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Edward Mountain MSP  
Convener  
Net Zero, Energy and Transport Committee  
Scottish Parliament  
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17 June 2024

Dear Convener,

## **Environmental Standards Scotland (ESS) – Appointment of Chair**

I am writing to provide you and members of the Net Zero, Energy and Transport Committee (NZET) with information on a recruitment process to appoint a new Chair to ESS.

### **Context**

In March this year, Jim Martin retired as Chair of ESS and until such time as a suitable candidate has been identified through this proposed process, Dr. Richard Dixon is fulfilling the role of interim Chair.

You will be aware that appointments to the Board of ESS are subject to Parliamentary approval under the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 (“the 2021 Act”) and are now regulated by the Commissioner for Ethical Standards for Public Standards in Scotland.

I am keen to work closely with the Committee to ensure appropriate Parliamentary scrutiny in line with the 2021 Act and the requirements of the Code of Practice for Ministerial Appointments to Public Bodies in Scotland.

### **Appointment Process - Information**

For your consideration and/or information, I enclose the following documentation:

- Annex A: Role Description (Consideration)**
- Annex B: Person Specification (Consideration)**
- Annex C: Parliamentary Scrutiny Statement (Consideration)**
- Annex D: Appointment Plan (Information)**
- Annex E: Draft Applicant Information Pack (Information)**

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

In considering the details enclosed, I would be grateful if the Committee could, in particular, provide comments on **Annex C - Parliamentary Scrutiny Statement**. This statement is an illustration at this stage and I would like to invite the Committee to confirm the extent to which they wish to engage with any recommended candidate(s) either in person or through written evidence.

Further to this, I would like to draw the Committee's attention to Schedule 1, Paragraph 1 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 which states:

***Independence from Ministers***

*1 (1) In performing its functions, Environmental Standards Scotland is not subject to the direction or control of any member of the Scottish Government.*

*(2) Sub-paragraph (1) is subject to any contrary provision in this or any other enactment.*

I would ask the Committee to confirm it is content the arrangements and conditions set out for this appointment process are appropriate to maintain ESS' required independence from Ministers.

**Next Steps**

Subject to the Committee's views on the information enclosed, I hope to advertise this role early in July with a view to shortlisting and interviewing candidates in August and September.

It is my intention that I will consider recommendations from the selection panel in late September and will write to the Committee in October setting out who Scottish Ministers are recommending for appointment and seeking the approval of Parliament. I will advise the Committee of any changes to this.

I am grateful to the Committee for their early engagement in this process and I would kindly request a response from the Committee by the end of June confirming their views and preferred approach to Parliamentary scrutiny in order that this can be included in the application pack to be launched in early July.

Yours sincerely,



**MÀIRI MCALLAN**

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

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We invest in people Silver



## **Annex A**

### **The Role of the Chair**

The Chair is key to leading, supporting and steering the Board and staff to deliver Environmental Standards Scotland (ESS) vision that Scotland's people and nature benefit from a high-quality environment and are protected from harm through the consistent application of effective environmental laws, which are recognised internationally as setting high standards.

A critical part of this role is the building of relationships with the Scottish Parliament, the Scottish Ministers and other key stakeholders. As a non-ministerial office, it is important that the Chair can clearly represent the independent views of ESS as a scrutiny body.

An important focus for this role is the ongoing development of the organisation through formulating and articulating ESS' strategy and direction. This includes the development of ESS' second strategic plan, due for Parliamentary consideration by December 2025. This work will include the potential of additional powers, strengthening ESS' position and ambition both nationally and internationally.

The Chair will be tasked with ensuring that forward Board succession planning is in place and that ESS continues to have the skills, experience, knowledge and diversity that it needs to be effective. These objectives will be achieved whilst maintaining an appropriate separation of duties between the Chair and the Chief Executive's operational role. Undertaking an annual appraisal of the Chief Executive's performance forms part of this engagement process.

