

# Investigation into the involvement and actions of Assistant Commissioner John Yates in the recruitment process for the daughter of Mr Neil Wallis

## Contents

Introduction .....	3
Terms of reference .....	3
Subjects to the investigation.....	4
Chronological summary of events .....	4
Policies and procedures .....	10
Conclusions.....	11
Recommendations .....	13

## Introduction

1. On 27 January 2009 Neil Wallis, the Executive Editor of the News of The World, sent an email with his daughter's CV attached to Assistant Commissioner (AC) John Yates. On 29 January 2009 AC Yates sent the CV to the Metropolitan Police Service (MPS) Director of Human Resources, Martin Tiplady.
2. A series of emails between other members of MPS staff continued until 25 March 2009. Ms Wallis was given vetting clearance on 8 May 2009 and commenced employment on a Fixed Term Appointment (FTA) basis for six months on 1 June in Human Resources. A further three month FTA was subsequently agreed to commence on 1 December 2009. After nine months on a fixed term appointment Ms Wallis became eligible to apply for a permanent role within the MPS and was successful in securing a permanent contract.
3. On 15 July 2011 Ms Wallis declared her connection to Mr Neil Wallis in line with the Declarable Association Policy. This was the day after his arrest by the MPS.
4. On 18 July 2011 the Metropolitan Police Authority (MPA) recorded the conduct of AC Yates' role in the employment of Mr Wallis' daughter and referred it to the IPCC.

## Terms of reference

5. The terms of reference for the investigation were:
  1. To investigate the involvement and actions of Assistant Commissioner Yates in the recruitment process for the daughter of Mr Neil Wallis including:
    - a) The nature of the roles and responsibilities he should reasonably have undertaken.
    - b) The actual role and responsibilities he undertook.
    - c) As far as practicable, the identification of all personnel who became personally involved or asked others to do so on their behalf.
    - d) The nature and extent of any assistance Ms Wallis received from any member of the force in securing a post in the Metropolitan Police.
    - e) Whether their involvement in the recruitment process had the potential to give an unfair advantage, or actually gave an unfair advantage, to the applicant.
    - f) Whether any other applicant was potentially disadvantaged

by Assistant Commissioner Yates or other personnel identified in the recruitment of Ms Wallis.

2. To identify whether any subject of the investigation may have breached their standards of professional behaviour. If such a breach may have occurred, to determine whether that breach amounts to misconduct or gross misconduct and whether there is a case to answer.
3. To consider and report on whether there is organisational learning for the appropriate authority, including whether any change in policy or practice would help to prevent a recurrence of the event, incident or conduct investigated.

## Subjects to the investigation

6. The Terms of Reference included investigation into the involvement and actions of AC Yates in the recruitment process for Ms Wallis. On 22 August 2011 the IPCC received a letter from AC Yates' solicitors following his receipt of the MPA letter dated 18 July 2011.
7. Attached to the letter was a copy of an email AC Yates sent to the Chief Executive to the Metropolitan Police Authority which included his response to their 18 July letter and an email from Mr Tiplady to AC Yates dated 17 July 2011 which provided an account of his recollections relating to receipt of Ms Wallis' CV.
8. In the email Mr Tiplady confirmed that AC Yates had no direct involvement in the recruitment of Ms Wallis. It was therefore considered that there was no evidence of misconduct by AC Yates and that he would be treated as a witness. This was confirmed to Mr Yates' solicitor by email on 19 October 2011. The email also invited AC Yates to explain his involvement in the recruitment of Ms Wallis but this offer was not taken up.
9. The other individuals to whom AC Yates' email was forwarded were Mr Tiplady's staff officer (DHR staff officer), the HR operations director (HR ops director), who reported to Mr Tiplady, and his staff officer, the lead on the Transforming HR programme (THR lead) and the lead for Fixed Term Appointments (FTA lead).
10. Ms Wallis herself has not been the subject of investigation and there is no suggestion by anyone that she acted inappropriately in obtaining employment with the MPS. She provided assistance to the investigation by meeting our investigators and providing a statement.

## Chronological summary of events

11. On 26 January 2009 Ms Wallis forwarded her CV to her father, Neil Wallis by email. Ms Wallis stated her father informed her that he had learned that the MPS had temporary vacancies for filing jobs. Mr Wallis

subsequently forwarded his daughter's email to AC Yates on 27 January 2009.

