**Ministerial appointments
to public bodies in Scotland**

Training pack for Independent Panel Members for Public Appointments

Ministerial Public Appointments

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1.   Introduction

You have been invited join a selection panel for the recruitment of ministerial appointees. This process is regulated by the Ethical Standards Commissioner (ESC). This pack provides you with a terms of reference for the Independent Panel Member (IPM) role and further information about the public appointments process and also signposts you to further sources of information. Before the appointment round starts, please read through this pack and the Code of Practice. If you have questions or require a one-to-one briefing, please contact the Public Appointments Team by emailing: public.appointments@gov.scot

2.   Terms of Reference

The Ethical Standards Commissioner has provided the following terms of reference for Independent Panel Members

General information

1. The First Committee on Standards in Public Life, also known as the Nolan Committee, made recommendations intended to ensure that public appointments were made on merit following fair and open competition. One recommendation was that an independent Public Appointments Commissioner should be appointed to regulate, monitor and report on the public appointments process. Another was that selection panels, tasked with identifying the most meritorious candidates for the appointing Minister, should include at least one independent member.

2. In Scotland, the role of Public Appointments Commissioner is fulfilled by the Ethical Standards Commissioner (ESC). The Commissioner publishes a Code of Practice for Ministerial Appointments to Public Bodies in Scotland (the Code) and regulates and reports on adherence to it by the Scottish Ministers and their officials. In accordance with the Code, the Commissioner allocates Public Appointments Advisers (PAAs) to oversee a proportion of appointment rounds on his behalf. These Advisers oversee various parts of an appointment round, depending on the oversight that the Commissioner considers to be appropriate.

3. The Scottish Ministers are responsible for making the appointments and for the designation of the selection panel members other than the PAA. Usual custom and practice is that panels are chaired by a civil servant and include, in the case of the member appointments, the chair of the body. That is, however, simply custom and practice and the designation of panel members, including who should chair the panel and take responsibility for compliance with the Code, is ultimately a matter for the appointing Minister. The Scottish Ministers are encouraged by the Code to include independent panel members, particularly in cases in which there is no Public Appointments Adviser allocated to the panel.

Selection of Independent Panel Members

4. The Code advises that the independent panel member "must not be a member or official of the Scottish Government or of the public body. They must not hold or have recently held a position that would call into question their ability to fulfil their role in a truly independent and impartial manner". It is expected that the independent panel member will act with integrity and exercise his or her own independent judgment without fear or favour. He or she should be free of any actual or perceived conflicts of interest including any that might be thought to influence his or her judgment unduly. In order to fulfil their role effectively, independent panel members must therefore consider and be prepared to challenge constructively the views of their fellow panel members at all stages of the appointment process whilst also abiding by the provisions of the Code.

5. The Commissioner recommends that careful consideration should be given to matching the appropriate independent panel member to the panel on each occasion in order to avoid real or apparent conflicts. Both the selection panel and the potential independent panel member should be alive to this issue prior to any decision being made. The presence of the independent panel member is designed to engender public trust, on the basis of their autonomy and integrity. They may, for example, already have a role on an arms-length body that has a reputation for fulfilling a constructively critical function in relation to either the body to which the appointments are being made or to the Scottish Government itself. This can lend additional credibility to their acting as an appropriate independent panel member. Other considerations for the selection of independent panel members might include the fact that they bring particular skills, experience, expertise or perspectives that will add to the depth and quality of the panel's planning and its assessment of applicants.

Specific role and responsibilities

6. All selection panel members, including independent members, are expected to be familiar with and to adhere to the requirements of the [Code of Practice for Ministerial Appointments to Public Bodies in Scotland](#) (a selection of extracts particularly relevant to panel membership is appended to this document) as well as the statutory guidance on its application. Panel Chairs and independent panel members must have been trained on the appointments process and on diversity, equality and inclusion in the context of making public appointments. Independent panel members must also be provided with appropriate terms of reference and support to fulfil their role. They are required to take an active role in planning for appointment rounds with a view to achieving a successful outcome. That includes participation in designing the appointment plan inclusive of the timetable, role description, person specification, other relevant materials to be provided to prospective applicants and the arrangements for application and assessment. Additionally, as the Code makes clear, those tasked with assessment must be consistent in doing so, competent to assess using the methods chosen, such as interviews, and knowledgeable about equality and diversity issues and the impact the chosen methods may have on different groups of applicants.

7. As panel membership must stay the same for the duration of the appointment round, there may be a considerable time commitment involved. The panel itself designs the appointment plan including a detailed timetable for every stage of the appointment round. Once that plan has been finalised, panel members, inclusive of the independent member, are expected to adhere to the commitment that they have made.

