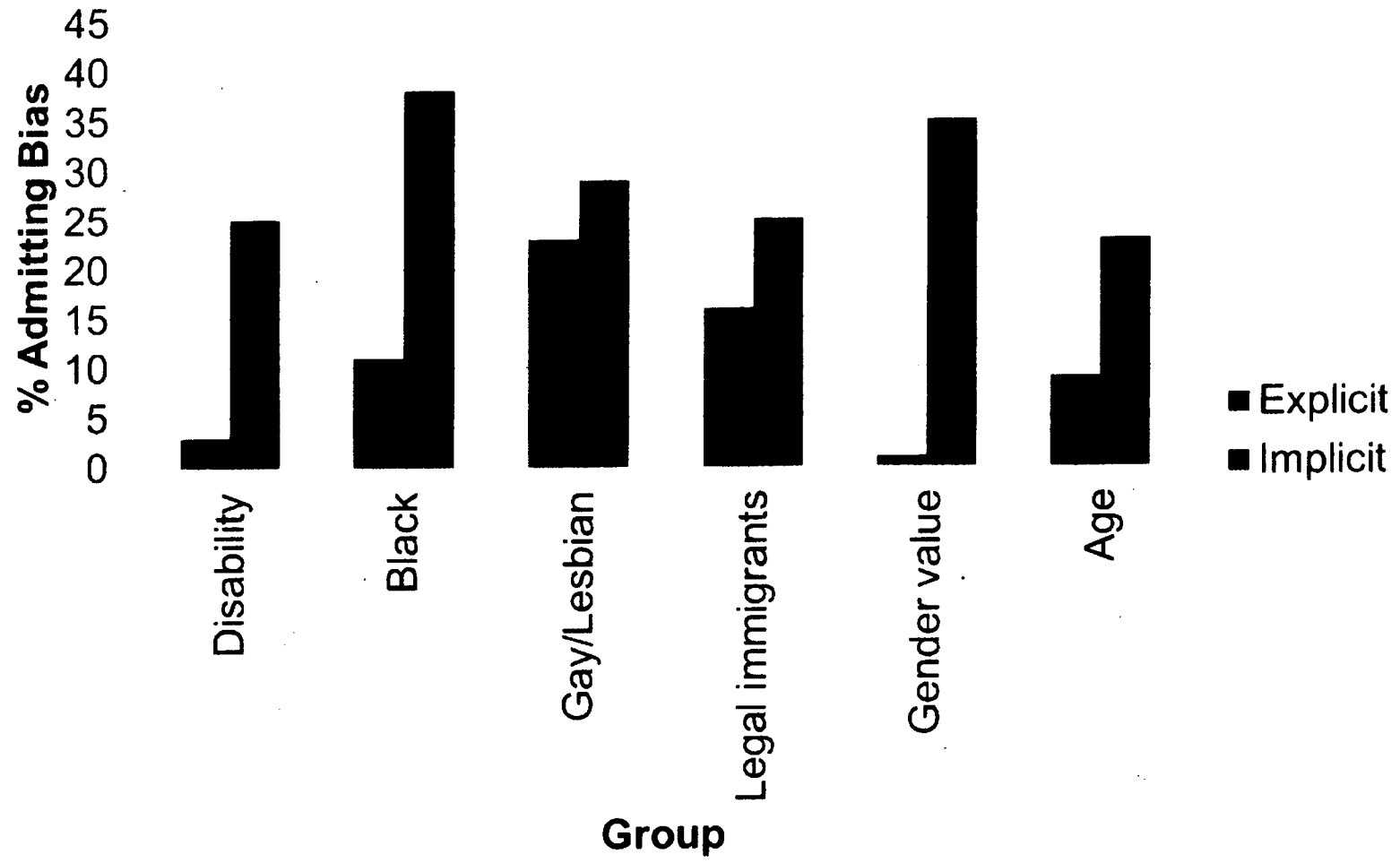


Why bias happens









Affinity Bias



Natural Affinity



I CAN'T PUT MY FINGER ON WHAT IT IS WE LIKE ABOUT YOU, MISS HARDAKER, BUT WE DO. WELCOME ABOARD



Confirmation Bias



- Filtering of success and failure to confirm initial impression
- Confirmation of negative impression can lead to sustained undermining of confidence

Benevolence Bias



- Bias with good intent: Positive intent
- Based on our assumptions about what they want and/or need