12. AC Yates then forwarded these emails to Mr Tiplady on 29 January 2009. The email from AC Yates stated:

*"Bit of advice please – the attached CV belongs to the daughter of Neil Wallis, the Dep Editor of the News of the World. You probably know that Neil has been a great friend (and occasional critic) of the Met in past years and has been a close advisor to Paul [Stephenson] on stuff/tactics in respect of the new Commissionership.*

*Mr Wallis' daughter is looking for a change of direction and something steady - a bit along the lines of the work that my son did recently – although she looks eminently qualified to do something more demanding. I have met her on several occasions and although would not claim to know her well she is clearly bright, very personable and presents well.*

*Clearly there is a vetting issue which would prob have to go through normal channels unless you advise me otherwise.*

*Be grateful for an early response so I can manage expectations with both Neil and his daughter."*

13. At the time Mr Tiplady was Director of Human Resources (DHR). He retired from the MPS on 30 April 2011.
14. On 27 February 2009 the THR lead sent an email to the HR ops director as a draft for Mr Tiplady. The email detailed the number of FTA staff within HR and an update on the selection and redeployment process that was ongoing at the time. The email suggested that new FTAs could be offered to the right calibre staff but also advised that they would need to watch the budgets, considering temps and FTAs in the first instance.
15. At 8.27am on 11 March 2009 the DHR staff officer forwarded the email Mr Tiplady had received from AC Yates to the HR ops director and the THR lead. In his email the staff officer indicated that he had discussed the situation with Mr Tiplady. He referred to the ongoing situation regarding FTAs but added *"all the same Martin is very keen for us to accommodate Ms Wallis, particularly in light of her father's position/relationship!"* He asked for ideas or suggestions on an obvious way forward so that they could facilitate the request on Mr Tiplady's behalf.
16. The DHR staff officer stated that he did not recall the conversation with Mr Tiplady. He added that in similar situations Mr Tiplady would have given some background and been very clear about what actions he wanted undertaken and the outcome he was looking for. His interpretation was that Mr Tiplady's concern was that the organisation

should help facilitate a work placement thus ensuring a cordial relationship would be maintained with someone in a role [Neil Wallis] who could be a powerful opinion former.

17. Mr Tiplady did not recall saying to his staff officer that he was keen for them to accommodate Ms Wallis. He added that the role of a staff officer was to chase progress and 'hurry along replies'. Mr Tiplady said it would be common for his staff officer to use his name to expedite responses.
18. At this time the HR ops director was on leave but the email was forwarded to the THR lead on his behalf by his staff officer at 11.08 am on 11 March 2009. The email asked the THR lead if she could deal with it on the HR ops director's behalf and update with progress.
19. The HR ops director stated that there were challenges about the number of support staff working for the MPS when the numbers of operational staff were being reduced. AC Yates worked in the operational side of the organisation, dealing with serious crimes. The HR ops director thought that there was probably an underlying desire by support staff to be seen to be helping the operational side of the organisation.
20. Around the time Ms Wallis' application was received the THR programme was in progress. This sought to centralise the HR function and involved a reduction in staff from approximately 1100 to approximately 700.
21. The HR ops director stated that the roles vacated by staff who were being displaced were difficult to fill. People would be wary of applying for jobs that would no longer exist on completion of THR.
22. He added that as a result of THR his team was very busy. He thought that even if there were no posts in HR they may look at other parts of the MPS. There was no central repository in the MPS to indicate where the vacancies were. Each business group would make their own decisions as to whether or not they could recruit staff.
23. The HR ops director stated that he viewed the request from Mr Tiplady as being 'to see what they could do for Ms Wallis'. In his view, however there would have needed to have been a clear vacancy for which Ms Wallis' skills were a good match. Additionally he would expect that all the recruitment processes would be completed. In this case he felt that in view of the number of posts that were difficult to fill it may have been that Ms Wallis was suitable for one of those posts.
24. Whilst the HR ops director was not aware of any discussions between AC Yates and Mr Tiplady, he commented that Mr Tiplady's style was to 'get on with it'. If he had thought there was anything untoward with the way the application was processed he would have spoken to Mr

Tiplady about it.

