

Cabinet Secretary for Rural Affairs, Land Reform  
and Islands

Mairi Gougeon MSP



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Edward Mountain MSP

Convener

Net Zero, Energy and Transport Committee

Scottish Parliament

11 August 2023

Dear Convener,

### **Scottish Land Commission – Appointment of Chair and Land Commissioners**

As the Cabinet Secretary with responsibility for the Scottish Land Commission (SLC), I am writing to you to provide you with some background to the upcoming appointments process for a new Chair and up to three new Land Commissioners. I also include the following documents for consideration and/or information. Please accept my apologies for not getting this to you prior to recess.

**Annex A: Role Descriptions - Chair and Land Commissioners (Consideration)**

**Annex B: Person Specifications - Chair and Land Commissioners (Consideration)**

**Annex C: Appointment Plan (Information)**

**Annex D: Draft Applicant Information Pack (Information)**

#### **Context**

You will be aware that appointments and re-appointments made by Scottish Ministers, under the Land Reform (Scotland) Act 2016 (“the 2016 Act), require Parliamentary approval, and are now regulated by the Commissioner for Ethical Standards for Public Standards in Scotland.

The current terms of the Chair and two Land Commissioners come to an end on 18 December 2023. The appointment plan (Annex C) sets out key dates for the appointment process, which aims to fill these positions in early 2024, to avoid disrupting the important work of the SLC.

I am keen that we work collectively to ensure proportionate Parliamentary scrutiny in line with the requirements of the 2016 Act and the requirements of the Ethical Standards Commissioner. My officials will continue to liaise with the Committee Clerks throughout the appointments process to ensure we achieve this.

## **Persons Specifications**

We are seeking to appoint a Chair and up to three Land Commissioners in this appointments' round, and I have appointed a panel to manage this process. There are only two Land Commissioner vacancies at present, but we may need to appoint a third in the event that one of the continuing Land Commissioners applies and is successful for the role of Chair. At the Committee's request, I enclose person specifications for the roles of Chair and Land Commissioners for your consideration (**Annex A**).

As set out in the Code of Practice for Ministerial Appointments to Public Bodies in Scotland, all requirements on candidates must be set out in the application pack and cannot be introduced at a later stage. This is to ensure that we are fair and transparent with applicants about the requirements and the application process. I would therefore be grateful for confirmation that the Committee has considered, and is content with, the enclosed role descriptions and person specifications (**Annex A&B**).

The application pack must also set out what approach the Committee wish to take in considering Parliamentary approval of the candidates recommended for appointment by Scottish Ministers. We expect that the Committee will wish to see information from the applications of the candidates against the selection criteria and a summary of evidence from the assessment process. This is reflected in the draft application pack enclosed with this letter. Please note, personal contact details will be redacted and information from the diversity monitoring form and other sensitive personal data will not be shared. I would also be grateful if the Committee will indicate to me any information provided or generated about recommended candidates that it would propose to publish or not publish; this is so that the applicant information pack is clear on this for potential applicants. Approval is likely to be sought from the Committee in early December, therefore, the Committee will of course wish to consider the timing of December recess and other planned Committee business in determining their approach.

## **Next Steps**

We hope to advertise the vacancies from 18 September 2023 to 12 October 2023. Candidates will be shortlisted and interviewed in November, and I will consider recommendations from the panel following that process. I will then write to the Committee in early December setting out who Scottish Ministers are recommending for appointment, and seeking the approval of Parliament.

I am grateful to the Committee for their early engagement in this process and may I kindly request a response from the Committee by 12 September 2023 setting out their proposed approach so that it can be included in the application pack to enable the advert to be launched on 18 September 2023.

Yours sincerely,

**MAIRI GOUGEON**

## **Annex A**

### **ROLE DESCRIPTIONS**

#### **Land Commissioners**

Scottish Ministers are looking to recruit three Land Commissioners, including a Chair, to take the Commission through a pivotal period for land reform. In addition to introducing a new Land Reform Bill, the Scottish Government is committed to a just transition to Net Zero, nature restoration, and supporting responsible, high-integrity private investment in our Natural Capital. The SLC's country-wide programme of engagement with the public in urban and rural Scotland to support good practice in land ownership, management and use plays an important role in achieving these objectives.

The role of Land Commissioner provides a unique opportunity to shape and develop evidence based policies on matters relating to land: to guide how these are researched, reviewed and understood; to recommend changes to laws and policies where it is considered to be in the best interest of people in Scotland and to give advice to Ministers and the Scottish Parliament. Working closely with the Chair of the Scottish Land Commission, the Tenant Farming Commissioner (TFC) and the Chief Executive of the Scottish Land Commission, the Land Commissioners provide strategic input and leadership to ensure the Commission meets its statutory responsibilities.

The recruitment process for the two Land Commissioners will take place alongside that for the Chair. The Commissioners will be appointed by Scottish Ministers and the Land Reform (Scotland) Act 2016 provides that the appointments must be approved by the Scottish Parliament. More information about this approval process can be found on page 16.

#### **The Chair**

The Chair is appointed by and accountable to the Scottish Ministers and, in common with any individual with responsibility for devolved functions, may also be held to account by the Scottish Parliament. The Chair is responsible for ensuring that the Scottish Land Commission's policies and actions support the Scottish Ministers' wider strategic policies and that its affairs are conducted with probity.

#### **Scottish Land Commission Commissioner Responsibilities**

The role of the Commissioners is to provide leadership, direction, support and guidance to ensure the Scottish Land Commission is committed to, and delivers, its functions effectively and efficiently and in accordance with the aims, policies and priorities of Scottish Ministers. Commissioners have corporate responsibility, under the leadership of the Chair, for the following:

- Taking forward the strategic aims and objectives for the Scottish Land Commission agreed by the Scottish Ministers.
- Determining the steps needed to deal with changes which are likely to impact on the strategic aims and objectives of the Scottish Land Commission or on the attainability of its operational targets.
- Promoting efficient, economic and effective use of staff and other resources by the Scottish Land Commission consistent with the principles of Best Value, including where possible, participation in shared services arrangements.

- Ensuring that effective arrangements are in place to provide assurance on risk management (including in respect of personnel, physical and cyber risks/threats/hazards), governance and internal control. The Commissioners must set up and maintain an audit and risk committee chaired by a Commissioner to provide advice and assurance on the effectiveness of the internal control and risk management systems.
- (In reaching decisions) taking into account relevant guidance issued by the Scottish Ministers.
- Approving the annual accounts and ensuring Scottish Ministers are provided with the annual report and accounts to be laid before the Scottish Parliament. The Chief Executive as the Accountable Officer of the public body is responsible for signing the accounts and ultimately responsible to the Scottish Parliament for their actions.
- Ensuring that the Commissioners receive and review regular financial information concerning the management and performance of the Scottish Land Commission and is informed in a timely manner about any concerns regarding the activities of the Scottish Land Commission.