Brain Functionality



Answer this simple multiplication

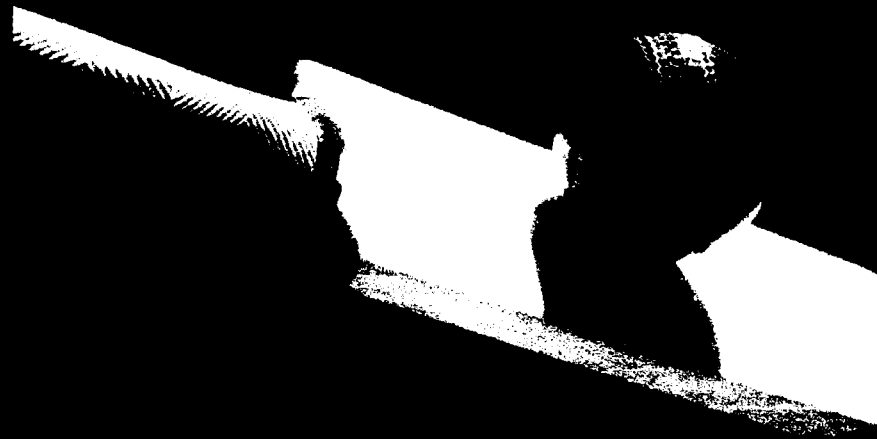
$2 \times 2 = 4$ System 1

$13 \times 27 = 351$ System 2

Brain Functionality

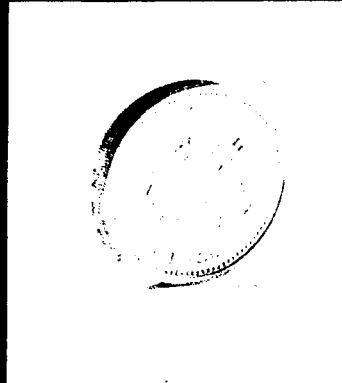


Bat & ball



- A bat and a ball cost £1.10
- The bat costs one Pound more than the ball
- How much does the ball cost?

Explanation



- The bat and the ball cost £1.10
- The bat costs £1 more than the ball
- So the ball must be £0.05 and the bat £1.05
- £1.00 more than the bat

$$£0.05 + £1.05 = £1.10$$

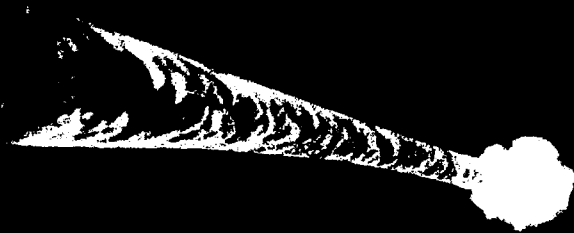




Thinking, Fast and Slow

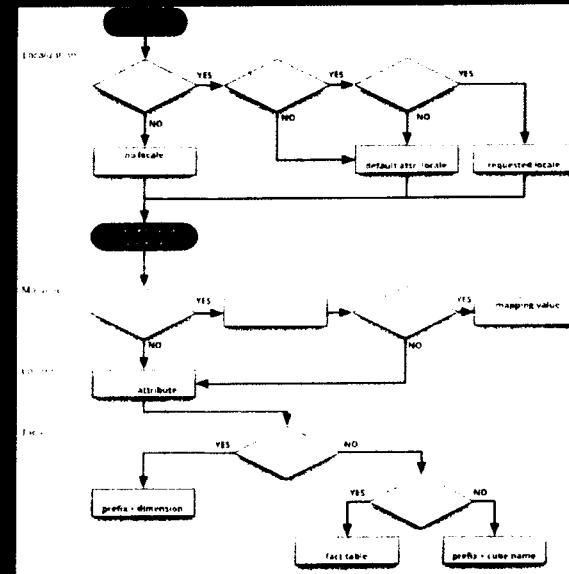
System 1

Fast and intuitive
Unconscious



System 2

Slow and Logical
Conscious



Daniel Kahneman 2011



What can you do?

- Awareness is key – we are biased...
- Question yourself – why do I think this?
- Question others – what do they think?
- Educate yourself
- Address your bias – listen to their story



For any advice please call

Cdr [redacted]

Lt Cdr [redacted]

Lt Cdr [redacted]

Admin Officer [redacted]

or email

[redacted]
Diversity & Inclusion

The background of the slide is a collage of high-contrast, black and white images. On the left, there is a silhouette of a person's profile looking towards the right. In the center, there is a landscape with a horizon line. On the right side, there are several rectangular shapes that look like windows or screens, some of which are dark and some are light. The overall aesthetic is abstract and artistic.

Questions

From: Commander [REDACTED] Royal Navy



Personnel Capability

PCAP/AE OF3/PCSB17

[REDACTED]
West Battery
HMS EXCELLENT
PORTSMOUTH
PO2 8DX
BT: [REDACTED]
Military: [REDACTED]
Email: [REDACTED]

See Distribution

28 September 2017

2017 ANNUAL AIR ENGINEER OF3 PROFESSIONAL COMMAND SELECTION BOARD

References:

- A. BR3 Chapter 59 Annex A.
- B. 2017DIN, Selection Board Procedure for OF3 and OF4 Air Engineering Professional Command (AEPC) Assignments (to be issued Oct 17).

1. Thank you for agreeing to attend the Air Engineer (AE) OF3 Professional Command Selection Board (PCSB(AE)) on Tuesday 7 November 2017. The Board will convene at 0900 in Room 26, Victory Building, will be chaired by Captain [REDACTED] Royal Navy and should complete by 1500. Dress will be normal working rig or lounge suit. All Board Members must be in date for D&I and Sub-Conscious Bias Awareness training.

2. Guidance on the procedures to be used during the selection process, and the grades to be used when voting, is contained in the Selection Board Instructions at the Enclosure. Please read the guidance carefully as procedures may be slightly different to previous selection boards you have attended.

3. PCSB boxes will be delivered to Board Members by Cdr [REDACTED] on the dates detailed below:

- a. 11 October 2017 – Captain [REDACTED] RN, Commanders RN [REDACTED] and [REDACTED]
- b. 12 October 2017 – Commander [REDACTED] RN.

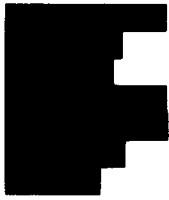
4. PCSB boxes contain the OJARS, CVs and votesheets detailing all eligible candidates in alphabetical order. Additionally, a folder containing profile sheets for each individual is provided. Please make sure that all documentation supplied is properly protected when unattended and that you bring all of it to the Board. You should note the comments at Annex A.