25. The THR lead stated that she recalled having some concerns about the appropriateness of a placement given the connection with Mr Wallis but cannot recall who she raised these with at the time. The assumption was that as the request had come from a management board member, a position would be found for Ms Wallis. She added that she did not have any records of those discussions.
26. The HR ops director's staff officer confirmed the view expressed by the THR lead regarding the request from Mr Tiplady. She stated that if something like a CV came from him they would have been expected to find the applicant something, even in the absence of an application form. Because of the hierarchy that existed they would not question this, they would find a role.
27. The THR lead also recalled a conversation with Mr Tiplady about whether it was the desire of two members of the management board [AC Yates and Mr Tiplady] to secure a position for Ms Wallis and suggested that they needed to talk to her, even if it was an informal interview, to assess where she could best be placed in relation to her skills and the connection, through her father, with the News of the World.
28. The THR lead managed a Service Continuity Team. As staff who were potentially being displaced either found other roles within the MPS or left, short term vacancies arose. The 'go live' date for the switch to the central HR unit kept being delayed but there was a need for the day to day work to continue in the meantime. She could not recall whether there was a recruitment campaign at the time Ms Wallis' application was received but added that there was no intention for her to join HR on a permanent basis.
29. At 12.38pm on 11 March 2009 the THR lead advised the HR ops director's staff officer that she had spoken to the DHR staff officer who was going to contact Ms Wallis to discuss her skills to see if the MPS could accommodate her.
30. She also stated that she believed the DHR staff officer subsequently telephoned Ms Wallis and an informal interview was completed. She added that at the time they needed people short term and could only assume that the discussions with Mr Tiplady highlighted that Ms Wallis had appropriate skills for one of those roles.
31. Ms Wallis confirmed that she was telephoned by the DHR staff officer to discuss her CV. She said she was asked about her qualifications, past jobs and what interested her. She added that this was like any other telephone interview for a temporary job.
32. The THR lead recalled a discussion with the FTA lead about the

appropriateness of a posting for Ms Wallis and where would be the best place for her to go. Whilst they had vacancies on her team, she did not feel it would be appropriate for Ms Wallis to join them given the sensitivities of the work they were doing at the time. She added that they made sure that vetting etcetera was completed to ensure that those parts of the recruitment process were complied with.

33. On 13 March 2009 the THR lead sent an email to the FTA lead and stated that Ms Wallis needed to be provided with an FTA for at least six months. The email suggested a position in the Service Continuity Team. It also mentioned that they needed to ensure that vetting took place.
34. The FTA lead confirmed the discussions he had with the THR lead. He stated that from what he understood of the way the application was received this was not the usual way of recruiting someone. Ms Wallis had not applied for an advertised position and not been through the normal selection processes.
35. He added that from her CV Ms Wallis seemed competent and met the usual criteria for employment in the MPS. From the time he received the CV the normal application process was followed.
36. The FTA lead also confirmed that the MPS were periodically taking people on for short term appointments in the THR programme but in the case of Ms Wallis the appointment was not based on normal policy. The application came from Mr Tiplady and he believed the instructions to the THR lead, even after the challenges were raised, were quite clear - to bring Ms Wallis in. He added that he thought that after he and the THR lead challenged the appropriateness of a posting for Ms Wallis they made a suggestion that they could have given her a job via Adecco, the temporary staff agency the MPS were using at the time.
37. MPS records show that during February and March 2009 a total of 50 staff were referred to the MPS by Adecco, of which 11 were likely to have been related to the THR programme.
38. On 25 March 2011 the THR lead sent an email to the HR ops director's staff officer to update her on progress. This email confirmed that "*[Ms Wallis] has been spoken to and the paperwork related to the vetting etcetera has been sent to her*".
39. There was further discussion by email between the THR lead and the HR ops director's staff officer regarding the role for which Ms Wallis was being considered. The reply was that hopefully she could be used to support an HR unit, maybe in traffic.
40. The THR lead stated that at the time traffic were really struggling for staff and were always asking for additional support.
41. On 18 May 2009 the FTA lead wrote to Ms Wallis formally offering her

an FTA role and subsequently he met Ms Wallis to sign the paperwork. Ms Wallis stated that she took her CV to the meeting and was interviewed.