Demonstrating high standards of corporate governance at all times, including openness and transparency in its decision making.

- Adherence to the Commission's Code of Conduct: [62b1d85026cbf\\_Commissioners Code of Conduct May 2022.pdf \(landcommission.gov.scot\)](#)

### **Scottish Land Commission Chair's Responsibilities**

In leading the Scottish Land Commission the Chair must ensure that:

- The work of the Scottish Land Commission is subject to regular self-assessment and that the Commissioners are working effectively.
- The Commissioners, in accordance with the with recognised good practice in corporate governance, are diverse both in terms of relevant skills, experience and knowledge appropriate to directing the Scottish Land Commission business, and in terms of protected characteristics under the Equality Act and the Gender Representation on Public Boards Act and Guidance, where these apply.
- The Commissioners are fully briefed on terms of appointment, duties, rights and responsibilities.
- They, together with the other Commissioners, receives appropriate induction training, including on financial management and reporting requirements and, as appropriate, on any differences that may exist between private and public sector practice.
- Succession planning takes place to ensure that the Scottish Land Commission is diverse and effective, and the Scottish Ministers are advised of the Scottish Land Commission needs when Commissioner vacancies arise.
- Adherence to the Commission's Code of Conduct: [62b1d85026cbf\\_Commissioners Code of Conduct May 2022.pdf \(landcommission.gov.scot\)](#)

- They assess the performance of individual Commissioners on a continuous basis and undertakes a formal appraisal at least annually. The chair, in consultation with the Commissioners as a whole, is also responsible for undertaking an annual appraisal of the performance of the Chief Executive.

## Annex B

### PERSON SPECIFICATIONS

#### Person Specification

#### What skills, experience and personal qualities do we need the Chair to have?

This section provides information on the skills, experience and knowledge required for the Chair of the Scottish Land Commission and how these will be assessed in the recruitment process.

In providing the evidence sought, you can draw on examples from your working and/or personal life, or through your participation with a private, public, voluntary, charity or community organisation.

There are two mandatory sections (Sections A and B) in the person specification and one optional section (Section C), so please consider these carefully when completing your application.

In respect of these posts, the priority criteria are weighted over the essential criteria (once met), and of the candidate or candidates who meet the essential criteria, those that provide the strongest evidence against the two priority criteria will be considered most able to fulfil the role. In the event that candidates provide evidence of equal merit against the priority criteria, the panel will then take into account the strength of the evidence presented against the essential criteria in determining the candidate(s) most able to fulfil the role.

- 1. Section A – Priority Criteria:** applicants for Chair **must** evidence **both priority criteria** in order to be considered for appointment.
- 2. Section B – Essential Criteria:** applicants for Chair **must** be able to demonstrate evidence of **all** these criteria in order to be considered for appointment.
- 3. Section C – Desirable Criterion:** it is desirable to appoint an additional Gaelic speaker to the Board although this is not an essential requirement.

**If you also wish to be considered for a Commissioner role as well as the Chair role, you will need to submit a separate application form for Commissioner, but you can duplicate the evidence provided in section B on both forms.**

Please note the word limits in each case. Any words in excess of the limits will not be taken into account in assessing your application. Evidence provided in a tailored career history should be no more than 400 words in total.

## Section A

Applicants wishing to be considered for the role of Chair must demonstrate evidence of both of the priority criteria listed below.

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<b>Leadership and Governance</b>	<ul style="list-style-type: none"><li>• Able to build and chair a high performing board which understands its non-executive functions and accountabilities and sets direction</li><li>• Experience of ensuring and implementing effective governance at a senior level</li><li>• Understand fiscal and legal board responsibilities including audit and risk management</li></ul>	You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b> . We will also discuss this at <b>interview</b> , and as part of the <b>practical exercise</b> if you are shortlisted.
<b>Stakeholder engagement</b>	<ul style="list-style-type: none"><li>• Track record of developing collaborative relationships and partnerships with internal and external stakeholders to achieve shared objectives and purpose</li><li>• Able to influence relationships and outcomes with partners and stakeholders</li><li>• Able to act as an ambassador for, and represent, the Commission effectively with a wide range of external stakeholders.</li></ul>	You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b> . We will also discuss this at <b>interview</b> , and as part of the <b>practical exercise</b> if you are shortlisted.

## Section B

All applicants for Chair **must** demonstrate evidence of **all** of the criteria listed below.

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<b>Strategic thinking and oversight</b>	<ul style="list-style-type: none"><li>• Able to look ahead and consider issues over the short, medium and long term and identify relevant implications</li><li>• Able to evaluate organisational and board performance</li></ul>	You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b> . We will also discuss this at <b>interview</b> , if you are shortlisted.
<b>Communication, influence and constructive challenge</b>	<ul style="list-style-type: none"><li>• Able to communicate effectively with different audiences and in public settings</li><li>• Able to challenge constructively, particularly in a Board setting</li></ul>	You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b> . We will also discuss this at <b>interview</b> , if you are shortlisted
<b>Sound judgement</b>	<ul style="list-style-type: none"><li>• Able to weigh up evidence and balance a number of considerations within the wider context</li><li>• Confident in making reasoned judgements and in articulating and justifying the rationale</li></ul>	We will discuss this at <b>interview</b> , and as part of the <b>practical exercise</b> if you are shortlisted.



## Section C

It would be desirable to the Board if you could evidence the following:

Knowledge, experience and skills desired	What does it mean?	Where it will be tested
<b>Gaelic</b>	<ul style="list-style-type: none"><li>• Able to speak and understand the Gaelic language</li><li>• An awareness of the significance of land use in Gaelic culture</li></ul>	You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion (if applicable) <b>and this may be discussed at interview if you are shortlisted.</b>

## Person Specification

### What skills, experience and personal qualities do we need Commissioners to have?

This section provides information on the skills, experience and knowledge required for Commissioners of the Scottish Land Commission and how these will be assessed in the recruitment process.

In providing the evidence sought, you can draw on examples from your working and/or personal life, or through your participation with a private, public, voluntary, charity or community organisation.

There are two mandatory sections (Sections A and B) in the person specification and one optional section (Section C), so please consider these carefully when completing your application.

In respect of these posts, the priority criteria are weighted over the essential criteria (once met), and of the candidate or candidates who meet the essential criteria, those that provide the strongest evidence against at least one of the priority criteria will be considered most able to fulfil the role. In the event that candidates provide evidence of equal merit against the priority criteria, the panel will then take into account the strength of the evidence presented against the essential criteria in determining the candidate(s) most able to fulfil the role. The Minister will appoint a combination of candidates as Commissioners who together most closely meet the priority criteria in order to achieve the right balance of skills, knowledge and experience on the Board.