8. There will be cases in which there is both an independent panel member and a Public Appointments Adviser involved in an appointment round. For the avoidance of doubt, the PAA's role is to give advice on good practice in recruitment and selection methods as well as guidance on application of the Code. The independent panel member's role is as set out in this document. The provision of guidance on application of the Code either generally or in particular cases is a statutory function of the Commissioner. Any panel or selection panel member with an enquiry about application of the Code, which cannot be readily resolved in discussions with a PAA, should be referred to the Commissioner's Public Appointments Manager for guidance.

3.   The Code of Practice

The Ethical Standards Commissioner provides a Code of Practice to support Scottish Ministers to deliver a fair and open appointment process and ensure that appointments to public body boards are made on merit.

Please read the Code of Practice: [Code of Practice for Ministerial Appointments to Public Bodies in Scotland – March 2022 version | Ethical Standards Commissioner](#)

4.   The principles of the Code

Merit
All public appointments must be made on merit. Merit is defined by the Scottish Ministers for each board position to be filled, based on that board's specific needs at the time of, and anticipated period for, that appointment. Only persons judged most able to meet the requirements of the post will be appointed.

Accountability
The Scottish Ministers are ultimately responsible for making appointments in accordance with this Code and all other applicable legislation. The Commissioner is responsible for encouraging compliance with the Code and overseeing and reporting publicly on the practices employed by the Scottish Ministers and the people to whom they delegate responsibility.

Openness, Transparency and Integrity
The appointments process must be open, fair and impartial. The integrity of the process must be transparent and earn the trust and have the confidence of the public.

Equality, Diversity and Inclusion
The boards of Scotland's public bodies should be reflective of the communities that they serve, and the Scottish Ministers will take substantive steps to achieve that aim. Public appointments must be advertised publicly in a way that will attract a strong and diverse field of suitable candidates. The process itself must provide equality of opportunity and the practices employed must be inclusive for people from all walks of life and backgrounds.

Respect
Applicants and ultimately the people appointed to boards are integral to the good governance of Scotland's public bodies. Applicants will be accorded the respect that they are due for their interest and their efforts and appointees for their contribution to public life.

Focus on outcomes
The appointments process must be focused on successful outcomes. In simple terms, this means a good appointment that meets the needs of a board and increases diversity. The Commissioner is willing to vary the Code's provisions – in response to any reasonable requests from the Scottish Ministers and as long as the principles set out above are not compromised – in order to secure a successful outcome.

5. Who's who in the public appointments process?

The Scottish Ministers
The appointing Minister is ultimately responsible for fair, open and merit based public appointments. In practice much of the appointment activity is delegated to officials and to the selection panel. The final decision about who to appoint and whether to appoint is for the appointing Minister.

The Ethical Standards Commissioner
The Commissioner provides independent scrutiny of the methods and practices employed by the Scottish Ministers. The Commissioner produces a Code of Practice and Guidance to support the delivery of a fair and merit-based appointments process.

The Ethical Standards Commissioner's Representative
The Ethical Standards Commissioner may appoint a 'Public Appointments Adviser' (PAA) to sit on all or some parts of an appointment round. The role of the PAA is to provide advice on applying the provisions of the Code and on good practice in recruitment and selection. Should the need arise, the PAA will report any instances of non-compliance during the round to the Commissioner.

The Selection Panel
The selection panel normally comprises of a chair and two other members, ideally including an Independent Panel member who is not an official of the Scottish Government or the public body concerned. The selection panel assists in the design of the appointments process and assessment of the suitability of candidates for appointment.

The Selection Panel Chair
The chair represents the appointing Minister in an appointment round and takes an active role in the process. The chair is the key decision maker and is responsible for the implementation and outcome of an appointment round and ensuring that the round complies with the Code of Practice. In fulfilling this role, the chair will:

- Make key decisions on behalf of the appointing Minister
- Ensure that integrity and transparency is maintained throughout the process
- Will give everyone on a selection panel an opportunity to contribute their views and ideas, but ultimately will make the final decision
- Will approach the Commissioner where clarification of the Code is required
- Will provide a report to the appointing Minister and the Commissioner at the end of a round (drafting of this report may be delegated to the Public Appointments Team).

The Independent Panel Member
Independent panel members sit on selection panels and provide constructive feedback and an independent viewpoint. The presence of the independent panel member is designed to engender public trust, on the basis of their autonomy and integrity. They must not hold or have recently held a position that would call in to question their ability to fulfil their role in a truly independent and impartial manner.

The Public Appointments Team
Every appointment round will be overseen by the Public Appointments Team, with most rounds allocated to a Manager from that team. Their role is to support the delivery of an effective and efficient appointment round. To do this they liaise with the Sponsor Team and/or the Board; provide support, advice and relevant information to the Chair and selection panel; co-ordinate submissions and other paperwork; and monitor and report on appointment rounds.

The Sponsor Team
The Sponsor Team provide a link to the board and liaise with the Public Appointments Team to support an efficient process. They undertake actions such as recruiting selection panel members and providing information about skills and succession planning.