5. The aim of the Board is to generate a pool for Air Engineering Professional Command (AEPC) consisting of 5 selectees (the Requirement at Annex B) and 4 reserve candidates: this total is the Maximum Authorised Number (MAuN) and is recorded at the top of the votesheet. During the pre-board reading phase, Board Members are invited to assess the merit of each candidate eligible for AEPC and record their conclusion on the appropriate voting sheet. The aim is to restrict the number of candidates to the following grade allocations:

- A: 2 x MAuN (10)
- B+: 1 x MAuN (5)
- B: as appropriate
- C: as appropriate

For those candidates graded 'A' it is essential that the mark is differentiated, ranging from low (A1) to high (A9), so that a merit order can be made available to Board Members at the start of the Board.

6. When completed, votesheets must be returned in a sealed envelope marked PERSONAL to:



to arrive no later than midday 3 November 2017. Alternatively, votes can be e-mailed to Navy PCAP-PROM OF BSE by the same deadline using just the line number allocated to the individual and their associated score; neither individual names nor any other detail is to be included.

7. Those selected for AEPC will be announced on the RN Web at 1000 on Thursday 9 November 2017.

Signed on original

Distribution:

Captain [redacted] Royal Navy
Commander [redacted] Royal Navy
Commander [redacted] Royal Navy
Commander [redacted] Royal Navy

Copy to:



Annexes:

- A. Points Arising from the Pre-Board Review.
- B. OF4 Air Engineering Professional Command Requirement for 2017/2018.

Enclosure:

- 1. Air Engineer Professional Command Selection Board Instructions (Revised Feb 17).

**Annex A to
PCAP/AE OF3/PCSB 17
Dated 28 Sep 17**

POINTS ARISING FROM THE PRE-BOARD REVIEW

1. To assist Board Members during their pre-board reading the key elements on which the definition of Merit is based are shown at the top of each profile sheet with space to include supporting evidence where appropriate.
2. The award of grades A1 to A9, B+, B and C within the constraints given is important for two reasons: first, it aids the Annual PCSB in the development of the merit order; second, it provides an independent assessment of the candidate's performance to date in relation to AEPC, which benefits both the candidate and the Career Manager. Board Members are to note that the grade of "Not Selected for AEPC (NS)" is not to be awarded during the pre-reading phase and is only awarded by consensus in session.
3. The column titled 'Final PCS Board' on the vote list shows the year a candidate will appear before a PCSB for the last time.¹ As a guide this date will nominally be 2 years before the respective individual's last promotion shot and allows for them to have the opportunity to present at least one full 'Professional Command' OJAR to their last Annual Promotion Board. The column titled 'Previous PCS Board' shows the grade awarded last year and will not be available to the Board in the pre-reading stage; 'UZ' indicates that an officer was previously underzone.

¹ Individuals will be presented to the PCSB(AE) for the last time in the calendar year of the officer's TX date minus 3 years if subject to Rank Related Retirement Age (RRRA - 53), or TX date minus 5 years if serving to Normal Retirement Age (NRA - 55).

**Annex B to
PCAP/AE OF3/PCSB 17
Dated 28 Sep 17**

OF3 AIR ENGINEERING PROFESSIONAL COMMAND REQUIREMENT FOR 2018/2019

1. Allocation of PSCB(AE) selectees to specific AEPC positions will remain the responsibility of CM ENG AE SO1: the Board is required to select a pool of 9 candidates (5 selectees and 4 reserves) who will to be career managed into the following AEPC positions:

- a. 825 NAS Q1/2 2019.
- b. 846 NAS Q1/2 2019 – To be relieved by previous selectee.
- c. 820 NAS Q1/2 2019.
- d. 824 NAS Q1/2 2019.
- e. 849 NAS – CS date TBC.
- f. 617 SQN Q2/3 2019.



3. The above assignment dates are dependent on a number of factors, including Sqn programme, individual circumstances and the overall AE assignment plot; eventual assignment dates will be decided by the AE CM.

4. The formation date of 849 NAS Crowsnest has yet to be confirmed, but as the first aircraft are programmed to be delivered in 2019, Sqn formation must take place before this date; AE CM is working with RNAS Culdrose management to stay aligned with their target dates.

Enclosure 1 to
PCAP/AE OF3/PCSB 17
Dated 28 Sep 17

AIR ENGINEER PROFESSIONAL COMMAND SELECTION BOARD INSTRUCTIONS (Revised Feb 17)

DOCUMENTARY SECURITY

Board Members are reminded that the files contained in the boxes contain information, which is subject to the provisions of the 1998 Data Protection Act. It follows therefore that they are only to be used for the purpose intended i.e. selection for professional command, that they are kept in a secure place and that they are not transported without adequate protection.

INTRODUCTION

1. The function of the Professional Command Selection Board (Air Engineer) is to select a pool of Air Engineer Officers (AEOs) for Air Engineering Professional Command (AEPC) assignments². Whilst assignment to AEPC is a Career Management process rather than a promotion issue, selection is based on merit and the procedures used will follow closely those of promotion selection boards, summarised below.
2. At the OF3 rank there will be 14 designated AEPC positions³. Board Members are therefore charged with identifying individuals with the professional knowledge, leadership and management acumen to succeed in these Charge positions.
3. The Board will be chaired by the DACOS AE who will be supported by two AE OF4s and a non-spec OF4 acting as members. CM ENG AE SO1 will act as the Board Advisor.