4. **Section A – Priority Criteria:** applicants for Commissioner **must** be able to demonstrate evidence of **at least one** of the priority criteria in order to be considered for appointment.
5. **Section B – Essential Criteria:** applicants for Commissioner **must** be able to demonstrate evidence of **all** of these essential criteria in order to be considered for appointment.
6. **Section C – Desirable Criterion:** it is desirable to appoint an additional Gaelic speaker to the Board although this is not an essential requirement.

If you also wish to be considered for the Chair role as well as a Commissioner role, you will need to submit a separate application form for Chair, but can duplicate the evidence provided in section B on both forms.

Please note the word limits in each case. Any words in excess of the limits will not be taken into account in assessing your application. Evidence provided in a tailored career history should be no more than 400 words in total. Full details on how to apply are set out on page 12 of the pack and in the application form.

## Section A

Applicants wishing to be considered for the role of Commissioner must demonstrate **evidence of at least one of the three priority criteria below**. You are asked to consider which of the priority criteria listed best fit your skills, knowledge and experience. If appropriate, you can provide evidence against more than one of these priority criteria.

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<b>Finance</b>	<ul style="list-style-type: none"> <li>• Experience of finance and/or audit in one or more of the following: financial scrutiny, financial sustainability, investment appraisal and investment management</li> <li>• Able to contribute to the effective working of the Board in relation to finance, audit and risk</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in a <b>tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<b>Land Reform and Land Policy</b>	<ul style="list-style-type: none"> <li>• Understanding of the role of the Scottish Land Commission in urban and rural land policy</li> <li>• Knowledge of statutory and policy issues relating to land reform</li> <li>• Understanding of external factors impacting on land policy in Scotland</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in a <b>tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<b>Legal</b>	<ul style="list-style-type: none"> <li>• Expertise in human rights legislation and devolved/reserved powers in the context of Scottish land and property matters</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in a <b>tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted.</p>

## Section B

All applicants **must** demonstrate evidence of **all** of the essential criteria listed below.

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<b>Strategic thinking and oversight</b>	<ul style="list-style-type: none"> <li>• Able to look ahead and consider issues over the short, medium and long term and identify relevant implications</li> <li>• Able to evaluate organisational and board performance</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in a <b>tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted and it will be assessed as part of the <b>practical exercise</b>.</p>
<b>Communication, influence and constructive challenge</b>	<ul style="list-style-type: none"> <li>• Able to communicate effectively with different audiences and in public settings</li> <li>• Able to challenge constructively, particularly in a Board setting</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in a <b>tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted and it will be assessed as part of the practical exercise.</p>
<b>Teamwork and collaboration</b>	<ul style="list-style-type: none"> <li>• Experience of collaborating with others to achieve shared objectives</li> <li>• Able to build a range of effective working relationships</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in a <b>tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<b>Sound judgement</b>	<ul style="list-style-type: none"> <li>• Able to weigh up evidence and balance a number of considerations within the wider context</li> <li>• Confident in making reasoned judgements and can articulate and justify the rationale</li> </ul>	<p>We will discuss this at <b>interview</b>, and it will be assessed as part of the <b>practical exercise</b> if you are shortlisted.</p>

## Section C

It would be desirable to the Board if you could evidence the following:

Knowledge, experience and skills desired	What does it mean?	Where it will be tested
<b>Gaelic</b>	<ul style="list-style-type: none"><li>• Able to speak and understand the Gaelic language and culture</li><li>• An awareness of the significance of land use in Gaelic culture</li></ul>	You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion (if applicable) <b>and this may be discussed at interview if you are shortlisted.</b>

## Annex C

### Appointment Plan

<b>Stage in Process</b>	<b>Dates</b>	<b>Comments</b>
<b>Early engagement meeting</b>	12 May 2023	Attended by selection panel & Public Appointments Team
First Submission to Cabinet Secretary	25 May 2023	
<b>Planning meeting</b>	15 June 2023	Attended by selection panel & Public Appointments Team
Panel and Adviser to agree draft papers	By 1 August 2023	
<b>NZET Committee to consider papers</b>	<b>5 September 2023</b>	
<b>Advertising period begins</b>	18 September 2023	If committee agreed to the panel's proposals
<b>Advertising period closes</b>	12 October 2023	
<b>Shortlisting meeting</b>	19 October 2023	Attended by selection panel & Public Appointments Team
<b>Interviews</b>	14,15 & 16 November 2023	In person interviews
Candidate summaries approved by panel	By 24 November 2023	
Final submission to Cabinet Secretary	27 November 2023	
<b>Cabinet Secretary's decision on who to appoint</b>	By 4 December 2023	FM approval also needed for Chair appointment
<b>NZET Committee to consider candidates</b>	<b>December 2023</b>	<b>Ideally, a date would be agreed with Committee and published so that candidates are clear on key dates</b>
Parliamentary Vote	21 December 2023	
<b>Appointment dates</b>	1 February 2024	



SCOTTISH LAND COMMISSION  
COIMISEAN FEARAINN NA H-ALBA

# **Appointment of Chair of the Board of the Scottish Land Commission**

## Information Pack for Applicants

**Closing date for applications: Thursday 12 October 2023**

**ESC**  
REGULATED

Cabinet Secretary for Rural Affairs, Land Reform  
and Islands  
Mairi Gougeon MSP



T: 0300-244-4000  
E: scottish.ministers@gov.scot

September 2023

Dear Applicant

Thank you for your interest in becoming the Chair of the Scottish Land Commission.

We are looking for candidates to lead the Board of Commissioners at an important time for land reform in Scotland, with the Scottish Government committed to introducing an ambitious Land Reform Bill by the end of this year. The role of the Scottish Land Commission is to stimulate fresh thinking, advise the Scottish Government on an ongoing programme of land reform, and to provide leadership for change in culture and practice. You can read more about the Scottish Land Commission on their website: [About us - Scottish Land Commission](#).

The Chair is appointed by and accountable to Scottish Ministers, and is responsible for ensuring the Scottish Land Commission's policies and actions support their wider strategic policies, and that its affairs are conducted with probity.

To be successful in their role, the Chair must have knowledge, experience and skills in leadership and governance, and stakeholder engagement. Candidates will also need to be able to demonstrate evidence of: strategic thinking and oversight; communication skills; collaboration; and sound judgement. Candidates do not need to have previous experience of chairing a Board.

The Scottish Land Commission is seeking to broaden the diversity of its Board further, as it values highly the benefits that diverse perspectives and experience brings. We strongly encourage people from a wide range of backgrounds and under-reflected groups to apply, including from different socio-economic backgrounds.

