



The Scottish Parliament
Pàrlamaid na h-Alba

Chair of the Scottish Human Rights Commission

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|---|----------|
| Information for applicants | 1 |
| Context | 1 |
| Statutory framework | 1 |
| Finance and governance | 3 |
| Key responsibilities and duties | 3 |
| Person specification | 4 |
| Application and selection process | 5 |
| Annex A: Terms and conditions of appointment | 8 |

Information for applicants

To apply for this appointment, you should read the information below and complete and return your application form by **12noon on Monday 26 February 2024**.

Context

A cross-party Selection Panel, chaired by the Presiding Officer, is undertaking a recruitment exercise to identify a talented individual to be the new part-time Chair of the Scottish Human Rights Commission. The successful candidate will be nominated to the Scottish Parliament for appointment by His Majesty.

Statutory framework

The Scottish Human Rights Commission (“the Commission”) is established under the Scottish Commission for Human Rights Act 2006. The Commission is a body corporate, and its general duty is to promote human rights and, in particular, to encourage best practice in relation to human rights¹. For the purposes of its general duty the Commission may-

¹ Human rights means the convention rights within the meaning of section 1 of the Human Rights Act 1998, and other human rights contained in international convention, treaty etc ratified by the UK

- (a) publish information or ideas
- (b) provide advice or guidance
- (c) conduct research
- (d) provide education or training
- (e) review and recommend changes to any areas of the law of Scotland (subject to first consulting with the Scottish Law Commission) or any policies or practices of any Scottish public authorities; conduct an inquiry into the policies or practices of-

- (a) a particular Scottish public authority
- (b) Scottish public authorities generally; or
- (c) Scottish public authorities of a particular description; and
- (d) With the leave of the court or at the invitation of the court, intervene in court proceedings for the purpose of making a submission on an issue arising in the proceedings.

The Commission must seek to ensure, as far as practicable, that any activity it undertakes does not duplicate unnecessarily any activity undertaken by any other person under any other enactment.

The Commission is the National Human Rights Institution (NHRI) for Scotland. NHRIs are independent organisations established by law, to promote and protect human rights. The Commission is one of over 100 NHRIs around the world.

The Commission is required to submit annually to the Parliament, a general report on its activities. The Commission must also, in respect of each 4-year period, lay before the Parliament, a Strategic Plan setting out how it proposes to fulfil its general duty during that time.

Further information on the work of the Commission can be found at-

<http://www.scottishhumanrights.com/>

In the performance of its functions, the Commission is not subject to the direction or control of any member of the Parliament, any member of the Scottish Government, or the Scottish Parliamentary Corporate Body.

The Act provides that the Commission will consist of a member appointed to chair and not more than 4 other members. The member appointed to chair the Commission is an individual appointed by His Majesty on the nomination of the Scottish Parliament and the other members of the Commission are appointed by the Scottish Parliamentary Corporate Body (SPCB).

The part time members of the Commission are Jim Farish, Shelley Gray and Dr Claire Methven-O'Brien.

The Commission is supported by a staff team of 12.8 FTE. The staff team is led by Jan Savage, the Executive Director.

The Commission is based in Bridgeside House, 99 McDonald Road, Edinburgh.

Finance

The SPCB sets the members' terms and conditions of appointment; approves the Commission's annual budget; pays the remuneration and allowances of each member of the Commission; pays any expenses properly incurred by the Commission - as far as these are not met out of income generated by the Commission - and indemnifies the Commission in respect of any liabilities incurred by it in the exercise of its functions.

The Commission's budget for 2023/24 is £1,341k.

Governance

The Commission is a body corporate and its members are –

- a member appointed to chair the Commission, and
- not more than 4 other members.

The Commission regulates its own proceedings and may do anything which appears necessary or expedient for the purpose of, or in connection with, or which appears conducive to, the exercise of its functions. In particular, the Commission may with the consent of the SPCB, enter into contracts and employ staff.

The Commission meets 9 times each year and where the member appointed to chair the Commission is not present at a meeting of the Commission, any other member of the Commission may chair the meeting.

There is a Scheme of Delegation in place and the day to day running of the Commission has been delegated to the Executive Director.