6.   Stages in the Public Appointments Process

In most cases the public appointments process progresses through the following stages:

i.   **Succession planning and public body engagement** Before a round begins the Sponsor Teams and Board ensure that succession planning is up to date and well informed.

ii. **Early engagement** This stage includes any early planning discussions about the board's operational context and succession planning. This may be managed in a meeting or in an exchange of information between the Sponsor Team, Public Appointments Team, Commissioner's representative (PAA) and the selection panel

members. Clarity on the board's needs informs the further steps in the appointment process.

iii. **Agreement from the appointing Minister to proceed** The Public Appointments Team provide a Ministerial submission seeking the Minister's views about the outcome for the round and agreement to delegate key aspects of the appointment process e.g. agreeing the selection panel, delegating the fit and proper person tests.

iv. **Planning** Ministerial views will be fed in to the selection panel discussions. The panel will develop the appointment plan, and this will be signed off by the panel chair. Detailed discussion is likely to be required in order to finalise the detail of the criteria in such a way as to reflect the Minister's wishes, and other aspects of the appointment plan. Once the plan has been finalised, it cannot be amended without reference to the Commissioner and this is therefore a critical part of the process. Getting it right will allow the rest of the process to proceed smoothly.

v. **The appointment plan** The selection panel will discuss the appointment plan and give their advice and views about:

- The role description
- The person specification and criteria for selection. These criteria may be 'priority' or 'general'. The Core Skills Framework will be a useful resource for setting the criteria (see appendix A).
- The attraction strategy
- Positive action measures
- Application and assessment methods
- Delegation of assessment (optional)
- Timetable for key dates in the appointment round

It is open to panels to select the forms of assessment they feel enables them to identify the most able applicant for the role in a fair and transparent way. Panels are encouraged to be innovative in designing application and assessment processes, and seek out alternative methods in order to secure the best possible outcome for the board. Assessment methods should always be appropriate to assess the criteria for selection.

In all cases, when considering alternative methods of assessment, panels should consider the validity of any method chosen. Information on types of validity is included in the statutory guidance on the Code and in the ESC's guidance on different assessment methods.

Once set, the appointment plan, including criteria, cannot be changed at any later stage in the appointment process. If a change to the plan is required in order to secure a successful outcome, the Commissioner can be approached for a view.

vi. **Advertising** The vacancy is advertised on the [vacancies section of the public appointments website](#) and across a range of social media. There may also be outreach events or specialised advertising that focuses on attracting interest from people with protected characteristics and diverse backgrounds.

vii. **Shortlisting of applications** The panel will review all applications. This will usually be done at a meeting, but can be done by correspondence. If there is an exceptional number of applications, it may be agreed that a prior sift (longlist) is undertaken, to remove those applications which clearly do not meet the criteria being tested.

viii. **Assessment** During the assessment the selection panel are required to create a summary of their assessment from all stages of the process. The Public Appointments Team will support the chair to finalise a candidate summary which will be provided to the Minister. The content of these summaries is a decision for the chair.

ix. **Recommendation to Minister** The appointing Minister will review the evidence presented on the recommended candidates and make a decision. They may choose to meet the candidates prior to making their final decision.

x. **Notification and announcement** The candidates chosen by the Minister are notified and asked to complete pre appointment checks and required paperwork. Their [appointment is announced](#) on the announcements section of the public appointments website.

7.   Diversity by Design

Scottish Ministers have a long-standing commitment that public appointees are reflective of the people of Scotland. Their focus has been to improve the under-representation of people with protected characteristics and they are keen to ensure that public appointments are attractive to people from all walks of life no matter their personal circumstances, professional background or geographical location.

The Code of Practice emphasises the importance of equality, diversity and inclusion in the public appointments process. Selection panels should carefully consider what measures they can take to increase diversity of protected characteristics on a board. The criteria for selection includes skills, knowledge and experience as well as other attributes, such as lived experience and values.

You will want to ensure that the process provides equality of opportunity for applicants and that the practices deployed in the round are inclusive. This does not necessarily mean treating all applicants the same. Positive action measures can be taken in certain circumstances in order to improve on diversity of the board membership.

Positive Action

Positive action is a proportionate means of addressing the disadvantage or under-representation of people with protected characteristics. To use positive action measures in an appointment round the selection panel will need to have evidence to show that the statutory conditions to use positive action measures apply. The Public Appointments Team will provide advice on the requirements and additional information about protected characteristics as required.

Examples of positive action measures include:
- Placing adverts to target particular groups, to increase the number of applicants from that group
- Including a statement in adverts or applicant packs to encourage applications from under-represented groups, such as 'we would particularly welcome applications from disabled people'
- Shadowing or mentoring schemes run by the SG and/or boards for people who share protected characteristics
- Additional support and/or training for people who share protected characteristics to apply
- Hosting an open day specifically for under-represented groups to encourage them to apply for a public appointment.