SELECTION GUIDELINES

4. Whilst assignment to AEPC is a Career Management function and not a requirement for promotion to the next higher rank; the successful completion of AEPC will be noted and may therefore influence a future promotion board's decision making. Therefore, selection for AEPC is closely linked to merit:
5. *Merit is defined as suitability and capacity and having sufficient experience to be employed in at least the next higher rank. Therefore promotion is not always awarded for current and previous good performance. Factors such as consistency of success in delivery, especially in the face of particular challenges, leadership and management acumen, accomplishment with people, ability to make things happen, ability to think on a level above peer group, potential flair for command and future employability in both specialist and broader appointments all constitute merit.*
6. Using merit as a guide, AEPC selection will be based on a combination of the factors below:
 - a. Recommended for Professional Command and reported evidence of possessing the requisite professional experience and the appropriate leadership and personal qualities ;
 - b. Subsequent employability at OF3/OF4 respectively;
 - c. Needs of the Service/Branch;
 - d. Promotion potential and reach;

² Previously referred to as 'Charge' jobs.

³ 815NAS, 825NAS, 845NAS, 846NAS, 847NAS, 814NAS, 820NAS, 824NAS, 849NAS-CS, 17R, 617 207 (OCU) 1710NAS, VL SSE.

- e. Talent management in order to ensure that the AE branch maintains a viable route to the highest ranks in the Service⁴.
 - f. Timing and assignment restrictions - some candidates will be in roles where they cannot be easily released, typically overseas assignments or requiring specialist training (eg. MSc/language).
7. Officers should be considered for AEPC on the basis of their whole record and selection boards are not bound to accept the recommendation of a current reporting officer. If any candidate receives less than a YES recommendation for Professional Command / Charge, the board is free to select that officer if they feel that other considerations outweigh the recommendation. If the recommendation is IK the board should base its judgement on earlier reports; in this way no officer will be unfairly treated because of discontinuity of reporting. It will also serve to avoid discriminating unlawfully against females who have taken maternity leave. However, under no circumstances should the board upgrade an officer to 'A' who clearly does not merit selection for AEPC.
8. Eligible officers not recommended for professional command, temporarily medically, not in date for RNFT, or awaiting Court Martial will be considered by the PCSB but, if selected, their assignment to AEPC may be deferred or cancelled depending upon the outcome of the particular circumstance.

SELECTION FILES AND ASSOCIATED DOCUMENTATION

9. The selection boxes contain the Official Records (selection files), of all eligible officers. Each file contains a CV, copies of appraisal reports (see Annex A) and other authorised documents relating to the officer. A folder containing the profile sheets of all officers being considered is also provided and these can be used for the recording of notes by Board Members since they are destroyed on completion of the Board.
10. **Quality and Continuity of ARs.** If during the reading process Board Members detect problems with the accuracy, completeness and continuity of candidates' reports, they should notify the Branch Secretary, who will attempt to resolve these problems as quickly as possible. If, in the Board's opinion an officer has suffered poor continuity in reporting, this fact should be recorded on the final record of the Board. Normally there are four distinct reasons for this:
- a. Shortage of considered reports during the period under review;
 - b. In one particular area of employment for so long that he/she has been deprived of a reasonable spread of reporting officers;
 - c. Undergoing a sequential series of training courses in different locations;
 - d. Absence on maternity leave.
11. Reports on Officers in NATO/EU Staff and Exchange Appointments, and on Secondment. Officers appointed to NATO/EU staffs, exchange appointments and those on secondment may well only be reported on by Foreign and Commonwealth officers or private sector civilians, many of whom are not familiar with the naval reporting system. Experience of non-UK service and non-MOD civilian reporting officers is that they do not always focus on the attributes of specific interest to selection boards, nor do they always follow the guidance on reporting provided. Furthermore, the fact that some of these appointments are high profile, politically sensitive and demanding may not be represented adequately by reporting officers. NAVSEC has highlighted the increased

⁴ It is vital that some risk is taken on a small number of the very best and youngest candidates in order that they maintain the headroom for promotion to flag rank.

emphasis of career opportunities in NATO and the importance of recognising the challenges and significant broadening that these posts present. Board Members should consider carefully the weight they give to these reports.

12. Unlawful Discrimination. These instructions reflect the Equality Act 2010. Board Chairs, Members and Branch Secretaries are to be constantly mindful of these equality provisions throughout the selection process and whilst deliberating on the relative merits of candidates. The Board Chair is to remind Members of this responsibility at the start of the Board and confirm on the Official Record that these principles have been adhered to.

13. The Equality Act 2010 protects people from discrimination on the basis of 'protected characteristics' which are Age, Disability, Gender Reassignment, Marriage or Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.

14. The protection from discrimination generally applies to those serving in the Armed Forces. However, given the need for the armed forces to maintain combat effectiveness, the Equality Act 2010 preserves the Armed Forces exemptions from disability and age discrimination. Discrimination can be direct or indirect:

a. Direct Discrimination. The Equality Act 2010 defines direct discrimination as less favourable treatment because of a protected characteristic that someone has, or are thought to have (Perceptive discrimination), or because they are associated with somebody who has a protected characteristic (Associative discrimination).

b. Indirect Discrimination. This is a less obvious form of discrimination and can occur when an organisation has a policy, condition/rule or practice that applies to everyone and is therefore apparently neutral, but which particularly disadvantages people who share a protected characteristic. This may mean maintaining traditions and practices 'because that is what we do'.

c. Unconscious Bias. Studies show that people can be conscientiously committed to equality, and deliberately work to behave without prejudice, yet still possess hidden prejudices or stereotypes; a person who behaves in a discriminatory way does not necessarily have negative intent. This concept of unconscious bias applies to all of us, it governs some of the most important decisions we make and can have a profound effect in many ways. Board Members need to be cognizant of unconscious bias throughout the board process.