The role of Chair is a fulfilling and rewarding role. After reading this pack, if you would like to find out more about the being part of the Scottish Land Commission, please do not hesitate to get in touch with Lorne Macleod, one of the current Commissioners, by emailing [EMAIL REDACTED]. We are also holding two online events to provide further information on the Scottish Land Commission, Board of Commissioners and the roles on:

[Add dates and times]

Please email [EMAIL REDACTED] to register for either of these online events and we will email you details of how to join.



**Chair of the Board of the Scottish Land Commission  
Applicant Information**

I hope you will consider submitting an application, and wish you all the best in the application process.

Yours sincerely

**Mairi Gougeon**

Cabinet Secretary for Rural Affairs, Land Reform and Islands

## Chair of the Board of the Scottish Land Commission Applicant Information

### Information about The Scottish Land Commission

The Scottish Land Commission (SLC) is a non-departmental public body (NDPB) established on 1 April 2017 as a key measure in the Land Reform (Scotland) Act 2016. The SLC is at the forefront of the Scottish Government's ambition to ensure that our nation's land delivers prosperity and sustainable growth for Scotland. The Commission has five Land Commissioners, one of whom is the Chair, and one Tenant Farming Commissioner (TFC). They are all appointed by Scottish Ministers and approved by the Scottish Parliament. The SLC is based in Inverness and employs a team of 18.4 full time equivalent staff (as at April 2023) led by Chief Executive Hamish Trench.

The role of the Scottish Land Commission is to stimulate fresh thinking around how Scotland owns and uses land and advise Scottish Government on an ongoing programme of land reform. In addition to providing advice and recommendations for law and policy, the SLC provides leadership for change in culture and practice through its work across Scotland promoting best practice and compliance with the Land Rights and Responsibilities Statement (prepared under section 1 of the 2016 Act).

The Commission's remit extends to all land in Scotland, whether urban or rural and covers all matters relating to land, including ownership, land rights, land management and use of land, the Land Rights and Responsibilities Statement and associated Protocols, and the Land Use Strategy prepared under section 57 of the Climate Change (Scotland) Act 2009.

Scottish Ministers are looking to appoint a new Chair and two new Land Commissioners by early 2024. We 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. Scottish Ministers particularly welcome applications from women, disabled people, LGBT+ people, people from ethnic minority communities and people aged under 50.

### About the role

#### Land Commissioners

Scottish Ministers are looking to recruit three Land Commissioners, including a Chair, to take the Commission through a pivotal period for land reform. In addition to introducing a new Land Reform Bill, the Scottish Government is committed to a just transition to Net Zero, nature restoration, and supporting responsible, high-integrity private investment in our Natural Capital. The SLC's country-wide programme of engagement with the public in urban and rural Scotland to support good practice in land ownership, management and use plays an important role in achieving these objectives.

The role of Land Commissioner provides a unique opportunity to shape and develop evidence based policies on matters relating to land: to guide how these are researched, reviewed and understood; to recommend changes to laws and policies where it is considered to be in the best interest of people in Scotland and to give advice to Ministers and the Scottish Parliament. Working closely with the Chair of the Scottish Land Commission, the Tenant Farming Commissioner (TFC) and the Chief Executive of the Scottish Land Commission, the Land Commissioners provide strategic input and leadership to ensure the Commission meets its statutory responsibilities.

## **Chair of the Board of the Scottish Land Commission Applicant Information**

The recruitment process for the two Land Commissioners will take place alongside that for the Chair. The Commissioners will be appointed by Scottish Ministers and the Land Reform (Scotland) Act 2016 provides that the appointments must be approved by the Scottish Parliament. More information about this approval process can be found on page 16.

### **The Chair**

The Chair is appointed by and accountable to the Scottish Ministers and, in common with any individual with responsibility for devolved functions, may also be held to account by the Scottish Parliament. The Chair is responsible for ensuring that the Scottish Land Commission's policies and actions support the Scottish Ministers' wider strategic policies and that its affairs are conducted with probity.

### **Scottish Land Commission Commissioner Responsibilities**

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- Taking forward the strategic aims and objectives for the Scottish Land Commission agreed by the Scottish Ministers.
- Determining the steps needed to deal with changes which are likely to impact on the strategic aims and objectives of the Scottish Land Commission or on the attainability of its operational targets.
- Promoting efficient, economic and effective use of staff and other resources by the Scottish Land Commission consistent with the principles of Best Value, including where possible, participation in shared services arrangements.
- Ensuring that effective arrangements are in place to provide assurance on risk management (including in respect of personnel, physical and cyber risks/threats/hazards), governance and internal control. The Commissioners must set up and maintain an audit and risk committee chaired by a Commissioner to provide advice and assurance on the effectiveness of the internal control and risk management systems.
- (In reaching decisions) taking into account relevant guidance issued by the Scottish Ministers.
- Approving the annual accounts and ensuring Scottish Ministers are provided with the annual report and accounts to be laid before the Scottish Parliament. The Chief Executive as the Accountable Officer of the public body is responsible for signing the accounts and ultimately responsible to the Scottish Parliament for their actions.
- Ensuring that the Commissioners receive and review regular financial information concerning the management and performance of the Scottish Land Commission and is informed in a timely manner about any concerns regarding the activities of the Scottish Land Commission.

## Chair of the Board of the Scottish Land Commission Applicant Information

Demonstrating high standards of corporate governance at all times, including openness and transparency in its decision making.

- Adherence to the Commission's Code of Conduct: [62b1d85026cbf\\_Commissioners Code of Conduct May 2022.pdf \(landcommission.gov.scot\)](#)

### Scottish Land Commission Chair's Responsibilities

In leading the Scottish Land Commission the Chair must ensure that:

- The work of the Scottish Land Commission is subject to regular self-assessment and that the Commissioners are working effectively.
- The Commissioners, in accordance with the with recognised good practice in corporate governance, are diverse both in terms of relevant skills, experience and knowledge appropriate to directing the Scottish Land Commission business, and in terms of protected characteristics under the Equality Act and the Gender Representation on Public Boards Act and Guidance, where these apply.
- The Commissioners are fully briefed on terms of appointment, duties, rights and responsibilities.
- They, together with the other Commissioners, receives appropriate induction training, including on financial management and reporting requirements and, as appropriate, on any differences that may exist between private and public sector practice.
- Succession planning takes place to ensure that the Scottish Land Commission is diverse and effective, and the Scottish Ministers are advised of the Scottish Land Commission needs when Commissioner vacancies arise.
- Adherence to the Commission's Code of Conduct: [62b1d85026cbf\\_Commissioners Code of Conduct May 2022.pdf \(landcommission.gov.scot\)](#)
- They assess the performance of individual Commissioners on a continuous basis and undertakes a formal appraisal at least annually. The chair, in consultation with the Commissioners as a whole, is also responsible for undertaking an annual appraisal of the performance of the Chief Executive.