Most boards with appointments that are regulated by the Ethical Standards Commissioner are listed for the **Gender Representation on Public Boards (Scotland) Act 2018**. The Act sets a 'gender representation objective (GRO)' that 50% of a board's members are women. The gender balance of the board should be discussed at the planning stage of the round.

In circumstances where a selection panel have a tie break where there are at least two equally qualified candidates one of whom is a woman, then the appointing Minister must choose the woman if doing so would result in the board achieving (or making progress to achieving) the GRO. If this happens, the Public Appointments Team will provide the advice to the panel chair and the Minister.

Guaranteed interview scheme

The selection panel may choose to offer guaranteed interviews to disabled applicants. In practice this means that applicants who choose to be considered under the scheme and who demonstrate that they meet the criteria being evaluated at the initial stage of assessment, will be invited to interview or the final stage of appointment.

Reasonable adjustments for disabled people

The Scottish Government has a duty to make reasonable adjustments. Disabled people can request a reasonable adjustment at any stage of the appointments process. The Public Appointments Team will ensure that this is made clear in all advertising material and make any practical arrangements that are required.

8. Some tips to help get the best outcomes

Check your bias
Our behaviour and our decision making is influenced by our background, personal experiences and cultural context. Unconscious bias refers to the views and beliefs we all hold, that are outside our conscious awareness and control. Our biases are triggered by our brain's ability to make quick judgements. It is important to check biases to be able to mitigate for them in the recruitment process for public appointees. This video explains more about how bias may occur in selection panels: Understanding Unconscious Bias | Royal Society.

Role descriptions
Focus on the functions that the successful appointee will need to do on the board and the qualities needed to contribute to the board as a whole. Consider how words may influence who is likely to apply and tie this in to groups from which applications are particularly sought.

Criteria
Using very detailed and specific criteria, a large number of criteria, and requests for specific qualifications are more likely to narrow the range and number of applicants. Interrogate carefully exactly what is needed for the board and why e.g. is a specific financial qualification actually required or can a criterion about experience of financial governance, perhaps gained in a specific setting, be designed?

Indicators of criteria
It can help applicants and the panel if the person specification also describes what aspects of a criterion the panel are looking for. Indicators are simply "what good looks like" e.g. a description of how the experience might have been gained, or particular types of challenges faced, or how an issue was dealt with. This can also help when the panel assesses applicants. Panels should avoid using the indicators as a checklist whereby applicants must meet every indicator listed.

Assessment methods
The criteria can be tested at different stages of the process and in different ways. An application via a tailored CV might be suitable, for example, where a specific qualification or experience is sought. Applicants are then shortlisted on whether they have that qualification or experience and at the second stage of assessment other criteria can be assessed via, for example, an interview and/or an exercise. Exercises might include consideration of a board paper and a discussion to draw out how the applicant would approach a governance issue.

Interviews
The Code is not prescriptive about the type of interview panels should use, or even that any interview must be used; therefore, panels should choose the assessment method that is most appropriate to what is being assessed.

Some common techniques for interview questions include:

- **Situation, Task, Action, Result, (Reflection) (STAR(R))** is most used within the public sector and is also commonly known as competency-based assessment. Anecdotally, this can prove to be a barrier to applicants from private sector backgrounds.
- **Started, Contribution, Amount, Result (SCAR)** whilst similar to STAR(R), this assesses the extent to which someone has taken ownership of an issue and taken a particular course of action to improve a situation.
- **Performance based interviewing (PBI)** commonly known as "the one question" interview, this technique asks candidates questions about the knowledge, skills, abilities, and other characteristics they have. Consequently, this is less susceptible to rehearsed responses and/or sectoral background bias.
- **Strengths based interviews (SBI)** looks at what a candidate enjoys doing and has a natural aptitude for. The approach is predicated on the understanding that people will be more motivated to fulfil roles effectively when the activities that they will be required to perform match those they enjoy doing.

Simulations and practical exercises
Simulations and practical exercises, particularly when used in combination with structured interviews can be very effective means of assessment. These can take the form of:

- Applicants being asked to make a presentation to the panel on a specific subject.
- Applicants being asked to speak on a topic to the panel, who may or may not follow this with questions.
- Applicants being asked to consider a board paper and answer a question/or questions related to the content.
- Simulating a real-life situation, usually with someone specifically trained to undertake the role required with the panel observing and assessing the applicant's response to the situation presented (e.g. role play of a press interview).

9. Ensuring integrity, transparency and openness

The Code states:

The appointments process must be open, fair and impartial. The integrity of the process must be transparent and earn the trust and have the confidence of the public.

Respect for applicants
There should be no surprises for applicants. Advertising material should make clear what criteria is sought and how the selection panel will carry out an assessment.