The Board has corporate responsibility for ensuring that actions and decisions taken by ESS are in accordance with its statutory obligations and the remit set out in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021. In addition, the Board promotes the efficient and effective use of resources in line with the principles of Best Value as set out in the Scottish Public Finance Manual. It does this through demonstrating high standards of corporate governance at all times, including through the effective use of its independent audit committee.

## Annex B

### Person Specification

Ministers are looking for a new Chair who can put their skills and experience to good use on the Board. The table below sets out the skills, knowledge, experience and attributes that we are seeking and explains how the criteria will be tested.

Essential Criteria	Example indicators	How this will be assessed
Understanding of the environmental regulatory and scrutiny landscape in Scotland	<ul style="list-style-type: none"><li>• broad understanding of ESS' strategic context within the Scottish environmental landscape including political issues.</li></ul> <p>This could be through experience of working in:</p> <ul style="list-style-type: none"><li>• a regulatory or scrutiny capacity;</li><li>• the academic environment;</li><li>• a regulated industry;</li><li>• a policy or legal context/capacity.</li></ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.
Leadership	<ul style="list-style-type: none"><li>• experience of leading and chairing a Board, or similar, to make strategic decisions;</li><li>• the ability to build and develop a high performing board with a collaborative and supportive culture;</li><li>• the ability to demonstrate a values led and inspiring leadership approach, encouraging new and diverse thinking;</li><li>• the ability to build a challenging but constructive relationship</li></ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.

	with the CEO and the senior executive team.	
Communication and Influencing	<ul style="list-style-type: none"> <li>• the ability to act as an ambassador for ESS, ensuring/protecting its independence, and to represent and promote the body to a wide range of partners and stakeholders;</li> <li>• the ability to communicate ESS' regulatory role particularly in areas of complexity and contention;</li> <li>• the ability to work constructively and collaboratively with partner organisations and stakeholders;</li> <li>• the ability to be highly persuasive and convincing in discussions and negotiations.</li> </ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.
Governance	<ul style="list-style-type: none"> <li>• experience of ensuring effective governance at senior management or board level;</li> <li>• able to articulate what board responsibilities are from a fiscal and legal perspective and demonstrate direct involvement in implementation of good governance principles;</li> <li>• clear understanding of audit and risk management and able to demonstrate effective</li> </ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.

	practical application of that understanding.	
Strategy	<ul style="list-style-type: none"> <li>• experience in successfully formulating strategy at a senior executive/non-executive level;</li> <li>• experience of providing performance oversight and holding the executive team to account for the delivery of the organisational strategy and plans.</li> </ul>	The evidence will be tested at interview if you are invited.
Scrutiny	<ul style="list-style-type: none"> <li>• a broad understanding of ESS' scrutiny role including what makes for effective scrutiny in an environmental context.</li> <li>• confidence to operate within the frameworks of public accountability, including Parliamentary scrutiny.</li> </ul>	The evidence will be tested at interview if you are invited.

## Annex C

### Parliamentary Scrutiny<sup>1</sup>

Under the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, Scottish Ministers may appoint individuals to ESS only if the Scottish Parliament has approved the appointment. Consequently, the Scottish Parliament will consider for approval the appointment of the individual Scottish Ministers have assessed as being most able for this Chair role.

The candidate selected by the appointing Minister will meet with the Scottish Parliament's Net Zero Energy and Transport (the Committee). This meeting will be a private informal group session with the full Committee to discuss the nominees' relevant skills and experience. This is part of the appointment process is being held to satisfy Committee Members that the ESS Chair, and ESS Board as a whole, has the range of skills and experience required to undertake its duties. A formal invitation will be issued by the Committee with further details prior to the session.

Following the private session, the Committee will report its findings to the Scottish Parliament and there will be a Chamber motion and vote on the approval of candidate, which may comprise of a short parliamentary debate. The candidate would not be expected to attend this.

If nominated for appointment by the Minister, information from the candidate's application form and a summary of the evidence from the assessment process will be shared with the Committee and may be published on the Scottish Parliament website after consideration of the appointment. This will include how the candidate's skills contribute to the requirement on the Scottish Ministers that ESS, as a whole, has experience and knowledge in the attributes set out in UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 and will confirm the candidate's suitability for public appointment, including the results of the fit and proper person test.