### Further information

For further information about the body and the role, please contact Fiona Harrison, Deputy Director, Land Reform, Rural and Islands Policy at [EMAIL REDACTED].

You can also find out more about the Scottish Land Commission at <https://www.landcommission.gov.scot/>.

## Person Specification

### What skills, experience and personal qualities do we need the Chair to have?

This section provides information on the skills, experience and knowledge required for the Chair of the Scottish Land Commission and how these will be assessed in the recruitment process.

In providing the evidence sought, you can draw on examples from your working and/or personal life, or through your participation with a private, public, voluntary, charity or community organisation.

There are two mandatory sections (Sections A and B) in the person specification and one optional section (Section C), so please consider these carefully when completing your application.

In respect of these posts, the priority criteria are weighted over the essential criteria (once met), and of the candidate or candidates who meet the essential criteria, those that provide the strongest evidence against the two priority criteria will be considered most able to fulfil the role. In the event that candidates provide evidence of equal merit against the priority criteria, the panel will then take into account the strength of the evidence presented against the essential criteria in determining the candidate(s) most able to fulfil the role.

7. **Section A – Priority Criteria:** applicants for Chair **must** evidence **both priority criteria** in order to be considered for appointment.
8. **Section B – Essential Criteria:** applicants for Chair **must** be able to demonstrate evidence of **all** these criteria in order to be considered for appointment.
9. **Section C – Desirable Criterion:** it is desirable to appoint an additional Gaelic speaker to the Board although this is not an essential requirement.

**If you also wish to be considered for a Commissioner role as well as the Chair role, you will need to submit a separate application form for Commissioner, but you can duplicate the evidence provided in section B on both forms.**

Please note the word limits in each case. Any words in excess of the limits will not be taken into account in assessing your application. Evidence provided in a tailored career history should be no more than 400 words in total.

## Section A

Applicants wishing to be considered for the role of Chair must demonstrate evidence of both of the priority criteria listed below.

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<p><b>Leadership and Governance</b></p>	<ul style="list-style-type: none"> <li>• Able to build and chair a high performing board which understands its non-executive functions and accountabilities and sets direction</li> <li>• Experience of ensuring and implementing effective governance at a senior level</li> <li>• Understand fiscal and legal board responsibilities including audit and risk management</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b>. We will also discuss this at <b>interview</b>, and as part of the <b>practical exercise</b> if you are shortlisted.</p>
<p><b>Stakeholder engagement</b></p>	<ul style="list-style-type: none"> <li>• Track record of developing collaborative relationships and partnerships with internal and external stakeholders to achieve shared objectives and purpose</li> <li>• Able to influence relationships and outcomes with partners and stakeholders</li> <li>• Able to act as an ambassador for, and represent, the Commission effectively with a wide range of external stakeholders.</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b>. We will also discuss this at <b>interview</b>, and as part of the <b>practical exercise</b> if you are shortlisted.</p>

**Chair of the Board of the Scottish Land Commission  
Applicant Information**

**Section B**

All applicants for Chair **must** demonstrate evidence of **all** of the criteria listed below.

<b>Knowledge, experience and skills required</b>	<b>What does it mean?</b>	<b>Where it will be tested</b>
<b>Strategic thinking and oversight</b>	<ul style="list-style-type: none"> <li>• Able to look ahead and consider issues over the short, medium and long term and identify relevant implications</li> <li>• Able to evaluate organisational and board performance</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<b>Communication, influence and constructive challenge</b>	<ul style="list-style-type: none"> <li>• Able to communicate effectively with different audiences and in public settings</li> <li>• Able to challenge constructively, particularly in a Board setting</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion and you will also be asked to outline relevant experience in <b>a tailored career history</b>. We will also discuss this at <b>interview</b>, if you are shortlisted</p>
<b>Sound judgement</b>	<ul style="list-style-type: none"> <li>• Able to weigh up evidence and balance a number of considerations within the wider context</li> <li>• Confident in making reasoned judgements and in articulating and justifying the rationale</li> </ul>	<p>We will discuss this at <b>interview</b>, and as part of the <b>practical exercise</b> if you are shortlisted.</p>

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**Section C**

It would be desirable to the Board if you could evidence the following:

<b>Knowledge, experience and skills desired</b>	<b>What does it mean?</b>	<b>Where it will be tested</b>
<b>Gaelic</b>	<ul style="list-style-type: none"><li>• Able to speak and understand the Gaelic language</li><li>• An awareness of the significance of land use in Gaelic culture</li></ul>	You will have <b>up to 300 words in your application form</b> to provide evidence against this criterion (if applicable) <b>and this may be discussed at interview if you are shortlisted.</b>



## Chair of the Board of the Scottish Land Commission Applicant Information

### Remuneration

With the approval of the Scottish Ministers the Commission may pay remuneration and expenses for costs properly incurred in the exercise of the Commission's functions.

The daily fee for the Chair post has been agreed at £275.52 for 2022-23.

The appointment is non-pensionable.

### Time Commitment

The successful candidate for appointment as Chair will be expected to commit to working approximately 4 days per month.

The number and frequency of Commission meetings will be determined by the Commissioners and the Chief Executive Officer. Commissioners will be expected to attend all meetings (online and virtual) and to be available to discuss key strategic issues with Commission staff and attend other events as required.

### Length of the Appointment

The 2016 Act provides that all Commissioners may be appointed for a period not exceeding five years and that Ministers may reappoint a person who is or has been a Commissioner. These appointments will be for an initial period of three years.

Commissioners will be eligible for Ministerial consideration for reappointment subject to evidence of effective performance and satisfying the requirements of the person specification for the role at the time of reappointment. Ministerial nominations for reappointment require Parliamentary approval.

### Meetings

The Commission is based in Inverness, with meetings taking place virtually, in-person in Inverness, and at other locations throughout Scotland, as required. This may include attendance at regular public meetings.

### Nationality/Disqualifications

There is no bar on non-British nationals applying for and being appointed to the board of Non-Departmental Public Bodies. However, you must be legally entitled to work in the UK.

If applying for a Scottish public appointment former ministers and senior crown servants (director general level and above) should seek advice from the [Advisory Committee on Business Appointments \(ACOPA\)](#).

## Chair of the Board of the Scottish Land Commission Applicant Information

### Extract from Land Reform (Scotland) Act 2016

A person is disqualified from appointment, and from holding office, as a member of the Scottish Land Commission as set out in section 12 of the Land Reform (Scotland) Act 2016. The relevant section is detailed below for ease of reference:

#### 12 Disqualification from membership

(1) A person may not be appointed as a member of the Commission if that person is or has been at any time during the previous 12 months—

- (a) a member of the House of Commons,
- (b) a member of the Scottish Parliament,
- (c) a member of the European Parliament,
- (d) an officer-holder of the Scottish Administration,
- (e) a councillor of any local authority.