The selection panel should agree points of feedback during their wash up at the final stage of assessment (normally the interview).

Fit and proper person tests
Checking that candidates meet this high standard of propriety, impartiality and integrity is a key part of the appointments process.

The Code of Practice requires that all appointment rounds conduct a 'fit and proper person test' of those recommended for appointment (see E6 of the Code). This test can be conducted by the appointing Minister, but is more usually delegated to the panel.

The following activities check applicants against the fit and proper test:

Application stage
- Applicants are asked to declare if they know anyone on the selection panel.

Interview and any other assessment stage
- Political declaration form completed by applicants and shared with the selection panel in advance of the interview
- Optional social media checks completed by the Public Appointments Team and shared with the selection panel in advance of the interview
- Questions from the PAA or panel members concerning any issues arising from declarations and information required at E6 of the Code.

Prior to appointment
- Once the appointing Minister has made their decision an appointment letter is issued subject to satisfactory completion of pre-appointment checks.

Conflict of interest
As a member of the selection panel, you should be alert to any conflict of interest and be prepared to raise any concerns that you might have with the chair of the panel.

Examples of circumstances that may arise:
- An applicant declares that they know a member of the selection panel
- An applicant declares a business interest in the area that the board will have influence over such as a policy or service that relates to their business
- An applicant is a member of an organisation that has a poor public perception or has been involved in challenging circumstances e.g. financial mismanagement
- An applicant works for a voluntary sector organisation that actively lobbies Scottish Ministers or Scottish Government
- An applicant has contributed funds to the political party which the appointing Minister belongs to.

10.   Key points to note

- As a member of the selection panel, you should contribute to discussions at each stage of the appointment round – from planning the round right through to the recommendations to Ministers

- As the independent panel member, you should be prepared to constructively challenge the views of fellow panel members and be alert to any conflicts of interests
- You can raise any concerns you might have with the selection panel chair
- The person specification and criteria are critical to the whole appointment process, and will drive the recommendations that the selection panel make to the Minister
- Diversity should be built in to the appointments process from the earliest stage
- Positive action has been proven to improve the number of applications from and the appointments of people in underrepresented groups
- Criteria should not be unnecessarily restrictive, otherwise good potential applicants may be ruled out
- Once the criteria for appointment are agreed they must not be changed.

11. Further information

Ethical Standards Commissioner Public appointments | Ethical Standards Commissioner

Code of Practice for Ministerial Appointments to Public Bodies in Scotland (2022)
Code of Practice for Ministerial Appointments to Public Bodies in Scotland – March 2022 version | Ethical Standards Commissioner

How to mitigate unconscious and other forms of bias How to mitigate unconscious and other forms of bias | Ethical Standards Commissioner

Scottish Government Public Appointments Public appointments - gov.scot (www.gov.scot)

Appendix A

Board Member Core Skills Framework – Public Appointments

Background

The Code of Practice for Public Appointments (2022) requires that appointments are made on merit. The principle of appointing on merit, requires that where one candidate best meets the selection criteria as set out in the person specification, then that candidate is recommended to Scottish Ministers for appointment.

What is the framework?

This framework is provided as a guide for Scottish Ministers and selection panels. The framework includes many of the core generic skills/personal qualities that may be sought as part of a public appointment round. Each of the skills/qualities is defined at three different levels and includes descriptors of the experience that applicants could demonstrate at each level – these are cumulative with each level building on the levels below. For example, if the desired level is set at level 3 then the applicant will be expected to demonstrate levels 1 and 2 as a matter of course. The panel should select the level which best describes the skills/personal qualities which are needed by the board and can adapt the descriptors – or add their own - in order to make them more specific and relevant. The skills and descriptors will form the basis of the information contained in the Person Specification (an example is provided in Appendix A).

How will the framework help panels?

- saves time by providing descriptions of the most commonly used generic criteria
- enables clarity and consistency by developing a common understanding of what each skill means
- assists the panel in determining at what level the criteria should be met
- provides a strong basis for better quality assessment and fairer decision making
- enables more emphasis to be placed on defining priority criteria
- provides better understanding for the applicant on what they need to demonstrate and this allows for a more demonstrably fair and open appointments process.

Setting criteria

In order to encourage the maximum degree of diversity within the applicant pool the criteria for appointment should be set at the minimum number and level required. Ministers should also consider defining 'priority' criteria, which should be weighted above the others, to ensure that the most able applicants who have the skills, knowledge, experience and other criteria that really matter to the board, are appointed. In practice, Ministers give broad direction to selection panels about the type of person that they wish to appoint. Selection panels then define that more tightly in the form of a person specification, using this framework for guidance, to ensure that the right outcome is achieved.