The SPCB has designated the Executive Director as the Accountable Officer who is directly answerable to the Parliament in the exercise of the following functions-

- a) signing the accounts of the expenditure and receipts of the Commission
 - b) ensuring the propriety and regularity of the finances of the Commission, and
 - c) ensuring that the resources of the Commission are used economically, efficiently and effectively.
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Key responsibilities and duties

As the Chair you will –

- ensure that the Commission meets the standards set by the UN Paris Principles and acts effectively and independently from government
- build positive and effective relationships with the other members of the Commission and the staff team
- lead, in collaboration with the other members, policy development and the strategic direction of the Commission

- ensure the Commission fulfils its statutory duties and meets its objectives as set out in its Strategic and Operational Plans
 - represent the Commission and engage and influence a diverse range of stakeholders in different formal and informal settings such as networking events, meetings and giving evidence to Scottish Parliament committees
 - ensure the information sent to the other members of the Commission enables them to effectively participate in supporting the implementation of the Strategic and Operational Plan
 - promote the principles of good corporate governance and encourage high standards of propriety and regularity
 - assess the performance of the part-time members of the Commission and the Executive Director on a continuous basis and undertake a formal evaluation exercise on an annual basis, and
 - ensure the members are inducted properly and understand their role and responsibilities.
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Person Specification

We are looking for a talented individual who is passionate about human rights and has the ability to lead a high-profile human rights organisation.

Suitability for this post will be tested through the following six competencies –

1. Leadership

- the ability to chair meetings effectively
- the ability to build productive relationships
- the ability to lead an organisation and deliver results
- understanding the distinction between executive and non-executive responsibilities

2. Communication, engagement and influencing

- the ability to develop collaborative relationships and partnerships with stakeholders
- the ability to influence positive relationships and outcomes, and
- the ability to represent an organisation with a wide range of stakeholders.

3. Strategic thinking and oversight

- the ability to look ahead and consider issues over the short, medium and long term and identify relevant implications, and
- the ability to evaluate an organisation and board's performance

4. Constructive challenge

- the ability to challenge the views of others in a constructive manner

5. Sound judgement

- the ability to weigh up evidence and balance several considerations within the wider context to come to a reasoned judgement and to be articulate when justifying the rationale.

6. *Integrity, conduct, credibility and propriety*

- a reputation for personal integrity, professional conduct and credibility, with an exceptional sense of propriety.

Application and selection process

All applicants must complete an application form and provide a statement of no more than 500 words on why they have applied for the post.

An on-screen version of the application form can be found on our website at

<https://www.parliament.scot/about/how-parliament-works/parliament-organisations-groups-and-people/officeholders/chair-scottish-human-rights-commission>

The application form is split into two sections to ensure anonymity during short-listing. Part A contains personal information, such as your name and address - this is not seen by the selection panel. Part B is the only part of your application the selection panel will receive.

Each application is assessed in the same way, against the same agreed criteria for the appointment in question. “Criteria” means the key skills and knowledge we think you need to be able to do the job. The evidence and examples that you provide in Part B of your application form and your statement, are the only information we will use in deciding whether or not to shortlist you for interview.

Please do not send us your Curriculum Vitae or supporting documents as they will not be considered. This is to ensure that all application forms are assessed equally.

Before filling in part B of the application form you should read the information provided above under the headings ‘*role of the chair*’ and the ‘*person specification*’. This is to make sure that you know what the appointment involves and the criteria that will be used in assessing the applications.

Completing Part B of the Application Form

Part B of the application form is your chance to demonstrate that you have the skills, experience and knowledge required. Please address each criterion by providing specific examples to support your statements. You must provide evidence of what you did, the reasons for your action, what happened, what you took into account and the outcome.

The selection panel will not make any assumptions about your skills and abilities, for instance through a job title.

You should use no more than 250 words per criterion.

Political Activity Form

The information provided in the political activity form will remain confidential until the panel has agreed who it wishes to nominate. At this time, the information will be released to panel members to make them aware of any political activity.

The information provided by applicants regarding their political activity is **not** a determining factor in the selection process.

Additional Information

Please indicate if you have ever been convicted of any offence (other than minor motoring offences) which are not spent in accordance with the Rehabilitation of Offenders Act 1974 or if any charges are outstanding; been adjudged bankrupt or made a composition or arrangement with your creditors over the past 10 years; been dismissed from any office or employment over the past 10 years; ever been disqualified from acting as a company director or in the conduct of a Company; ever been a director, partner or manager of a company which has gone into liquidation, receivership or administration; any other facts to declare which you feel might be raised in public in future in relation to your suitability to hold appointment for which you are being considered, for example, because they could be presented as a conflict of interest.

Equal opportunities

The Scottish Parliamentary Corporate Body is committed to promoting equality of opportunity and treatment and to eliminating unfair discrimination in its employment/appointment practices.

If you require any of the documentation in an alternative format, or you have any queries about the post or the selection process, please contact Janice Crerar, The Scottish Parliament, Edinburgh EH99 1SP (telephone 07769915863) or at janice.crerar@parliament.scot

The Selection Panel

The Selection Panel will be chaired by the Presiding Officer, The Rt Hon Alison Johnstone MSP and the members are Miles Briggs MSP, Maggie Chapman MSP, Katy Clark MSP, Kaukab Stewart MSP and Nicola Sturgeon MSP.