(2) A person may not be appointed as the Tenant Farming Commissioner if that person is the owner or tenant of land subject to a relevant tenancy.

(3) In this Part “relevant tenancy” means—

- (a) a tenancy to which the 1991 Act applies, or
- (b) a tenancy under sections 4, 5, 5A or 5C of the 2003 Act (new types of tenancy).

(4) A person’s appointment as a member ceases if, during the person’s period of appointment, any of subsection (1)(a) to (e) applies to that person.

(5) A person’s appointment as the Tenant Farming Commissioner ceases if, during the person’s period of appointment, subsection (2) applies to that person.

## Chair of the Board of the Scottish Land Commission Applicant Information

### Key dates in this competition

What happens	When
Date appointment publicised	18 September 2023
Closing date for completed applications	12 October 2023
Date of shortlisting meeting to select applicants for next stage	19 October 2023
Date outcome of shortlisting meeting will be relayed to applicants	By 27 October 2023
Interviews	14-16 November 2023
When Ministers will decide whom to appoint (subject to parliamentary approval)	By 4 December 2023
Parliamentary consideration	December 2023
Date by which applicants will be informed of the decision	By 12 January 2024

Please note that if invited to interview, it is unlikely that the selection panel will be able to offer an alternative date.

### The Selection Panel

The selection panel will comprise:

- Fiona Harrison - Deputy Director, Land Reform, Rural and Islands Policy at the Scottish Government (Panel Chair)
- Andrew Thin - Chair, Scottish Land Commission
- Patricia Armstrong OBE - Independent Panel Member
- Heidi Winser - Public Appointments Advisor, Ethical Standards Commission

To make sure that the process is transparent, and the appointment is made on merit, the selection panel will declare if they know anyone who has applied for these appointments.

Where an applicant and selection panel member have a close relationship the selection panel chair has to refer the matter to the Ethical Standards Commissioner. The Commissioner can decide that the selection panel member should not be involved in the assessment of the applicant concerned and may ask the selection panel member to take no further part in the appointment round.

You will be asked to let us know in your application if and how you know any of these selection panel members. This will help us to come to a view on the appropriateness of your being assessed by one or more of them.

### Guidance on completing your application

#### How to apply

Our dedicated public appointments website allows you to apply online: [www.gov.scot/collections/public-appointments](http://www.gov.scot/collections/public-appointments). For Stage One, please click on the **Apply for this job online** link at the top right hand side of the advert to complete contact details, monitoring information and the declaration of interest. For Stage Two, you should download and

## Chair of the Board of the Scottish Land Commission Applicant Information

complete the Application Form which can also be found on the website. You must complete both parts of the process for your application to be considered by the selection panel. Applicants will be asked to provide written evidence and a tailored career history, setting out evidence of the essential criteria being tested at this stage. What you put in your responses and tailored career history will be the evidence that determines whether or not you will be shortlisted for interview. You must, therefore, demonstrate clearly the evidence required to show how you meet the elements of the essential criteria being tested at this stage. Please do not submit a CV on its own as applications will not be considered without the completed personal details form, application form and tailored career history.

Your completed application form should be emailed to [PA\\_Applications\\_Mailbox@gov.scot](mailto:PA_Applications_Mailbox@gov.scot) with 'Chair – Scottish Land Commission –Application' in the title of the email. Applications should be submitted by 17:00 on **12 October 2023**.

Further information on applying online can be found at [Public Appointments - Frequently Asked Questions](#). If you experience any difficulties accessing our website, or in the event that you require a word version of the application form, please contact the Scottish Government Public Appointments Team by calling 0300 244 1898; or by emailing [Public.appointments@gov.scot](mailto:Public.appointments@gov.scot).

### Reasonable Adjustment

If you require a reasonable adjustment at any stage of the public appointments process, please contact with the Public Appointments Team on 0300 244 1898 or email [public.appointments@gov.scot](mailto:public.appointments@gov.scot).

If you need any of the application pack documentation in an alternative format such as plain text, Braille or large print, please contact the Public Appointments Team by calling Freephone 0300 244 1898 or by emailing [public.appointments@gov.scot](mailto:public.appointments@gov.scot).

### Guaranteed Interview Scheme

In 2019/20, the Public Appointments Team undertook work with Inclusion Scotland, a disabled people's organisation. A recommendation from that work was that "*Disabled applicants meeting the minimum criteria should be progressed to the interview stage for public appointments vacancies*". This appointment round will trial a way to respond to that recommendation; the law allows for positive action when appropriate.

#### How this will work

All people who apply for this appointment are asked to complete a diversity monitoring form. The information in that form will not be shared with the selection panel prior to shortlisting. At the assessment of applications (the shortlisting) the selection panel will score the applications as usual. The selection panel will score each criterion in the application from 1 to 5, where 1 is very poor or no evidence, 2 is poor or little evidence, 3 is acceptable evidence, 4 is good evidence and 5 is exceptional evidence. The panel will then identify the most meritorious applications on the basis of the scoring, with an aim to have [e.g. 3] applicants shortlisted for each of the [x number of] posts. The Public Appointments Team will then assess the shortlisting report for any applicants who scored 3 or above for every criteria in the application *and* who noted that they are disabled in the diversity monitoring form *and* who requested a guaranteed interview *and* who were not otherwise selected for interview: those applicants will also be invited to interview by the Public Appointments Team and added to the selection panel's list of

## Chair of the Board of the Scottish Land Commission Applicant Information

interviewees. This approach may mean that more than [3] applicants per post will be interviewed. All applicants invited to interview by any method will be asked if they require reasonable adjustments to attend the interview. The interviews will then proceed.

All potential applicants should note that this approach may mean that individuals are not shortlisted for interview when they may have scored higher at shortlisting than an applicant who is invited to interview.

This approach has been discussed and agreed with the Ethical Standards Commissioner who is the independent regulator of this appointments process.

### Self-Assessment – Suitability

Please note that we may contact you to seek clarification or further information on the contents of your application.

Please study the person specification. You will see that we are asking you to demonstrate that you have the skills, knowledge and experience that have been identified as being essential for this role. When asked to provide examples, please draw on those from your working and/or personal life, or through your participation with a private, public, voluntary or community organisation.

Further information and examples on completing a competency-based application form, and advice on preparing for an interview, can be found here: [www.gov.scot/collections/public-appointments](http://www.gov.scot/collections/public-appointments).

### Declaration

You are asked to complete the section which provides details of any other involvement in public life or potential conflicts of interest, which will be explored further with you at interview or checked as part of the final assessment.

### Anonymised Applications

As we are seeking anonymised applications, your personal details will not be shared with the selection panel during the shortlisting stage. Please do not worry about referring to named events/activities and employment in your application. It is accepted that there will be situations where this is necessary.