Personal contact details will be redacted and information on protected characteristics from the Public Appointments monitoring form such as age, ethnic grouping, disability and sexual orientation etc, will not be shared. However, in order to arrange the private session with the Committee, the candidate's contact details; email address and phone number, will be passed to the Committee in order that they can issue an invitation to meet with them.

By applying for this Chair role, candidates agree to the sharing of this data for the above purposes only.

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<sup>1</sup> *Note to Committee – This is an illustration for the Committee to consider. Committee is invited to confirm the extent to which they wish to engage with any recommended candidate(s) either in person or through written evidence.*

## Annex D

### Appointment Plan

Stage in Process	Dates	Comments
First submission to Cabinet Secretary	1 May 2024	Approved 8 May 2024
Early Engagement meeting	29 May 2024	
Panel to approve draft papers	By 12 June 2024	
NZET Committee to consider papers	25 June 2024	
Planning meeting	By end June 2024	
Panel to approve papers	By end June 2024	
Advertising begins	Early July 2024	
Advertising closes	End July / early August 2024	
Shortlisting meeting	Mid-August 2024	
Applicants advised of the outcome	Early / mid-August 2024	
Interviews	September 2024	
Candidate summaries approved by the selection panel	September 2024	
Final submission	September 2024	
Cabinet Secretary/First Minister's decision	September 2024	
Parliamentary scrutiny (to include NZET Committee consideration and Parliamentary motion)	October 2024	
Appointment date	November/ December 2024	



# Information Pack for the Appointment of the Chair of Environmental Standards Scotland

## ENVIRONMENTAL Standards Scotland Ìrean Àrainneachdail na h-Alba

The Cabinet Secretary for Net Zero and Energy is seeking to appoint a new Chair of Environmental Standards Scotland (ESS). The Cabinet Secretary values highly the benefits of having different points of view on the board and welcomes applications from people from all walks of life.

The appointments process for this Board vacancy follows the [Code of Practice for Public Appointments](#) and is regulated by the [Ethical Standards Commissioner](#).

## Key dates for this appointment round<sup>2</sup>

Closing date	5.00 pm on <b>date.</b>
Sift of applications	<b>Date</b>
Date applicants will hear about the outcome of their application	<b>Date</b>
Interviews	<b>Date and venue</b> It is unlikely that we will be able to offer alternative interview dates.
Ministerial decision	<b>Date</b>
Start date	<b>Date</b>

<sup>2</sup> All Dates TBC and subject to any NZET Committee views on Appointment Plan at Annex D.

Dear applicant

## **Appointment of the Chair of Environmental Standards Scotland**

Thank you for expressing an interest in the position of Chair of Environmental Standards Scotland (ESS). In the following pages you will find information about ESS, the work of the Board and the skills required for the role.

ESS was established in 2021 and is an important presence in Scotland's environmental governance landscape. Under the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, ESS has been established as an independent Non-Ministerial Office, tasked with ensuring the effectiveness of environmental law in Scotland and assessing how public authorities are complying with the law and adhering to standards.

The Board of ESS and in particular, the Chair, is responsible for leading the organisation in fulfilling this role. The Board currently has significant experience across environmental regulation, expertise in European environmental policy and law, environmental science and organisational governance. ESS is now looking for a new Chair that will lead the Board and organisation into the next stage of its development, including the development of ESS' second strategic plan.

Ministers value very highly the benefits of having different experience and points of view on our Boards and we are keen that people from all walks of life apply for public appointments. I particularly welcome applications from women, disabled people, LGBT+ people, people from ethnic minority communities and people aged under 50 and from those living within Scotland's island communities.

For further information about the role, please contact Mark Roberts, CEO of ESS ([mark.roberts@environmentalstandards.scot](mailto:mark.roberts@environmentalstandards.scot)) or Rebecca Peppiette, Head of Corporate Services and Communications ([rebecca.peppiette@environmentalstandards.scot](mailto:rebecca.peppiette@environmentalstandards.scot)).