15. Board Members are also to give due consideration and weight to comments within appraisal reports that indicate any failings in an individual's attitude towards the principles and practices of Diversity and Inclusion. Any indication that performance has fallen short in this area should not be regarded lightly.

16. 2013-DIN 07-022 introduced mandatory bi-ennial D & I training for all personnel. All Board Members are to be in date for mandatory D&I Training – for OF5 and below this is the Advanced Level D&I Training RN/RM, and for OF6 it is the Senior Officers E&D Awareness Course. Board Members who have not yet completed in-unit advanced training are advised to contact their EDA or the Navy Command D and I team for an update.

17. **Convictions for Offences and Censures.** Sentences passed by Service and civilian courts are subject to statutory and MOD-directed rehabilitation periods. Convictions by civilian courts, courts martial and, in some instances, summary trials are recorded in selection files. However, under the Rehabilitation of Offenders Act 1974, these records are removed by the Promotions Section once the conviction is spent. Censures may be awarded either as a Naval penalty following conviction by a civilian court, or by Higher Authorities in circumstances which do not warrant criminal or disciplinary proceedings or sanctions. Censures awarded as a Naval penalty

will be spent after the statutory or MOD directed rehabilitation period has elapsed. All other censures will be spent after 5 years. The date on which each recorded offence and censure will be spent is also recorded in the selection file.

18. Board Members are to note that, under the 1974 Rehabilitation of Offenders Act, it is unlawful to prejudice in any way any person by reason or knowledge of a spent conviction when considering these documents for personnel management purposes, such as selection for professional command or substantive promotion.

19. When a conviction or censure is recorded in a selection file, Board Members do not have to take it into account. However, they should consider the relevance of the conviction or censure and, if relevant, decide what weight should be attached to it, taking into account the following factors:

- a. The time elapsed since the offence or equivalent was committed.
- b. The time lag between the offence or equivalent and the passing of sentence or date of censure.
- c. The time remaining until the conviction or censure is spent.
- d. The subject officer's performance and attitude since the conviction or censure, and determination to right past wrongs.
- e. The impact of the conviction or censure on the merit definition when applied to the subject officer.

20. Ultimately individual Board Members must each decide whether or not it is fair, reasonable and proportionate to treat the conviction or censure as an adverse factor when deciding the subject officer's suitability for professional command at this time.

SELECTION CATEGORY DEFINITIONS

21. The following selection categories will be used during the grading process:

- a. A 9-1. An officer who is ready in all respects for AEPC this time. Within this category are officers who read more or less strongly, with those showing most potential marked highest on a scale of 9 down to 1;
- b. B+. An officer whose records to date do not justify selection for AEPC this time, but who is likely to merit serious consideration at the next PCSB(AE);
- c. B. An officer whose records do not justify selection for AEPC but who may develop the potential for selection in the next 2 yrs;
- d. C. An officer who the Board judges has not yet demonstrated the aptitude, or necessary qualities, to be considered for AEPC. Within this category will be officers who lack the appropriate recommendations or who elect not to be considered due to medical or personal reasons;
- e. Not Selected for AEPC (NS). It is not anticipated that the use of the NS grade will be a routine occurrence. However, in accordance with BR3 59A⁵ this designation provides the Board with the mechanism to identify an officer who it judges does not and will not demonstrate the necessary aptitude and qualities required to undertake AEPC. The award of this grade will result in the officer no longer being considered at future PCSB(AE)s. Any individuals awarded this grade will be formally notified by letter signed by the HoS, a copy of

⁵ IAW with BR3 59A - List C, AEPC candidates may remain eligible for Command assignments in a different category.

this letter will be inserted into their CM Personal File. Individuals who have previously graded NS may, in exceptional circumstances, be reconsidered by future PCSB(AE)s should the needs of the Service change.

22. The normal board process is conducted in three stages:
 - a. The Branch Secretary confirms the eligibility of all candidates;
 - b. Annual Professional Command Selection Board (PCSB(AE)) Members independently pre-read candidates' files and vote;
 - c. In-session, the Board selects the required number of candidates for Air Engineering Professional Command.
23. Candidates. The Board will consider all substantive AE OF3s who meet the eligibility criteria for selection. Unless awarded a grade of NS, all unsuccessful candidates will remain eligible for consideration by the annual PCSB(AE) provided they continue to meet these criteria. However, regardless of eligibility, before selection for AEPC, an officer must be at least confirmed as IEng.
24. Pre-reading. Board Members independently read the selection files and grade the officers A9 (high) – A1 (low), B+, B, and C in accordance with the definitions above. Use only the information detailed in the files; personal knowledge is not to be used when grading individuals. The NS grade is not to be awarded by individual Board Members during the pre-reading phase but members should note whether an individual is a potential candidate for this grade on their summary sheets/pre-board notes.
25. Board Members will appreciate that it is essential to identify and then maintain a consistent scoring standard using the criteria from the definition of Merit. Although it is possible that there will be a large number of officers who merit an A grade, too low a standard is normally evidenced by an unduly high number of A grades. Similarly, too high a standard is often marked by the generation of insufficient A grades. Also, the attention of Board Members is drawn to the restrictive nature of the B+ grade definition, which is designed for those who are realistically coming into contention and to avoid raising the expectations of others who still have some way to go. The award of a C grade does not necessarily mean an officer lacks potential for professional command but the strength of competition is such that he/she is not yet a serious contender.
26. In-session:
 - a. Compile and review the order of merit (OOM) generated by individual members' votes;
 - b. Consider any additional matters placed before the board by the Board Adviser;
 - c. Select the required number of professional command and reserve officers and identify any C grade candidates who warrant a grade of NS;
 - d. As necessary, update the list of officers who have suffered poor continuity or other adverse reporting.
27. Requirement. The PCSB will be guided by the planned requirement for AEPC assignments in subsequent c18 months; however the board will not select candidates for specific positions. The board will be required to select sufficient candidates for the available AEPC positions and an additional number of reserves.