Examples of priority criteria	Descriptors
These should be weighted and priority given to those applicants who are most able to demonstrate them	Priority criteria may fall into the following categories: • **Geographic** – applicants must live or work in a specific area, there may be a need for the interests of specific communities to be represented on a board • **Life experience** – applicants who bring relevant first-hand life experience related to the work of the body. For example, homelessness, social exclusion, users of the services the body provides etc. This could also include lived or professional experience of disability, race or age etc. • **Community experience** – applicants who have been actively engaging with others within a community context. For example, this may include members of community organisations, NHS community health forums, school governors, local charities/fund raisers etc. • **Work related experience/skills** – applicants with specific work related skills, knowledge or experience. This may include IT, HR, Finance, customer service, risk management etc. • **Technical/academic knowledge** – applicants who bring technical knowledge or expertise. This may include knowledge in science, archaeology and architecture or in languages such as Gaelic etc. • **Skills which are relevant to board priorities at a specific point in time** – this may include skills which are relevant to a new organisation being formed, major change, where there are specific challenges/issues which need to be addressed e.g. COVID recovery, digital delivery, large capital projects etc. • **General skills which need to be demonstrated at a higher than usual level** – the nature, size or impact of the body may mean that one of the more general skills needs to be demonstrated at a high level. **The panel will need to determine how the priority criteria are described and at what level**

Examples of essential criteria	Descriptors
Longer term planning / seeing the bigger picture	**Level 1 - core** • see the 'bigger picture' when considering issues and topics, although may not have had any direct experience of developing strategy • understands the importance of having a plan/strategy and what it might include/involve • looks ahead and considers issues/topics within different timeframes • identifies some relevant implications from what is being discussed, such as challenges and risks • sees beyond their own personal experience and gives consideration to other information and views
	Level 2 - enhanced • direct experience of contributing to the development of a strategy or business plan • identifies a comprehensive range of priorities, challenges and risks within different timeframes and can evaluate their impact from a strategic perspective • has a clear informed picture of the long term aim of the organisation when considering issues • sees whole picture rather than the part they may feel most qualified or experienced in
	Level 3 - adept • direct experience in successfully formulating strategy at a senior level within an organisation • takes account of what is happening within a sector, across different geographical regions and is aware of any political implications • keeps abreast of developments which may be relevant to or affect the organisation/board and its ability to meet its objectives and reviews the implications from a strategic perspective
Managing performance	**Level 1 - core** • an understanding of what the body/board are required to do and their responsibilities • an appreciation of the different roles and responsibilities of internal staff and non- executive board members • recognises the personal contribution they would be able to make to the success of the body/board
	Level 2 - enhanced • experience of successfully managing the performance of a function or department in line with a defined plan • an understanding of the measures used to evaluate performance • an understanding of quality assurance and continuous improvement • experience of dealing effectively with poor performance

	Level 3 - adept • experience of successfully implementing a plan/strategy and being accountable for the performance of a large department/function or of a whole organisation • understands how performance/service delivery needs to be managed within a large department/function or organisation • evidence of improving the performance of a large department/function or of a whole organisation
Change Management	**Level 1 - core** • personal experience of change - understanding something about how it should be implemented and the critical factors for success
	Level 2 – enhanced • direct experience of successfully managing change • an understanding of what is required to support change • an understanding of why change might not work and be able to put forward ideas on how proposals could be revised to be successful
	Level 3 – adept • direct responsibility for successfully implementing change within a large department/function or organisation • substantial involvement in defining successful change programmes or activities • an in depth understanding of why culture change might be important • experience of putting in place policies to support change
Analysis and decision making	**Level 1 - core** • using information which is available to reach conclusions • able to explain how conclusions have been reached • identifying some of the implications associated with what they are considering – priorities, risks, opportunities etc. • recognising when information is limited and where more information might be needed • being able to balance a number of different considerations
	Level 2 - enhanced • recognises the information which is needed to make the decision • sound evaluation of the information with a good range of conclusions being reached, which are clearly explained • comfortable working with both numerical and written data • making decisions which have had a positive impact at departmental, functional or organisational level • using 'hard' evidence as well as seeking the views of others • able to make decisions when the information available is complicated and made up of several components which have to be analysed and assessed and may contain conflicting information or indicators • thinking through the implications of decisions before coming to a final position