For more general information, please see the [ESS website](#).

A handwritten signature in black ink, appearing to read 'Mairi McAllan', with a long horizontal flourish extending to the right.

**MÀIRI MCALLAN**

# Information about the Role

<b>Remuneration</b>	<p>As agreed with Scottish Ministers, Chair fees are capped at £20,000 per annum for a time commitment of up to 65 days in 2024/25. In 2025/26, this will reduce to £18,000 per annum for an annual time commitment of up to 60 days and thereafter, the annual fee cap will be £15,000 per annum for a time commitment of up to 50 days in line with other comparative Non-ministerial Offices. Currently, the daily fee rate is set at £305.92 for 2023/24. Daily rates are reviewed each year.</p> <p>Reasonable expenses incurred will be reimbursed. The role is non-pensionable.</p>
<b>Time commitment</b>	<p>Board meetings are currently on average every two months. In addition to this there would be time commitments around CEO, Board and staff engagement out with Board meetings, and other commitments such as stakeholder and ministerial engagements such as NZET Committee meetings.</p>
<b>Length of appointment term</b>	<p>The appointment is for four years from <b>date (tbc)</b>.</p>

<b>Location of meetings</b>	ESS works on a hybrid basis. However, Board meetings are generally in-person as is the approach to staff and stakeholder engagement.
<b>Disqualifications</b>	<p>A detailed list of people who may not be members of ESS can be found in Schedule 1, Paragraph 3 of the <a href="#">UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021</a></p> <p>Further to this, a member of the Scottish Parliament cannot also hold a public appointment for public bodies listed in the schedule of <a href="#">the Scottish Parliament (Disqualification) Order 2020</a>.</p> <p>Former ministers and senior crown servants (director general level and above) should seek advice from the Advisory Committee on Business Appointments (ACOBA) before applying for this role.</p> <p>Applicants will also be ineligible to apply for this appointment if they have already served a total of eight years as Chair of the ESS Board.</p>

# Environmental Standards Scotland

Environmental Standards Scotland (ESS) [mission](#) is to ensure that Scotland's environmental laws and standards are complied with, and their effectiveness improved, to achieve Scotland's ambitions for the environment and climate change. ESS' functions are set out in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 and include monitoring and investigating public authorities' compliance with environmental law, the effectiveness of the law and how it is implemented and applied in Scotland.

The [ESS Strategic Plan](#) sets out how ESS delivers on these responsibilities. In addition, ESS' first [Annual Report and Accounts](#) describes the reach and impact of the organisation since vesting in October 2021.

With the increasing awareness of the importance of the environment, ESS expects to have a high profile and to be able to make a real difference to the environment now and for future generations.

## The Role of the Chair

The Chair is key to leading, supporting and steering the Board and staff to deliver ESS' vision that Scotland's people and nature benefit from a high-quality environment and are protected from harm through the consistent application of effective environmental laws, which are recognised internationally as setting high standards.

A critical part of this role is the building of relationships with the Scottish Parliament, the Scottish Ministers and other key stakeholders. As a non-ministerial office, it is important that the Chair can clearly represent the independent views of ESS as a scrutiny body.

An important focus for this role is the ongoing development of the organisation through formulating and articulating ESS' strategy and direction. This includes the development of ESS' second strategic plan, due for Parliamentary consideration by December 2025. This work will include the potential of additional powers, strengthening ESS' position and ambition both nationally and internationally.

The Chair will be tasked with ensuring that forward Board succession planning is in place and that ESS continues to have the skills, experience, knowledge and diversity that it needs to be effective. These objectives will be achieved whilst maintaining an appropriate separation of duties between the Chair and the Chief Executive’s operational role. Undertaking an annual appraisal of the Chief Executive’s performance forms part of this engagement process.

The Board has corporate responsibility for ensuring that actions and decisions taken by ESS are in accordance with its statutory obligations and the remit set out in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021. In addition, the Board promotes the efficient and effective use of resources in line with the principles of Best Value as set out in the Scottish Public Finance Manual. It does this through demonstrating high standards of corporate governance at all times, including through the effective use of its independent audit committee.