28. Formal Record. On completion the Board, its deliberations will deliver the overall classification of all candidates into A/B+/B/C. Once the agreed Order of Merit (OOM) is finalised the candidates will be ranked as:

- a. AEPC selectees (PC);
- b. Reserve candidates (A non-select);
- c. Those candidates not selected this time but subject to further review whilst they remain eligible; B+, B & C graded as appropriate;
- d. NS – Any C grade candidates who have been were Not Selected for AEPC and do not warrant further review in current rank.⁶

29. The Branch Secretary will prepare a closing statement for signature by the Chairman. This document will rank all officers by their final grade in seniority order. Also, the document will detail the officers considered by the Board for the last time. Once completed and signed, the Branch Secretary will forward it to the DACOS Proms and CM ENG AE SO1 for action and retention as the formal historical record of the board. All other records and electronic data including the votes cast by individual Board Members and their personal notes will be destroyed by the Branch Secretary.

30. In order to ensure that the best candidates are selected each year, any previously selected candidates who are in possession of a plan to be assigned into AEPC by the time of the next board will normally have their candidature reconsidered. CM Eng AE SO1 has discretion to extend the period covered by PCSB(AE) selection in order to meet the requirements of the Service and/or take exceptional personal circumstances into account.

31. 1998 Data Protection Act. The data contained in the historical record of the Board and any other information generated during the Board process as it affects an individual is disclosable under DPA98, but only after the announcement of the selections has been made. Given that the Board's decision is a corporate one, it follows that individual Board Members' votes and personal notes may not be truly representative of the final outcome. It is for this reason that the Branch Secretary destroys all notes, records and data other than the closing statement signed by the Board Chairman. Individual Board Members should not retain any board notes.

32. Board Adviser. CM E AE SO1 will act as the Board Adviser. His role is to provide: an initial briefing to cover the selection target, and any special considerations; relevant appointing factors such as continuity of reporting; issues not recorded in written reports, for example censures or impending court appearances; further advice on the appointing perspective. The Board Adviser will be present throughout the PCSB to gain the necessary background to fulfil their downstream responsibilities for career management and interviews, whilst maintaining the desired separation between selection and assigning functions.

Annex:

A. Professional Command Selection Board File Contents

⁶ IAW with BR3 59A List C criteria, any NS candidates may remain eligible for Command assignments in a different category.

PROFESSIONAL COMMAND SELECTION FILE CONTENTS

RANK	APPRAISAL REPORTS (Notes 1, 2 & 3)	STAFF TRAINING REPORTS (Note 4)	OTHER REQUIREMENTS
LT CDR (for AEPC)	All OF3 reports and the last 2 OF2 reports.	ICSC(M) or ACSC	Sqn A/DAEO as Lt *

* Final report only

Note: 1. Reports include S206s, MOD Forms 2020 (OJAR), JPA Appraisals (OJAR), NATO and other non-UK reports, training course reports, and letters of commendation and censure (see BR3 Chapter 57).

Note 2: No more than the last 8 years worth of reports to be included under this header.

Note 3: Any reports in AHR for the rank under consideration; any letters of Commendation or Censure.

Note 4: Most recent Staff Training report.

Defence Instructions and Notices (Not to be communicated to anyone outside HM Service without authority)	
Title:	Selection Board Procedure for OF3 and OF4 Air Engineering Professional Command (AEPC) Assignments
Audience:	Royal Navy Air Engineer Officers
Applies:	Immediately
Expires:	N/A
Replaces:	AE Professional Command elements of BR3 Annex 59A
Reference:	2017DIN01-198
Status:	Current
Released:	October 2017
Channel:	01 Personnel
Content:	Details the eligibility criteria and Professional Command Selection Board (PCSB) procedures for OF3 and OF4 AEPC assignments.
Sponsor:	NAVY PCAP-DACOS CM
Contact:	NAVY PCAP-ENG AE SO1 – HMS EXCELLENT: [REDACTED]
Keywords:	Selection Boards; Air Engineering; Professional Command; Charge Assignments
Local Keywords:	AEPC; PCSB(AE); Charge
Supplements: (Please click on the links to access >>>>)	N/A
Related Info:	Incorporation in to BR3 Annex 59A
Classification:	OFFICIAL

Introduction

1. Air Engineering Professional Command (AEPC)¹ assignments at the OF3 and OF4 levels are important milestones in the development of the RN's Air Engineer Officer (AEO) cadre and these assignments remain the driver and professional focus for the majority of AEOs. However, the reduction in available positions has resulted in selection for these posts becoming extremely competitive, especially at the OF4 level. It is therefore inevitable that a number of OF3 and OF4 AEs will not have the opportunity to complete an AEPC assignment prior to becoming competitive for promotion to the next rank.
2. Whilst recognising that the foundation for the majority of AE careers will be formed around employment in technical areas – Ops, Support to Ops, Acquisition and Regulation, the introduction of Career Fields and the New Employment Model across the Services reinforces the need for AEOs to develop skills outside of these traditional zones in order to successfully compete for more senior roles that require broader career skills. Therefore, whilst current circumstantial evidence may point to the contrary, the completion of an AEPC assignment is not a requirement for promotion to either OF4 or OF5.