	Level 3 - adept • understands the decision making process at a relatively senior level • comfortable in the analysis of highly complex information where critical/important decisions are being made • understands the wider strategic environment and takes account of this when making decisions • interrogates the information and recognises the impact/implications of different elements, taking account of this in the decisions which are made • accuracy and sound judgement in the decisions which are made • comfortable in making reasoned judgements where extensive evidence might not be available
Constructive and supportive challenge	**Level 1 - core** • being confident in questioning proposals and debating issues • putting forward their views in an objective way, not being too dogmatic about their own perspective • helping others to consider their own position in a non-confrontational way
	Level 2 – enhanced • direct evidence of challenging effectively within a diverse team or committee situation • evidence of where challenge has changed the views of others and influenced decisions without causing rancour or resentment • questioning shows good level of understanding of organisational and other issues that have led people to form their views
	Level 3 – adept • evidence of successfully challenging the views of others within a senior management or board setting • able to demonstrate where the impact of their personal challenge on decisions has led to a positive change in the aims/objectives of organisation or within major policy areas • can evidence where an in-depth understanding of issues and others' perspectives has enabled high level questioning of proposals
Communication and influencing	**Level 1 - core** • being focussed and succinct in their communication • active listening – showing people that they are taking account of what is being said • Confident in expressing views and opinions in a group setting • satisfactory written skills, appropriate to the requirements of the role

	Level 2 – enhanced	
		• being persuasive, able to influence within a committee/meeting setting or perhaps other stakeholders • an understanding of the need for a flexible influencing style • being engaging and enthusiastic • Good written skills • able to adapt their style appropriately for different audiences
	Level 3 – adept	
		• evidence of effectively representing/ promoting the organisation to a wide range of stakeholders, including politicians and the media – being an ambassador • able to demonstrate where they have successfully influenced senior level colleagues and stakeholders • Highly persuasive within a senior group or in selling the objectives/benefits to a wide range of stakeholders • Confident and engenders respect in varied situations
Working co-operatively and collaboratively	**Level 1 – core**	
		• appreciating the knowledge/skills of colleagues • supporting colleagues whenever possible • sharing knowledge at every opportunity • showing respect for colleagues and stakeholders • striving to achieve consensus • able to accept a consensus decision even if it goes against a personal view
	Level 2 – enhanced	
		• working with colleagues to deliver objectives • actively seeks out the views of colleagues • showing enthusiasm in working with colleagues on a task which might not have direct benefit for their own role • prepared to take on a task or role for the 'good of the organisation' • seeking opportunities to build constructive relationships within the organisation
	Level 3 – adept	
		• working with different organisations and stakeholders to deliver objectives • building strong relationships with 'partner' organisations and works with them on an 'equal' basis • Influencing colleagues to help reach consensus • being non territorial – able to be objective and impartial in doing what is best for the organisation

Leading the Board	- provides clear focus in ensuring that the body/organisation achieves its objectives - successful in encouraging a group to work collaboratively together and to reach compromise and consensus - enables all group members to make an effective contribution - able to stand back, set aside personal views and listen objectively to others - appreciates the need to be challenged and to take account of alternative views in the decisions being taken - able to make difficult decisions - excellent communicating and influencing skills, able to inspire others and gain respect - committed to equality of opportunity and to developing and maintaining a diverse board
Governance (as an alternative to including this criterion in the person specification, panels may want to combine/ include some of the indicators with 'Managing Performance')	**Level 1 – core** - understands what governance is and be able to define this in very broad terms but no need for any direct experience - appreciate the board's role in ensuring effective governance **Level 2 – enhanced** - experience of fiscal/legal processes/procedures - experience of ensuring effective governance within the public or private sector or through involvement within a charity or as a member of a committee **Level 3 – adept** - direct experience of ensuring effective governance at senior management or board level - able to articulate what board responsibilities are from a fiscal and legal perspective and can demonstrate direct involvement in implementation of good governance principles - an understanding of audit and risk management and be able to demonstrate effective practical application of that understanding - held a specific post related to governance

Personal commitment	Some of the fit and proper person test. Demonstrating enthusiasm/interest in the body, having the time available, evidence of being prepared etc. In most research it is considered important for a board member to be prepared and to give adequate time to the role – this could also be legitimately included. These are things that could be included in a 'presentation' or a personal statement in an application form. Some suggested descriptors are as follows: • able to demonstrate interest and enthusiasm in the body/organisation and what it is striving to achieve • able to devote sufficient time to being a member of a group/team • being sufficiently organised and prepared to make an effective contribution to a group/team (much of the above can be tested via preparation for a practical exercise. If people, for example, don't complete any advance preparation suggested by the panel for an assessment exercise and this is clearly evident in their performance in the exercise then they will be deemed not to have demonstrated the required commitment)

Appendix B

This is an example of a person specification which demonstrates to panels how indicators can be changed/added to etc.

Person Specification - What skills, experience & personal qualities do we need new Creative Scotland board members to have?

It is important that we have people with a variety of different skills and experience which will enable the board to work effectively. All board members need to have some general skills and personal qualities which will enable them to make a full contribution to the work of the Board but these do not have to have been gained by working in a management post or at a senior level, you may just have a natural aptitude in these areas or you may have gained them through being active in your community, in a voluntary capacity or just through your own personal life experience – these are listed in the 'General skills and personal qualities' section and we have explained exactly what we will be looking for and how they will be tested.