### **Further Information**

For further information about the role, please contact Mark Roberts, CEO of ESS ([mark.roberts@environmentalstandards.scot](mailto:mark.roberts@environmentalstandards.scot)) or Rebecca Peppiette, Head of Corporate Services and Communications ([rebecca.peppiette@environmentalstandards.scot](mailto:rebecca.peppiette@environmentalstandards.scot)).

You can find out more about Environmental Standards Scotland at [www.environmentalstandards.scot/](http://www.environmentalstandards.scot/).

## **The Selection Panel**

<b>Chair</b>	Dave Signorini, Director of Environment and Forestry, Scottish Government
<b>Independent panel member</b>	Marieke Dwarshuis, Chair of the Office of the Scottish Charity Regulator

<b>Representative from the Ethical Standards Commissioner</b>	Paul Matheson, Public Appointments Adviser, Ethical Standards Commissioner
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Please note that applicants will be asked to declare if they know any members of the selection panel. The selection panel will also declare if they know any applicants. Any actual or perceived conflicts of interest will be managed in line with the [Ethical Standards Commissioners Code of Practice for Public Appointments](#).



# Parliamentary Scrutiny<sup>3</sup>

Under the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, Scottish Ministers may appoint individuals to ESS only if the Scottish Parliament has approved the appointment. Consequently, the Scottish Parliament will consider for approval the appointment of the individual Scottish Ministers have assessed as being most able for this Chair role.

The candidate selected by the appointing Minister will meet with the Scottish Parliament's Net Zero Energy and Transport (the Committee). This meeting will be a private informal group session with the full Committee to discuss the nominees' relevant skills and experience. This is part of the appointment process is being held to satisfy Committee Members that the ESS Chair, and ESS Board as a whole, has the range of skills and experience required to undertake its duties. A formal invitation will be issued by the Committee with further details prior to the session.

Following the private session, the Committee will report its findings to the Scottish Parliament and there will be a Chamber motion and vote on the approval of candidate, which may comprise of a short parliamentary debate. The candidate would not be expected to attend this.

If nominated for appointment by the Minister, information from the candidate's application form and a summary of the evidence from the assessment process will be shared with the Committee and may be published on the Scottish Parliament website after consideration of the appointment. This will include how the candidate's skills contribute to the requirement on the Scottish Ministers that ESS, as a whole, has experience and knowledge in the attributes set out in UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 and will confirm the candidate's suitability for public appointment, including the results of the fit and proper person test.

Personal contact details will be redacted and information on protected characteristics from the Public Appointments monitoring form such as age, ethnic grouping, disability and sexual orientation etc, will not be shared. However, in order to arrange the private session with the Committee, the candidate's contact details; email address and phone number, will be passed to the Committee in order that they can issue an invitation to meet with them.

By applying for this Chair role, candidates agree to the sharing of this data for the above purposes only.

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<sup>3</sup> *Note to Committee – As above. This is an illustration for the Committee to consider. Committee is invited to confirm the extent to which they wish to engage with any recommended candidate(s) either in person or through written evidence.*

# Person Specification

Ministers are looking for a new Chair who can put their skills and experience to good use on the Board. The table below sets out the skills, knowledge, experience and attributes that we are seeking and explains how the criteria will be tested. You may have gained your experience through work, by being active in your community, in a voluntary capacity or through your own lived experience.

Essential Criteria	Example indicators	How this will be assessed
Understanding of the environmental regulatory and scrutiny landscape in Scotland	<ul style="list-style-type: none"> <li>• broad understanding of ESS’ strategic context within the Scottish environmental landscape including political issues.</li> </ul> <p>This could be through experience of working in:</p> <ul style="list-style-type: none"> <li>• a regulatory or srutiny capacity</li> <li>• the academic environment</li> <li>• a regulated industry</li> <li>• a policy or legal context/capacity.</li> </ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.
Leadership	<ul style="list-style-type: none"> <li>• experience of leading and chairing a Board, or similar, to make strategic decisions;</li> <li>• the ability to build and develop a high performing board with a collaborative and supportive culture;</li> </ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.