¹ Previously referred to as 'Charge'.

3. Given the reduction in available AEPC opportunities, the formal Air Engineering Professional Command Selection Board (PCSB(AE)) process ensures that the AEOs with the greatest potential to succeed in AEPC are selected for these positions. The OF3 and OF4 PCSB(AE)s will be convened independently but will share common principles and format; the overall aim being to select the AEOs who will subsequently be career managed into an AEPC assignment.

Board Composition

4. To align with the PCSBs for other branches the OF3 and OF4 boards will nominally consist of the following members:

- a. **OF3 PCSB(AE)**. Chaired by an AE OF5² who will be supported by two AE OF4s³ and a non-spec OF4 Career Manager (CM); CM ENG AE SO1 will act as the Board Advisor and the Engineer Branch Secretary will act as the Board Secretary.
- b. **OF4 PCSB(AE)**. Chaired by AE Head of Specialisation (HoS)⁴ who will be supported by two AE OF5s⁵ and a non-spec OF5⁶, CM ENG AE SO1 will act as the Board Advisor and the Engineer Branch Secretary will act as the Board Secretary.

Candidates

5. PCSBs will sit annually, notionally Mar/Apr for OF4s and Nov for OF3s, and review all eligible candidates who meet the following criteria:

- a. **OF3:**
 - (1) Recommended for AEPC;
 - (2) Substantive in rank;
 - (3) Professionally registered with the Engineering Council at minimum level of IEng at the time of the PCSB;⁷
 - (4) Serving on, or a volunteer for transfer to, a commission⁸ that enables service to Rank Related Retirement Age (RRRA)⁹ or Normal Retirement Age (NRA)¹⁰;
 - (5) Individuals will be presented to the PCSB(AE) for the last time in the calendar year of the officer's TX date minus 5 years.¹¹

² Chairmanship of the OF3 PCSB(AE) will normally be undertaken by CSAV DACOS(AE) however, this may be delegated to any OF5 AE if required.

³ Ideally to include the Fleet AEO.

⁴ HoS may authorise any AE OF6 or in exceptional circumstances an OF5 to chair the OF4 PCSB(AE).

⁵ Ideally to include CSAV DACOS(AE).

⁶ Ideally DACOS(CM).

⁷ The requirement to be IEng registered in order to be eligible for consideration by the PCSB(AE) will be strictly enforced from 2017 onwards. This was stipulated in the 2016 DIN.

⁸ This will be FCS/FTC in most cases however, some officers will be ineligible for FCS/FTC transfer as their ICS/IC or CCS/CC provides sufficient service to reach RRRA/NRA.

⁹ Officers with service prior to 1 Apr 99 are subject to RRRA law BR3 5427 but may be considered for Retirement Age 55 (RA55) selection if there is a Service need.

¹⁰ Normal Retirement Age 55.

¹¹ Selection for RA55 may extend or re-open the respective commission transfer, promotion and AEPC selection windows.

Selection Process

8. The best practice embedded in the commission transfer and promotion system will be employed at all PCSB(AE)s. This will ensure that all eligible officers are considered at appropriate stages in their career and that a record is kept¹⁶ of the PCSB grade each time an officer is considered. The respective grades from the previous board will not be included in the pre-reading packs for PCSB(AE)s.¹⁷ Selection for AEPC is not a pre-requisite for promotion therefore these grades¹⁸ will not be available for review by the promotion system.

9. Prior to the PCSB(AE) each board member will independently grade all candidates into one of 5 categories:

- a. **A 9-1.** An officer who is ready in all respects for AEPC this time. Within this category are officers who read more or less strongly, with those showing most potential marked highest on a scale of 9 down to 1;
- b. **B+.** An officer whose records to date do not justify selection for AEPC this time, but who is likely to merit serious consideration at the next PCSB(AE);
- c. **B.** An officer whose records do not justify selection for AEPC but who may develop the potential for selection in the next 2 yrs;
- d. **C.** An officer who the Board judges has not yet demonstrated the aptitude, or necessary qualities, to be considered for AEPC. Within this category will be officers who lack the appropriate recommendations or who elect not to be considered due to medical or personal reasons;
- e. **AEPC Not Required (NR) – OF3 Only.**¹⁹ An OF3 officer who the Board judges has already successfully demonstrated all the necessary competences that would be gained from completing an AEPC assignment at the OF3 level. The award of this grade will result in the officer no longer being considered by the OF3 PCSB(AE). The award of this grade will be formally recorded by a letter signed by the HoS. This letter will be forwarded to the Officers Promotion section for inclusion in the individual's Promotion File²⁰ with copies of the letter being provided to the individual and inserted in their CM Personal File. Individuals who have previously graded NR may, in exceptional circumstances, be reconsidered by future PCSB(AE)s should the needs of the Service change.

¹⁶ Following promotion board protocol, only the final grades will be retained, the Board's deliberations will be destroyed on completion. CM Eng AE SO1 will retain a record of all previous PCSB(AE) grades but subsequent Board's will only be provided with the previous board grade

¹⁷ The 2015 OF4 board operated under draft instructions; feedback from the board members was used to refine the processes including the adoption of the grading system at para 10 which, for commonality, is based on the Transfer and Promotion board grading system. As the 2015 grades do not conform to this system they will not be retained and the 2016 board re-base lined the eligible candidates.