42. The FTA lead stated that at the time his role in the recruitment process would have been to approve the vacancy and advertising. The actual recruitment would have been delegated. It would have been rare for him to be involved in interviews at the level for which Ms Wallis was being considered or to have written to her with the offer of employment.
43. He added that he kept more control over Ms Wallis' application in view of the unorthodox way it had been received and being aware of the department from which it had come.
44. Ms Wallis' FTA employment commenced on 1 June 2009 initially on a fixed contract for six months. Her FTA was extended for a further three months due to delays in THR going live and was subsequently extended again for another three months. After nine months on a fixed term contract she became eligible to apply for a permanent role in the MPS. She subsequently applied for a role as an HR advisor in the new HR advisory centre and stated that her application was paper sifted and she attended an interview board before she was offered a permanent contract.
45. Around the same time she saw another position advertised; having attended an interview she was offered a position which she accepted.
46. On 15 July 2011 Ms Wallis declared her connection to Mr Neil Wallis in line with the Declarable Association Policy.
47. On 18 July 2011 the MPA recorded that the involvement of AC Yates in the recruitment of Ms Wallis may amount to a breach of professional standards and that the matter had been referred to the IPCC.
48. AC Yates replied to the MPA by email on the same day stating that the email from Mr Wallis attaching his daughter's CV was a straightforward referral and that he made clear to the recipient [Martin Tiplady] that he was simply passing it on and was indifferent to the outcome. He added that the statement about 'managing expectations' highlighted this.
49. AC Yates also stated he had nothing to do with Ms Wallis' subsequent selection and included an email he received from Mr Tiplady dated 17 July 2009.
50. Mr Tiplady's email confirms that his recollection of the email from AC Yates was that it invited him to consider if the MPS had any vacancies. He did not recall having any conversations with AC Yates about the application. He also confirmed that at the time the MPS were recruiting a lot of temporary staff in connection with the THR programme.
51. Mr Tiplady also confirmed that neither he nor AC Yates had any direct

involvement in the recruitment of Ms Wallis. He added that had AC Yates tried to influence what happened after the email was forwarded, he would have counselled AC Yates to back off and would have used his office to abort any further consideration of the application.

52. Additionally Mr Tiplady commented that it was a matter of routine that many senior MPS staff referred friends and relatives to HR for appointment, attachment and holiday employment.

## Policies and procedures

53. Metropolitan Police Recruitment and Selection Policy dated April 2008 sets out the procedures for recruiting new members to the MPS, including police staff.
54. The policy states that recruiters must ensure that all recruitment and selection is in accordance with the policy. Of relevance to this investigation is that the policy also states that all candidates without exception must successfully pass all elements of the selection process relevant to the post they are applying for and must be cleared in respect of the security and counter terrorism checks.
55. The document lists several benefits for adherence to the policy including:
- It will provide a transparent, consistent and fair corporate process for all selection and recruitment processes
  - It will establish a mechanism for objective assessment against nationally set standards from the Integrated Competency Framework
  - It will ensure a competitive process that maintains fairness and equity throughout and no adverse impact on any particular group.
56. The policy is complemented by the Assessment Process Standard Operating Procedure (SOP) 3/2007 which includes guidance on assessment for external candidates to the MPS.
57. Point 2 of the SOP states that it applies to all police officers and police staff, including extended police family, and those working voluntarily or under contract to the MPS must be aware of, and are required to comply with, all relevant MPS policy and associated procedures. The SOP applies in particular to officers and staff in HR Recruitment Directorate and local HR Units.
58. Point 7 of the SOP covers the interview process. Whilst this is headed 'Internal Review Process' the Head of Operations, People Support, Recruitment has confirmed that this applies to both external and internal candidates.
59. The SOP states that following a paper sift process the next stage of the

selection process will usually involve an interview. An interview panel is responsible for determining the suitability of an applicant for a specific role. Point 7.1 of the SOP sets out the composition of the interview panel.

60. Additionally it states that the assessment of applicants must be conducted fairly and objectively against the relevant role profile and person specification. All candidates must be assessed against the same job related criteria free from discrimination.
61. Point 7.9 states that interview panel members must take notes during the interview on marking sheets and point 7.10 adds that in order to control error, eliminate bias and apply appropriate standards or ratings it is recommended that panel members use the ORCE model (Observe/ Record/ Classify/ Evaluate.)
62. The Head of Recruitment and Selection with the MPS conducted a review of the MPS recruitment policy and was asked to comment on whether the process used in the employment of Ms Wallis differed from the standard recruitment procedure.
63. He confirmed that under the MPS recruitment policy an applicant would be required to complete a standard application form. If the applicant met the recruitment eligibility criteria they would be invited for interview and assessment. If successful at the interview and assessment stages, the applicant would then undergo a vetting procedure and complete a medical assessment, and character enquiries including employment and educational references, would be conducted.
64. In the case of Ms Wallis' application, the Recruitment Policy and SOP were not adhered to. There was no formal interview process, only an informal interview on the telephone. No notes relating to the interview process were found on Ms Wallis' personal file and there was no evidence that references had been taken. The file did include, however, a record that the vetting process had been completed.
65. The Head of Recruitment and Selection stated that in his professional opinion to offer employment to an individual on the basis of a CV alone, without any form of references was contrary to MPS recruitment policy.