	<ul style="list-style-type: none"> <li>• the ability to demonstrate a values-led and inspiring leadership approach, encouraging new and diverse thinking;</li> <li>• the ability to build a challenging but constructive relationship with the CEO and the senior executive team.</li> </ul>	
Communication and Influencing	<ul style="list-style-type: none"> <li>• the ability to act as an ambassador for ESS, ensuring/protecting its independence, and to represent and promote the body to a wide range of partners and stakeholders;</li> <li>• the ability to communicate ESS' regulatory role particularly in areas of complexity and contention;</li> <li>• the ability to work constructively and collaboratively with partner organisations and stakeholders;</li> <li>• the ability to be highly persuasive and convincing in</li> </ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.

	discussions and negotiations.	
Governance	<ul style="list-style-type: none"> <li>• experience of ensuring effective governance at senior management or board level;</li> <li>• able to articulate what board responsibilities are from a fiscal and legal perspective and demonstrate direct involvement in implementation of good governance principles;</li> <li>• clear understanding of audit and risk management and able to demonstrate effective practical application of that understanding.</li> </ul>	You will be asked to provide evidence in your application. The evidence will be tested further at interview if you are invited.
Strategy	<ul style="list-style-type: none"> <li>• experience in successfully formulating strategy at a senior executive/non-executive level;</li> <li>• experience of providing performance oversight and holding the executive team to account for the delivery of the organisational strategy and plans.</li> </ul>	The evidence will be tested at interview if you are invited.

Scrutiny	<ul style="list-style-type: none"><li>• broad understanding of ESS' scrutiny context including what makes for effective scrutiny in an environmental context.</li><li>• confidence to operate within the frameworks of public accountability, including Parliamentary scrutiny</li></ul>	The evidence will be tested at interview if you are invited.
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# The Application Process

Please provide evidence which demonstrates clearly the following four essential criteria:

- Understanding of the environmental regulatory and scrutiny landscape in Scotland;
- Leadership;
- Communication and Influencing;
- Governance.

Your evidence should be no more than **number** words (**TBC by selection panel**) in length for each criteria.

Please also provide a tailored career/life history. detailing organisations you have worked for, the roles/positions you have held, dates that those roles/positions were held and any other information from your career and life experience that you feel would be relevant to this Chair role.

Your evidence should be no more than **number** (**TBC by selection panel**) A4 pages.

Full details of the application process are set out in the application form.

## **Anonymised applications**

We are seeking anonymised applications at this appointment round. As such, your personal details will not be shared with the selection panel during the shortlisting stage.

# The Assessment Process

The assessment process will happen as follows:

1. The selection panel will assess all application forms against the criteria for appointment (see the person specification). Those who demonstrate evidence that most closely meets the criteria tested at this stage will be shortlisted for interview.
2. The selection panel will interview candidates. The questions they ask will relate directly to the criteria for appointment. There will also be a further exercise (TBC by Selection Panel - set out detail here.)
3. The selection panel will also ask questions relevant to the fit and proper person test (see below) which will include questions about [the Principles of Public Life](#).
4. The selection panel will review the evidence provided and agree on which candidate or candidates have most closely met the criteria for selection and should be recommended to the appointing Minister.
5. The appointing Minister will make a decision about whom to appoint based on evidence from the selection panel and make a recommendation to the Scottish Parliament. The appointing Minister may request to meet with candidates before making a final decision.
6. Appointees will be asked to complete pre-appointment checks which will include a Disclosure Check (there is no charge for this). Appointment is conditional on satisfactory completion of these.
7. The candidate selected by the appointing Minister will meet with the Scottish Parliament's Net Zero Energy and Transport (the Committee). Full details of the process the Committee will undertake are set out at page 7.