The SPCB's Independent Assessor, Louise Rose will oversee the process and be present at the sift meeting and the interviews to ensure the appointment process conforms to good practice and to confirm after the interviews, that the nomination of the successful individual is made on merit after a fair, open and transparent process

Selection Process

Short listing will take place on Wednesday 6 March 2024. Those applicants who appear from the information provided to have the best skills for the post will be invited to interview. Applicants selected for interview may be required to make an oral presentation to the panel.

Interviews will be held on **Monday 18 March 2024** at the Scottish Parliament.

Please note We do not reimburse travel or other expenses to attend interview, but we would be happy to explore alternative arrangements if this causes you difficulty.

Pre-appointment checks

Pre-appointment checks will be undertaken prior to a Motion being lodged seeking the Parliament's agreement to nominate the successful candidate to His Majesty The King for appointment.

Submitting your Application

Please ensure you complete and return all the necessary documentation-

- parts A and B of the Application Form including your statement on why you have applied for the post
- the Diversity Monitoring Form (this is voluntary),
- the Political Activity Form; and
- any additional Information.

Applications can be e-mailed to: officeholder.applications@parliament.scot

If you submit your application via e-mail, please ensure that you receive an e-mail acknowledgement from us within 72 hours.

Completed Application Forms can be posted to-

The Scottish Parliament
Officeholder Services
Room Q2.03
Edinburgh
EH99 1SP

The closing date for applications is **12 noon on 26 February 2024**. **Late applications will not be accepted.**

Annex A: Terms and Conditions of appointment

Status

The Commission is not a servant or agent of the Crown and has no status, immunity or privilege of the Crown.

Disqualification

A person is disqualified from appointment and from holding office as a member of the Commission if that person is -

- (a) a member of the House of Commons, or
- (b) a member of the Scottish Parliament.

A person is also disqualified from such appointment if that person has, in the year preceding the date of nomination been -

- (a) a member of the House of Commons, or
- (b) a member of the Scottish Parliament.

Length of Appointment

The appointment is offered on the basis of a single term of 6 years.

The Chair is ineligible for reappointment at any time.

Remuneration

The post attracts a daily fee rate of £351 which may be reviewed by the SPCB.

Pension

The post is not pensionable.

Hours of Work

This is a part-time appointment. The time commitment is 10 days a month, 120 days a year. It may require occasional work outside normal office hours in evenings and weekends and may also occasionally entail some foreign travel.

Evaluation

Your performance will be assessed annually by the SPCB's Independent Assessor who will prepare a report for the SPCB.

Travel and Expenses

Travel and expenses actually and necessarily incurred on official business will be reimbursed. Reimbursement of expenses will be in line with the SPCB's travel and expenses policies.

The cost of daily travel from home to office will also be reimbursed.

Location

The Commission is based at Bridgeside House, 99 McDonald Road Edinburgh EH4 7NS.

Code of Conduct

You must abide by the SHRC's Code of Conduct for Members. Failure to do so may be deemed a breach of your terms and conditions of appointment and could result in your removal from office.

Relieved and removal from office

You may be relieved of office by His Majesty, at your own request.

You may be removed from office by His Majesty if the following conditions are satisfied-

Condition A - that the SPCB is satisfied that you have breached your terms of appointment and the Parliament resolves that you should be removed from office for that reason; or

Condition B - that the Parliament resolves that it has lost confidence in your willingness, suitability or ability to perform your functions.

Any resolution must be voted for by a number of members not fewer than two thirds of the total number of seats for members of the Parliament.

Restrictions on other appointments

As the Chair of the Commission, you may not hold any other office, employment or appointment or engage in any other occupation which would conflict with your responsibilities to Parliament or inhibit or compromise you in the proper exercise of the functions of the Commission under section 8(1) of the Scottish Commission for Human Rights Act 2006.

Subsequent appointments

On ceasing to be the Chair of the Commission you may not, without the approval of the SPCB -

- be employed or appointed in any other capacity by the Commission
- hold office in or be an employee or appointee of any Scottish public authority in relation to which the Commission conducted an inquiry under section 8(1)(a) while you were a member of the Commission; or
- hold any other employment or appointment or engage in any other occupation being an office or employment, appointment or occupation which you could not have held or as the case may be, engaged in as a member of the Commission as it would have conflicted with your responsibilities to Parliament or inhibited or compromised you in the proper exercise of the functions of the Commission under section 8(1) of the Scottish Commission for Human Rights Act 2006.

The restriction starts when you cease to hold office as the Chair of the Commission and ends on the expiry of the financial year following the one in which it started.

Political and Outside activities

The post is a politically sensitive one which means that you are completely barred from taking part in either national or local political activities.

You may not take part in any activity which would in any way conflict you're your responsibilities to the Parliament or be inconsistent with your official position. In particular, and in accordance with section 6(1) of the Act, you may not represent or provide legal advice to any person in connection with any claim or legal proceedings to which that person is or may become a party.