Creative Scotland also needs people who bring some very specific skills/experience to the board and these will take priority during the appointment process – these are listed in the 'Priority skills/experience' section and, again, we have explained what we will be looking for and how they will be tested. It is very important that there is the right balance of skills on the board so the Minister will be taking account of which 'priority' skill each applicant is able to demonstrate when selecting applicants for appointment. It is also important that Creative Scotland has board members from all geographic regions in Scotland so this will also be a factor in the decisions which are made at all stages in the appointment process There are several priority skill/experience areas listed but we will only be looking for you to demonstrate **one** of these. If you believe you can demonstrate more than one, then you will have the opportunity to tell us about this during the selection process

Priority skills/experience (you will only need to demonstrate **one** of these**)**

Experience/skill	What does this mean	How will this be tested
Knowledge/understanding of ethnic minority communities	You may belong to an ethnic minority or you may have gained knowledge/understanding by working closely with ethnic minority communities or groups	We will want you to tell us about your knowledge/understanding and how this has been gained in the written application. We will also be having a discussion with you about this during the interview
A practical knowledge and understanding of the Scottish arts, screen and/or creative industries sectors and how these work	You have a day to day involvement within at least one of the creative sectors and will also understand how Scottish arts can progress internationally	We will want you to tell us about your knowledge/understanding and how this has been gained in the written application. We will also be having a discussion with you about this during the interview
Financial experience	We need a person who has experience of working in finance, audit or risk, who would be able to offer advice to the Board and also participate in either the Audit or Finance and General Policy Committees. It would be an advantage if you had a formal qualification in Finance	We will want you to tell us about your experience and how this has been gained in the written application. We will also be having a discussion with you about this during the interview

General skills and personal qualities (we will want all applicants to demonstrate these)

Skill/quality	What does this mean?	How will this be tested?
Working collaboratively and constructively with others	- appreciating the knowledge/skills of colleagues - supporting colleagues whenever possible - sharing knowledge at every opportunity - showing respect for colleagues and stakeholders - striving to achieve consensus - able to accept a consensus decision even if it goes against a personal view	During the interview we will ask you to give us some practical examples of situations where you have worked collaboratively and constructively with others. This may have been in employment, through working in the community or in a voluntary capacity
Challenging the views of others in a constructive and supportive way	- being confident in questioning proposals and debating issues - putting forward your views in an objective way - not being too dogmatic about your own perspective - helping others to consider their own position in a non-confrontational way	We will assess this by asking you to complete a practical exercise, as part of the interview, which will allow you to demonstrate this skill. We will also have a follow up discussion which will enable us to ask some further questions
Seeing the 'bigger picture'	- able to look ahead and consider issues/topics within different timeframes - identifying relevant implications from what is being discussed such as challenges, risks etc. - seeing beyond your own personal experience or specialism and considering other information and perspectives - does not take a short term, parochial view - it is not necessary to have experience of developing or implementing a strategy	We will assess this by asking you to complete a practical exercise, as part of the interview, which will allow you to demonstrate this skill. We will also have a follow up discussion which will enable us to ask some further questions

Analysing information and making decisions	- using information which is available to reach conclusions - clearly explain how conclusions have been reached - identifying some of the implications associated with what you are considering – priorities, risks, opportunities etc. - recognising when information is limited and where more information might be needed - being able to balance a number of different considerations	We will assess this by asking you to complete a practical exercise, as part of the interview, which will allow you to demonstrate this skill. We will also have a follow up discussion which will enable us to ask some further questions
Managing performance	- an understanding of what Creative Scotland and the board are required to do - able to explain the different responsibilities of executive staff and board members - an appreciation of the board's responsibility for ensuring effective governance - personal experience of change with an understanding of how it should be implemented and the critical factors for success	During the interview we will ask you some questions about your knowledge and understanding of what Creative Scotland does and the role and responsibilities of executive staff and the board – you do not need any specific experience to answer these questions but you will need to do some background research before the interview. We will want you to tell us about your own personal experience of 'change'
Communicating effectively	- being focussed and succinct in your communication with good listening skills - confident in expressing views and opinions in a group setting - persuasive, able to influence others to your own perspective - able to adapt your style appropriately for different situations - satisfactory written skills	We will assess your written skills from the completion of your written application. We will assess your verbal skills through your responses to the practical exercise and the interview.

Enthusiastic and passionate about arts and culture in Scotland	- knowledge/understanding of arts and culture in Scotland and the role of Creative Scotland - regularly attend arts/cultural events - able to explain how the arts/culture have benefited yourself and how they can benefit the wider community - can enthuse others about the arts/culture	We will want you to tell us about your personal interest in and enthusiasm for arts/culture in the written application. We will also have a discussion with you about this during the interview, as well as assessing your knowledge/understanding of arts/culture in Scotland and the role of Creative Scotland