## Guaranteed interviews

Disabled applicants may opt to be considered for a guaranteed interview; this means that where the applicant meets the minimum criteria at the application stage, they will be invited to interview. **Please see the application form for further details.**

## **Fit and proper person checks**

In the context of public appointments, a fit and proper person is someone who is suitable because they meet the requirements of the role, and their past or present activities and behaviour means they are suitable. Tests are built into different stages of the appointment process to ensure that:

- Conduct to date has been compatible with the public appointment
- Membership is not barred by the body's constitution e.g., criminal record or bankruptcy (see disqualifications)
- There are no unmanageable conflicts of interest
- Political activity is declared
- There is agreement to abide by the Principles of Public life in Scotland. Please see the link [above](#).
- There is confirmation that the time commitment required for the role can be met.

## **Social media checks for candidates invited to interview**

The selection panel may consider publicly available information about candidates which is posted by candidates on social media. Any findings that the selection panel agree are pertinent to the role or that may call into question suitability for the appointment, credibility of the appointments process or the public body will be discussed with candidates at interview. Consideration of any issues will take place openly and transparently to establish the facts. Candidates will be given an opportunity to respond to any concerns. This information will be handled in line with the Privacy Notice for public appointments: [Privacy notice - Public appointments: guide - gov.scot \(www.gov.scot\)](https://www.gov.scot/privacy-notice-public-appointments-guide)

## **How to apply**

Start the application process apply by clicking this link: [Appointment Listings at Scottish Government \(icims.com\)](https://www.icims.com). Find the advert for the board you want to apply for. Follow the instructions on the advert to register online and complete the relevant sections. Then download the document called 'application form', complete the form (this should be a word document or pdf) and return it by the closing date to [PA\\_Applications\\_Mailbox@gov.scot](mailto:PA_Applications_Mailbox@gov.scot).

**Please note that late applications will not be considered by the selection panel.**



# Common Questions and Answers

<p><b>Who can I contact to speak about this role?</b></p>	<p>For further information about the role, please contact Mark Roberts, CEO of ESS (<a href="mailto:mark.roberts@environmentalstandards.scot">mark.roberts@environmentalstandards.scot</a>) or Rebecca Peppiette, Head of Corporate Services and Communications (<a href="mailto:rebecca.peppiette@environmentalstandards.scot">rebecca.peppiette@environmentalstandards.scot</a>).</p> <p>For more general information, please see the <a href="#">ESS website</a>.</p>
<p><b>Who can I speak to about a disability related reasonable adjustment?</b></p>	<p>Please contact the Public Appointments Team by email at <a href="mailto:public.appointments@gov.scot">public.appointments@gov.scot</a> or by telephone on 0300 244 1898. Deaf, deafblind and BSL users can contact the team via <a href="#">contactSCOTLAND-BSL</a>.</p>
<p><b>I am having a problem with the application process who can I speak with?</b></p>	<p>Please contact the Public Appointments Team (see contact details above).</p>
<p><b>Do you have any advice about how to complete an application form?</b></p>	<p>Yes. More information is provided here: <a href="#">Introduction- Public appointments: guide - gov.scot (www.gov.scot)</a>.</p>
<p><b>Do you have any advice for candidates attending interviews?</b></p>	<p>Yes. More information is provided here: <a href="#">Introduction - Public appointments: guide - gov.scot (www.gov.scot)</a>.</p>
<p><b>I can't attend the interview in person, can I attend remotely?</b></p>	<p>Yes. You can request to attend the interview using MS teams. Please contact the Public Appointments Team (see contact details above).</p>
<p><b>Will you reimburse expenses for</b></p>	<p>Yes. You can claim reasonable expenses. Further information will be provided with the invitation to interview.</p>