## Conclusions

66. On receipt of the email from Mr Wallis, AC Yates forwarded it together with Ms Wallis' CV to Martin Tiplady, Director of Human Resources. This does not contain a direct request to find a position for Ms Wallis.
67. Mr Tiplady's email to AC Yates on 17 July 2011 states that neither had any direct involvement in the recruitment of Ms Wallis. His email also says, "*It is a matter of routine that ma[n]y of the Mets people have referred relatives and friends to us for appointment, attachment or*

*holiday employment.... None of this implies any impropriety on the part of the referrer. They simply referred the relevant person to us and the system then took over."*

68. AC Yates told the Home Affairs Select Committee on 19 July 2011 that he was "*simply a post box*" for Ms Wallis' CV and that "*it happens all the time*".
69. The THR lead and the FTA lead challenged the appropriateness of placing Ms Wallis but felt that due to the position of AC Yates and Mr Tiplady in the MPS this was a request to find her a job rather than to see if there was anything suitable for her. They cannot, however, recall who they challenged this with.
70. It is evident from their statements that a request from a Senior Manager was perceived by less senior staff to be an instruction.
71. At the time Ms Wallis' CV was received, the MPS HR department was undergoing considerable change. Whilst a number of staff were at risk of losing their jobs following centralisation in the lead up to go live, as those staff left or found other roles, short term vacancies arose and these were filled by using temporary staff supplied by an agency or the appointment of staff on Fixed Term Appointments following a recruitment campaign.
72. Ms Wallis' CV was not forwarded to an agency and she did not respond to a recruitment campaign. The MPS Recruitment Policy and SOPs were not adhered to in considering her prior to offering her a Fixed Term Appointment. Although Ms Wallis was in no way responsible for this, the process that was followed had the potential to give her an unfair advantage.
73. One of the aims of the MPS Recruitment and Selection Policy and associated SOPs is to ensure that there is a competitive process that maintains fairness and equity throughout. As the policy was not adhered to it is difficult for the organisation to demonstrate that Ms Wallis' appointment was fair or equitable.
74. Whilst the CV was not referred to the agency, given that at the time the MPS did take on a number of temporary staff and the fact that Ms Wallis subsequently applied for, and was successful in obtaining a permanent role, it is more likely than not that had the correct application process been followed, she would have been offered a role.
75. The investigation found no evidence that AC Yates directly influenced the appointment of Ms Wallis and as such there was no evidence that his actions and involvement amounted to misconduct. As previously outlined it is however evident that the email chain between two members of the MPS senior management board was perceived by more junior staff to be in the nature of an instruction to find a job for Ms

Wallis – and this should have been foreseeable both to Mr Yates and Mr Tiplady. Whether or not it was “routine” for senior officers to pass on CVs it was poor judgement to do so, bearing in mind the appearance of favouritism. Mr Yates’s claim that he was “*simply a post box*” should be read alongside the full text of his email which refers to the relationship of the owner of the CV to Neil Wallis, described as “*... a great friend (and occasional critic) of the Met in past years and has been a close advisor to Paul [Stephenson] on stuff/tactics in respect of the new Commissionership.*”

76. Despite Mr Tiplady’s claimed lack of direct involvement, the evidence suggests that the overall responsibility for this lack of adherence to policy rests with him. In a written response to the IPCC dated 6 February 2012 he accepted “that it might be possible to criticise me for not ensuring that staff properly followed recruitment guidelines”.
77. Mr Tiplady went on to explain he did not know or ever meet Ms Wallis. He said he had no knowledge of what occurred after the initial referral email left him and he did not give instructions for a position to be found. He said he had done nothing to promote the selection of Ms Wallis other than to forward a CV.
78. With regard to the staff involved in processing the application there is no evidence to suggest that any of their actions or involvement would amount to misconduct and they were treated as witnesses throughout the investigation.

## Recommendations

79. Mr Tiplady commented that it was a matter of routine that many senior MPS staff had referred friends and relatives to HR for appointment, attachment and holiday employment. No other such instances have been referred to us and we have no evidence that, if it was indeed routine, proper recruitment procedures were not followed in other cases. But unless such applications are clearly subjected to the same MPS policies that apply to all applicants, the danger is that some applicants could be seen as having an unfair advantage and other potential applicants could be disadvantaged.
80. It is therefore recommended that the MPS reviews its practices in this area to ensure that they are not susceptible to allegations of interference or favouritism by senior officers or staff.