### Valuing Diversity

The Scottish Government is committed to appointment on merit, diversity and equality for public appointments.

We 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. Scottish Ministers particularly welcome applications from disabled people, LGBT+ people, people from ethnic minority communities and people aged under 50. Please do complete our monitoring form when you apply as this helps us to ensure that the appointments process is accessible to everyone.

## Chair of the Board of the Scottish Land Commission Applicant Information

If you have a disability within the meaning of section 6 of the Equality Act 2010 and require an adjustment at any stage of the public appointments process, please get in touch with the Public Appointments Team on 0300 244 1898; or by emailing [Public.appointments@gov.scot](mailto:Public.appointments@gov.scot).

The Scottish Government is committed to appointment on merit, and to equality and diversity in public appointments. Information from the monitoring information is not shared with the selection panel.

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: [Privacy notice - Public appointments: guide - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/privacy-notice-public-appointments/guide/)

For more information about public appointments and other vacancies please visit the dedicated public appointments website at [www.gov.scot/collections/public-appointments](https://www.gov.scot/collections/public-appointments).

### Gender Representation on Boards (Scotland) Act 2018

The Gender Representation on Boards (Scotland) Act 2018 sets a 'gender representation objective' that a board should have 50% of non-executive members who are women. In circumstances where there are two or more equally qualified candidates (a tie break), at least one of whom is a woman and one who isn't, then section 4(3) of the 2018 Act requires the appointing Minister to appoint a woman if doing so will result in the board achieving (or making progress towards achieving) the gender representation objective. In a tie break the appointing Minister can choose to appoint a candidate, who is not a woman, on the basis of another characteristic or situation and can give preference to that candidate (section 4 (4) of the 2018 Act). If the appointing Minister wishes to choose a candidate because of a situation that was not specified in the applicant pack, the appointing Minister will ask the Ethical Standards Commissioner to make an exception to the Public Appointments Code of Practice.

Scottish Government Guidance on the Act is [available here](#).

### Parliamentary Scrutiny and Approval

The final stage of assessment is Parliamentary approval. The most able candidates nominated by the appointing Minister will be considered by the Scottish Parliament Net Zero, Energy and Transport (NZET) Committee, who in turn report to Parliament.

The NZET Committee will report its findings to the Scottish Parliament. Parliament will then decide whether or not to approve the nominations through a short parliamentary debate and vote at decision time. Candidates would not be expected to attend these.

If nominated for appointment by the Minister, information from your application and a summary of evidence from the assessment process will be shared with the NZET Committee. However, personal contact details will be redacted and information on protected characteristics from the Public Appointments Monitoring Form such as age, ethnic grouping, disability, sexual orientation, etc. will not be shared.

### Conflicts of Interest

You are asked to complete the section which provides details of any other involvement in public life or potential conflicts of interest, which will be explored further with you at the final

## Chair of the Board of the Scottish Land Commission Applicant Information

assessment stage. If you are unsure whether you have a conflict of interest and would like to discuss this, please contact Fiona Harrison, Deputy Director, Land Reform, Rural and Islands Policy at [EMAIL REDACTED].

### Unsuccessful Applicants/Feedback

Applicants who are not shortlisted for interview will be advised of the outcome of their applications in writing. Subject to the number of applicants, feedback may be available on request to those who did not reach interview.

### Lobbying

Applicants should be aware of the terms of the Lobbying (Scotland) Act 2016. If appointed the provisions of the Act may apply to their communications with MSP's, Scottish Ministers, Special Advisers and the Permanent Secretary who are covered by the terms of the Act. Applicants are expected to familiarise themselves with their obligations under the Act. For more information see [www.lobbying.scot/](http://www.lobbying.scot/).

### Interview

The final stage of assessment will include an interview with the selection panel, where you will be asked questions in order to allow you the opportunity to demonstrate that you have the skills, knowledge and experience required. Those invited for interview will also be asked to prepare a response to a question, which will be provided to candidates in advance.

### Expenses for attending interviews

You can claim for reasonable expenses. This includes dependent carer expenses. We expect the most efficient and economic means of travel to be used and reimbursement will normally be restricted to that amount. When an overnight stay is necessary, you must contact the Public Appointments Team by telephoning 0300 244 1898 or emailing [public.appointments@gov.scot](mailto:public.appointments@gov.scot) in advance, for confirmation of current subsistence rates. A copy of our travel and subsistence rates and claim form can be provided to you on request. Receipts must be provided in support of all claims.

### Potential effect on benefits

Taking up a public appointment either paid or unpaid may have an effect on your entitlement to benefits or any benefits that you are in receipt of. This will depend on your individual circumstances, the type of benefit you receive and the appointment. You should seek advice from the office that deals with your benefit. Further information can be found at [www.gov.scot/publications/public-appointments-and-welfare-benefits-information/](http://www.gov.scot/publications/public-appointments-and-welfare-benefits-information/).

### The Fit and Proper Person Test

## Chair of the Board of the Scottish Land Commission Applicant Information

Scottish Ministers and the public must feel confident that the people appointed are fit and proper persons to take up these positions. The appointments process will assess applicants' suitability against the nine principles of public life in Scotland (please see details below).

The panel will check that:

- Conduct to date has been compatible with the public appointment
- There are no inappropriate or unmanageable conflicts of interest
- There is no bar to appointment by a requirement set out in the constitution of the body
- That applicants can meet the time commitment

### Social media checks

The selection panel may consider information available in the public domain such as a check of social media activity/posts, printed and other media for those who are invited to interview. The selection panel will discuss this as part of the 'fit and proper person checks.'

The consideration of such matters will take place openly and involve transparent investigation to establish the facts. You will be given an opportunity to respond before any final decision as to your suitability for appointment is made.

In accordance with GDPR article 6 (1) (e) this information will only be used for the purpose of this application. For successful candidates this information will be retained and destroyed five years after your appointment term ends. For unsuccessful candidates this information will be destroyed after a period of five years. Any findings in this regard may be discussed with you during the interview as part of the Fit and Proper Person tests.

### Feedback

Applicants may request feedback on their application or interview. Feedback will be based on:

- the assessment of your merit in relation to the skills, knowledge, experience and values required by the person specification
- the outcome of the Fit and Proper Person Test, where appropriate

### Recommended candidates

For candidates recommended for appointment, the selection panel will provide a summary of the evidence gathered during the appointments process. The appointing Minister can choose to meet candidates prior to making a decision.

The final stage of assessment is Parliamentary approval. The details of the most able candidates nominated by the appointing Minister will be considered by the Scottish Parliament NZET Committee, who will in turn report to Parliament. Parliament then decides whether or not to approve the nominations. Ministers will provide the Committee with all or some of the candidates application form, career history, and a summary of evidence captured by the selection panel throughout the assessment process.