<b>attending an interview?</b>	
<b>What does 'appointed on merit' mean?</b>	Appointed on merit means that the people who are appointed most closely meet the criteria that is sought for the board vacancy at a point in time. People are assessed on the evidence that they present in the appointments process and the findings of the fit and proper person test.
<b>What role does the Ethical Standards Commissioner (ESC) have in the appointments process?</b>	The ESC <a href="#">regulate and monitor the public appointments process</a> . The Commissioner plays a role in ensuring appointments are made on merit and use fair methods. More information about the Commissioner's role is provided here: <a href="#">Public appointments Information leaflet   Ethical Standards Commissioner</a> .
<b>Can I apply if I am not a British citizen?</b>	Yes. You can apply for and be appointed to the Boards of Public Bodies if you are not a British citizen. However, you must be legally entitled to work in the UK.
<b>Would remuneration for a public appointment impact on my benefits?</b>	Possibly. Taking up a remunerated public appointment may affect benefits payments. This will depend on individual circumstances, and you should seek advice from your benefits provider. More information is provided at <a href="#">Public appointments and welfare benefits: information - gov.scot (www.gov.scot)</a> .
<b>Do the selection panel see information from the diversity monitoring form?</b>	No. Diversity monitoring information provided by applicants is not shared with the selection panel. If applicants opt for a guaranteed interview this information will be shared with the selection panel following shortlisting. Sometimes information about a reasonable adjustment is shared with the selection panel to ensure that requirements are met (e.g. if a BSL interpreter is required).

<p><b>Do I need to provide an email address and contact details at application stage?</b></p>	<p>In order to meet the requirements of the Baseline Personnel Security Standard (BPSS), the Scottish Government must be able to verify the credentials of applicants for public appointments should they be recommended for appointment. To ensure that this is possible all applicants must provide an address and contact details at application stage. If applicants do not provide this information their application will be rejected.</p>
<p><b>How will my personal information be handled?</b></p>	<p>All personal information will be handled with great care and in line with UK GDPR and data protection requirements. Further information can be found in the Privacy Notice here: <a href="https://www.gov.scot/privacy-notice-public-appointments-guide">Privacy notice - Public appointments: guide - gov.scot (www.gov.scot)</a>.</p>
<p><b>Can I get feedback on my application or interview?</b></p>	<p>Yes. You can request feedback.</p>
<p><b>Is any training provided if I am offered and take up an appointment?</b></p>	<p>Yes. Each board has their own induction process and training offer. New appointees are also invited to attend an induction day hosted by the Scottish Government.</p>
<p><b>Can I apply for a Chair role on a board if I have already been a Member of that board?</b></p>	<p>Yes. Board members can serve a maximum of eight years on one board in one role. The Chair is considered a different role and so current and previous members can apply.</p>
<p><b>Is it possible to hold more than one public appointment?</b></p>	<p>Yes. It is possible to have more than one public appointment. You should check that you can make the time commitment for an additional appointment and that there are no unmanageable conflicts of interest.</p>
<p><b>Are public appointments announced?</b></p>	<p>Yes. Every appointment is announced here: <a href="https://www.gov.scot/public-appointments-news-releases">Public appointments: news releases - gov.scot (www.gov.scot)</a></p>

	<p>The board may also announce new appointments on their own website and social media platforms. Information published will include a biography and details of any political activity within the last five years.</p>
<p><b>What standards are expected of board members?</b></p>	<p>The conduct expected of board members of Scottish public boards is set out here: <a href="#">Members of devolved public bodies: model code of conduct - December 2021 - gov.scot (www.gov.scot)</a>(this includes the <a href="#">Principles of Public Life</a>). You will also wish to read the <a href="#">ESS Standing Orders</a>.</p>
<p><b>How can I complain about the public appointments process?</b></p>	<p>Further information about the complaints process for public appointments can be found here: <a href="#">How to apply - Public appointments: guide - gov.scot (www.gov.scot)</a>. Anyone concerned about public appointments can raise a complaint and have it independently investigated by the Ethical Standards Commissioner. Details here <a href="#">Investigation process public appointments   Ethical Standards Commissioner</a></p>

### For further information

Please contact the Public Appointments Team, Scottish Government

**Email:** [public.appointments@gov.scot](mailto:public.appointments@gov.scot)

**Phone number:** 0300 244 1898

Deaf, deafblind and BSL users can contact the team via [contactSCOTLAND-BSL](#)