

News: Boris and Hancock are being legally challenged on recruitment process

📅 November 4, 2020(<https://staylegal.co.uk/2020/11/04>)

❑ No ([https://staylegal.co.uk/news-boris-and-hancock-are-being-legally-challenged-on-recruitment-Comments process#respond](https://staylegal.co.uk/news-boris-and-hancock-are-being-legally-challenged-on-recruitment-Comments%20process#respond))



A letter before claim has been sent to the Prime Minister, Boris Johnson and the Secretary of State for Health and Social Care, Matt Hancock. It mainly challenges the appointment of Baroness Dido Harding as the acting Chair of the new body responsible for public health in the United Kingdom, the National Institute for Health Protection. Three months earlier to the above appointment Baroness Harding was appointed Head of Test and Trace. In 2017 she was appointed as the Chair to NHS Improvement. Following Baroness Harding's appointments several other people have been given important roles within Test and Trace which are also challenged.

The Runnymede Trust and the Good Law Project (the claimants) have challenged the above appointments and the practice underlying them on two grounds;

1. They are indirectly discriminatory under the Equality Act 2010;
2. The Government appears to have breached its public sector equality duty in Section 149 of the Equality Act 2010.

Indirect discrimination (1):

Section 19 and 39(1)(a) of the Equality Act asserts that indirect discrimination in recruitment is unlawful unless it can be shown to be a proportionate means of achieving a legitimate aim. The claimants allege that the appointments of Baroness Harding and the others 'have applied a policy, criterion or practice of recruitment without open competition and/or that the appointees should be personally, professionally or politically connected with the relevant decision makers or with senior members of Conservative Party'.

Breach of its public sector equality duty (2):

The claimants state that 'it appears the Government has;

1. taken decisions not to hold transparent and fair recruitment for these particular appointments; and/or
2. adopted an informal policy of closed recruitment for major public appointments related to Covid'.

The letter before claim points out that prior to Baroness Harding's appointments within the NHS and Test and Trace 'she had no experience as a public administrator or in the health sector. She is the wife of former Conservative Party Minister John Penrose, who is the Prime Minister's "Anti-Corruption





(<https://staylegal.co.uk>) and a personal friend of former Prime Minister David Cameron'. Prior to her appointments FREE CONSULTATION
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she was the 'chief executive of the TalkTalk Group, where she faced calls for her resignation after a cyber-attack revealed the details of four million customers'.

The appointments to important roles within Test and Trace made after and under her include Mike Coupe, a former CEO of Sainsburys, also with no experience as a public administrator or in the health sector, but happens to be a former colleague and friend of Baroness Harding. Mr Coupe joined Gareth Williams, another former Sainsburys executive.

The claimants allege that there was no transparent or fair process for the appointments held by Baroness Harding and Mr Coupe. There is no publicly available information on the recruitment process, no job advertisements, person specifications, or application process.

Basically, it appears as though the jobs were given to 'mates' of those that make the decisions, instead of the best applicant for the job.

Its is not the first time a Government has appointed their 'friends' to top jobs, but surely it is more important than ever to get the right person for the job. We are all about to enter another period of heavy restrictions, 'lockdown' which could have possibly been avoided with an effective Test and Trace system.

A system that effectively and quickly traces infections, and then quickly and correctly tests those likely to be infected, with the right incentives to ensure those positive, isolate until they are negative, could potentially keep numbers at a level that could avoid 'lockdowns'. After all, 'lockdowns' only temporarily reduce infections as they just delay the inevitable, namely, a rise in cases when we return to the 'new normal'. Without an effective Test and Trace system we may keep going in and out of 'lockdowns' which is not good for business or people.

Coronavirus and the restrictions that come with it mean it is now more important than ever to have an online presence to promote and continue (as much as you can) your business activities. Maybe you are a pub, café, or restaurant that has created a basic website to advertise and sell your takeaway service.

A Lawdit Stay Legal Package can provide your website will all the documents it needs to comply with the law. The documents will also put legal safeguards in place to assist and protect if a dispute were to arise. As part of the package you will also get support on all e-commerce matters. A legally compliant website looks right and therefore gets more trade as nobody trusts a website that doesn't look right. Your website is worth investing in as your online presence is essential in the current Coronavirus world. With a free initial consultation there is no need to delay, so book today!



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