¹⁸ With the exception of an NR grade from the OF3 PCSB(AE); see para 9e.

¹⁹ This grade is available for the board to award to those OF3s who have already successfully completed a Full Level J assignment and will therefore have little to gain from undertaking a similar position. The award of this grade is not automatic; it is a mechanism available during the board's deliberations and will only be awarded at the discretion of the board. Given the significantly broader remit of the OF4 AEPC positions this grade is not available to the OF4 PCSB(AE).

²⁰ OF3 to OF4 promotion boards for all branches routinely review Charge/Command reports; therefore the letter awarding an NR grade at the OF3 PCSB(AE) will be included in an officer's promotion file in order to clarify the situation and direct the promotion board to the previous Charge/Command reports.

b. OF4:

- (1) Recommended for AEPC;
- (2) Substantive in rank;
- (3) Professionally registered with the Engineering Council;¹²
- (4) Previously completed OF3 AEPC;¹³
- (5) Individuals will be presented to the PCSB(AE) for the last time in the calendar year of the officer's TX date minus 3 years if subject to RRRRA or TX date minus 5 years if serving to NRA.

Evidence

6. For consistency and to ease the staffing burden, the files used by the PCSB(AE) will be the same as those considered by promotion boards, these include:

- a. All reports in substantive rank for a maximum of 8 years
- b. Last 2 reports from previous rank;
- c. Any reports in Acting Higher Rank (if not included under para 6b) for the rank under consideration;
- d. The last report from any previous Squadron¹⁴ or AEPC¹⁵ assignments;
- e. Most recent Staff Training report;
- f. Letters of Commendation and Censure;
- g. JPA CV Sheet.

Selection Criteria

7. Selection will be based on a combination of the factors below:
- a. Recommended for Professional Command and reported evidence of possessing the requisite professional experience and the appropriate leadership and personal qualities (based on the current definition of Merit);
 - b. Subsequent employability at OF3/OF4 respectively;
 - c. Needs of the Service/Branch;
 - d. Promotion potential and reach;
 - e. Talent management in order to ensure that the AE branch maintains a viable route to the highest ranks in the Service.

¹² Previous PCSBs considered OF3 candidates that were not registered with the Engineering Council at the time of the Board. From 2017 OF3s will need to be professionally registered (IEng minimum) in order to be eligible for consideration; this has been promulgated on a previous DIN and at various forums. All successful OF4 selectees will be required to achieve CEng accreditation 6 months prior to their AEPC report for duty date.

¹³ The award of 'AEPC Not Required (NR)' grade (see para 10e) at the OF3 PCSB(AE) is an acceptable alternative and will maintain eligibility.

¹⁴ OF1/OF2 AAEO or DAEO assignments.

¹⁵ OF2 and OF3 AEPC assignments.

f. **Not Selected for AEPC (NS).** It is not anticipated that the use of the NS grade will be a routine occurrence. However, in accordance with BR3 59A²¹ this designation provides the Board with the mechanism to identify an officer who it judges does not and will not demonstrate the necessary aptitude and qualities required to undertake AEPC. The award of this grade will result in the officer no longer being considered at future PCSB(AE)s. Any individuals awarded this grade will be formally notified by letter signed by the HoS, a copy of this letter will be inserted into their CM Personal File. For OF3s the award of this grade at the PCSB(AE) is provisional pending ratification by the AE HoS. Individuals who have previously graded NS may, in exceptional circumstances, be reconsidered by future PCSB(AE)s should the needs of the Service change.

10. The Board's deliberations will be guided by the planned requirement for AEPC assignments in the c18 months following the board, however, the board will not select candidates for specific positions; this remains a career management function. The board will be required to select sufficient candidates to meet the requirement and also a specified number of reserve candidates.

11. The PCSB(AE)'s deliberations will deliver the overall classification of all candidates into A/B+/B/C/NR²²/NS grades with the final agreed Order of Merit (OOM) generating the AEPC selectees (PC) and the Reserve candidates (A non-select) from the A grade population.²³ The remaining B+, B and C grade population will be subject to further review whilst they remain eligible.²⁴ Whilst those candidates graded NR and NS will no longer be considered for AEPC in rank.²⁵

12. In order to ensure that the best candidates are selected each year; any previously selected candidates will have their candidature reconsidered at subsequent boards if, by personal choice, they have not accepted a plan to move them into AEPC at the time of the next board. CM Eng AE SO1 has discretion to extend the period covered by PCSB(AE) selection in order to meet the requirements of the Service and/or take exceptional personal circumstances into account.

Promulgation

13. The list of AEPC selectees²⁶ will be published on the RN web.²⁷ These individuals will then subsequently be informed of the proposed plan to move them on to Pre-Charge Management Course and into their respective AEPC positions. All personnel awarded a grade of NR or NS will be formally notified by letter from AE HoS. All eligible officers not selected for AEPC will be entitled to request their board grade from CM Eng AE SO1 one week after the publication of the selection signal.

²¹ IAW with BR3 59A - List C; AEPC candidates may remain eligible for Command assignments in a different category.

²² OF3 Only.

²³ Equivalent to BR3 59A - List A.

²⁴ Equivalent to BR3 59A - List B.

²⁵ Equivalent to BR3 59A - List C. Accordingly, these candidates may remain eligible for Command assignments in a different category.

²⁶ Reserve list selections will not be published as there is no guarantee of extraction or selection at subsequent boards.

²⁷ The AEPC selections will be published at 1000 on the Thursday following the respective PCSB.