### Pre-appointment checks



## Chair of the Board of the Scottish Land Commission Applicant Information

Candidates chosen by Ministers for appointment will be required to complete a pre-appointment check which will include checks of residency, identity documents and a [Disclosure Check](#).

If you are appointed, you will be required to produce a Basic Disclosure certificate less than 12 months old, and your appointment will be on a conditional basis pending receipt of a satisfactory certificate.

You can only apply online for a Disclosure certificate if your current address is in the UK and if you have been living at this address for at least twelve months. If you do not satisfy these criteria, you will have to apply using a paper application form.

Further information on Disclosure certificates and how to apply for Basic Disclosure can be found at Disclosure Scotland's website [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk) or by contacting Customer Liaison, PO Box 250, Glasgow G51 1YU. The Helpline number is 03000 2000 40 or you can email them at [info@disclosurescotland.gsi.gov.uk](mailto:info@disclosurescotland.gsi.gov.uk).

The fee for a Basic Disclosure is £25.00. These costs will be reimbursed.

### What happens if you are appointed?

Should you be appointed, some of the information that you have provided will be made public in an announcement about your appointment. This will include:

- your name
- a short description of the Scottish Land Commission
- a brief summary of the skills, knowledge and experience you bring to the role
- how long you have been appointed for
- any remuneration associated with the appointment
- details of all other public appointments you hold and any related remuneration you receive for them
- details of any political activity declared by you
- a statement that the appointment is regulated by the Ethical Standards Commissioner

### Training and support

Your induction will include (but not be restricted to) the following:

- your role and responsibilities
- role of the body and arrangements for meetings
- organisational structure of the Scottish Land Commission
- internal and external communication in relation to the Scottish Land Commission business
- role of, and relationship with, the Scottish Government Sponsor Team and Minister
- budget and financial information
- arrangements for remuneration and expenses
- The Chair will be supported and appraised by a senior Scottish Government official on an ongoing basis, and at least annually.

### Complaints

## Chair of the Board of the Scottish Land Commission Applicant Information

This appointment is regulated by the Ethical Standards Commissioner. If you have concerns with the way in which this appointment round was conducted, please contact the Public Appointments Team on 0300 244 1898 or email at [public\\_appointments\\_complaints@gov.scot](mailto:public_appointments_complaints@gov.scot). Alternatively, details of our complaints procedure, can be found on the Appointed for Scotland website [www.gov.scot/publications/public-appointments-making-a-complaint/](http://www.gov.scot/publications/public-appointments-making-a-complaint/).

You can also write to us at Public Appointments Team, Scottish Government, Area 3F North, Victoria Quay, Edinburgh, EH6 6QQ. If you have difficulty putting your complaint in writing, for example, due to a disability, please let us know and we will make appropriate arrangements for you to complain using an alternative method. You can contact us by telephone on 0300 244 1898.

The Commissioner's leaflet is included at the end of this information pack and provides more information on his regulatory role in relation to public appointments and about taking unresolved complaints further.

Please note that there is no appeal process.

### The Principles of Public Life

People who wish to be appointed to roles in public life have to pass a Fit and Proper Person test which is described in more detail below. The Principles of Public Life in Scotland are as follows:

**Duty** You have a duty to uphold the law and act in accordance with the law and the public trust placed in you. You have a duty to act in the interests of the public body of which you are a member and in accordance with the core tasks of that body.

**Selflessness** You have a duty to take decisions solely in terms of public interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.

**Integrity** You must not place yourself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties.

**Objectivity** You must make decisions solely on merit when carrying out public business including making appointments, awarding contracts or recommending individuals for rewards and benefits.

**Accountability and Stewardship** You are accountable for your decisions and actions to the public. You have a duty to consider issues on their merits, taking account of the views of others and must ensure that the public body uses its resources prudently and in accordance with the law.

**Openness** You have a duty to be as open as possible about your decisions and actions, giving reasons for your decisions and restricting information only when the wider public interest clearly demands.

## Chair of the Board of the Scottish Land Commission Applicant Information

**Honesty** You have a duty to act honestly. You must declare any private interests relating to your public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** You have a duty to promote and support these principles by leadership and example, to maintain and strengthen the public's trust and confidence in the integrity of the public body and its members in conducting public business.

**Respect** You must respect fellow members of your public body and employees of the body and the role they play, treating them with courtesy at all times. Similarly you must respect members of the public when performing duties as a member of your public body.

# Ethical Standards Commissioner

## Who We Are

This leaflet is about the work of the Ethical Standards Commissioner, as it relates to public appointments, and the Commissioner's office. The Commissioner regulates appointments to the boards of many of Scotland's public bodies. The Commissioner is wholly independent of the Scottish Parliament and the Scottish Government.

## What We Do

Every one of us living in Scotland benefits from the essential services provided by our public bodies. Their boards play a vital role in guiding and shaping these services. Our job is to oversee appointments to these boards to help ensure that the people who serve on them are appointed on merit, using methods that are fair and open. That oversight is usually provided by one of the Commissioner's Public Appointments Advisers. Whilst we regulate the process used to make appointments, it is run by civil servants on behalf of the Scottish Ministers. Our website has a list of the bodies that we regulate and also has useful information on applying for a public appointment.

This leaflet is sent to everyone who applies for a regulated public appointment in Scotland so that they know that the process is regulated and what to do if things go wrong.

## Making a complaint about a public appointment

Anyone who believes that an appointment has not been made appropriately or who has concerns about the appointment process itself can make a complaint.

If you have a complaint about a public appointment you first have to complain to the Scottish Government and give its officials a chance to respond. If you are unhappy with the Scottish Government's response to your complaint you can then ask the Commissioner to investigate the matter for you.

If you are in any doubt about whether we can deal with your complaint, or if you want advice before raising a formal complaint, please contact us using the details provided below. You can read in more detail about the way in which we deal with complaints by downloading our complaints leaflet from our website. We can send you the leaflet in another format if you would prefer.

Our website also tells you what to do if you want to make a complaint.

**Ethical Standards Commissioner**  
Thistle House  
91 Haymarket Terrace  
Edinburgh  
EH12 5HE

**E: [appointments@ethicalstandards.org.uk](mailto:appointments@ethicalstandards.org.uk)**  
**T: 0300 011 0550**

contact  
**SCOTLAND**  
**BSL**



# Ethical Standards Commissioner

## Public Appointments



Please contact us to find out more about this and other public appointments.

Public Appointments  
Scottish Government  
Area 3F (North)  
Victoria Quay  
Edinburgh  
EH6 6QQ

[www.appointed-for-scotland.org](http://www.appointed-for-scotland.org)  
[pa\\_applications\\_mailbox@gov.scot](mailto:pa_applications_mailbox@gov.scot)  
0300 244 1898

**ESC**  
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