

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



T: 0300-244-4000

E: [REDACTED]

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

10 June 2024

Dear Edward

### **Scottish Land Commission – Appointment of Tenant Farming Commissioner and Land Commissioners**

Further to my letter of 13 May, I am writing to provide the Committee with the following documents for consideration and/or information:

**Annex A:** Role Descriptions – Tenant Farming Commissioner and Land Commissioners (for consideration)

**Annex B:** Person Specifications – Tenant Farming Commissioner and Land Commissioners (for consideration)

**Annex C:** Appointment Plan (for information)

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

In your letter of 8 May, you agreed to reserve the option of hearing from proposed candidates, once identified. As the Code of Practice to Public Bodies in Scotland requires full information on what will be shared with the parliament, what will be put into the public domain and what parliamentary involvement in their assessment and appointment will mean for them, could you please confirm if you would intend to hear from candidates at an open or closed session? This information will be highlighted to candidates in the applicant information pack.

I set out the background to this appointments round in my letter of 15 April. We are seeking to appoint one Tenant Farming Commissioner (TFC) and two Land Commissioners in this round.

### **Role Descriptions and Person Specifications – For Consideration**

I enclose role descriptions and person specifications for the TFC and Land Commissioners for your consideration (Annex A and B). These set out the role and responsibilities, and information on the skills, experience and knowledge required, and how these will be assessed in the recruitment process.

I would be grateful if the Committee could provide any comments by 28 June, so that the vacancies can be advertised in line with the Appointment Plan (Annex C).

## **Applicant Information Pack – For Information**

The applicant information pack must set what approach the Committee wish to take in considering Parliamentary approval of the candidates recommended for appointment. Thank you for setting this out in your letter of 8 May, which has been reflected in the pack (Annex D).

### **Next Steps**

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

I am grateful to the Committee for their continued involvement in this process.

Yours sincerely,

**MAIRI GOUGEON**

## **ANNEX A**

### **As included in the Applicant Information Packs below**

#### **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 17 full time equivalent staff (as at June 2024) 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 new Land Commissioners by the end of 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, people aged under 50 and people from a range of socio-economic backgrounds.

#### **The role of Land Commissioners**

Scottish Ministers are looking to recruit two Land Commissioners, and a Tenant Farming Commissioner, 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.

#### **[To be included in Land Commissioners information]**

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.

## **[To be included in Tenant Farming Commissioners information]**

The TFC will work with the main stakeholder organisations within the industry and be responsible, among other things, for establishing codes of practice providing practical guidance to landlords and tenants of agricultural holdings, promoting the use of those codes and keeping them under regular review.

The Tenant Farming Commissioner will be supported in this work by Commission staff and will have the power to delegate functions as deemed appropriate.

In appointing the Tenant Farming Commissioner, Scottish Ministers must ensure that the person appointed has expertise or experience in agriculture. However a person may not be appointed as the Tenant Farming Commissioner if that person is the owner or tenant of land subject to a tenancy under the 1991 Act or the 2003 Act.

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 X.

### **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 \(landcommission.gov.scot\)](#)

## ANNEX B

### Person Specification – Land Commissioners

#### 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.

- 1. 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.
- 2. 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.
- 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 the Tenant Farming Commissioner role as well as a Land Commissioner role, you will need to submit a separate application form for the Tenant Farming Commissioner.

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 Land Commissioner must demonstrate **evidence of at least one of the two 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>Human Rights and Equal Opportunities</b>	<ul style="list-style-type: none"> <li>• Experience of human rights law in relation to one or more of the following: property, ECHR, contract law, or devolved competence</li> <li>• Experience and understanding of the relationship between land reform, environment, human rights, social and economic wellbeing</li> <li>• Track record of enabling and promoting equality of opportunity</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>Stakeholder Engagement and Community Empowerment</b>	<ul style="list-style-type: none"> <li>• Knowledge of community empowerment issues, including in relation to ownership, engagement, and wealth building</li> <li>• Experience of working with stakeholders and/or community groups and ensuring all voices are heard</li> <li>• Experience of bringing people together to build consensus and achieve outcomes</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>Land Reform</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. We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<b>Strategic thinking and judgement</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 performance</li> </ul>	<p>We will assess this at <b>interview</b>, if you are shortlisted, as part of the <b>practical exercise</b>.</p>

	<ul style="list-style-type: none"> <li>• Skilled at weighing up evidence and balancing a number of considerations to make reasoned judgements</li> </ul>	
<b>Communication, influence and constructive challenge</b>	<ul style="list-style-type: none"> <li>• Able to communicate and influence effectively with different audiences and in public settings</li> <li>• Able to challenge constructively, particularly in a Board or group setting</li> </ul>	We will assess this at <b>interview</b> , if you are shortlisted, as part of the <b>practical exercise</b> .
<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>	We will assess this at <b>interview</b> , if you are shortlisted.

### Section C

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

<b>Knowledge, experience and skills required</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 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>



## Person specification (Tenant Farming Commissioner)

### What skills, experience & personal qualities does the Tenant Farming Commissioner need to have?

This section provides information on the skills, experience and knowledge required for the Tenant Farming Commissioner (TFC) and how these will be assessed in the recruitment process. The TFC will need to bring specific skills and experience to the role and it is a statutory requirement that the TFC must have expertise or experience in agriculture, as set out in section 11 of [the Land Reform \(Scotland\) Act 2016](#). Section 12 also states that a person may not be appointed as the TFC if they are the owner or tenant of land subject to a relevant tenancy. An explanation of 'relevant tenancy' is set out in section 12(3).

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..

4. **Section A – Priority Criteria:** applicants for Commissioner **must** be able to demonstrate evidence of **both** 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 a Land Commissioner role as well as this TFC role, you will need to submit a separate application form.

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 Tenant Farming Commissioner must demonstrate **evidence of both priority criteria below**.

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<b>Agriculture</b>	<ul style="list-style-type: none"> <li>• Expertise and/or experience in agriculture</li> <li>• An understanding or knowledge of agricultural holdings legislation in Scotland, and how this impacts on landlords and tenants, including small landholdings</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 a <b>tailored career history</b> . We will also discuss this at <b>interview</b> , if you are shortlisted.
<b>Mediation</b>	<ul style="list-style-type: none"> <li>• Experience of facilitating negotiations and mediating to avoid disputes and to assist with and enable dispute resolution</li> <li>• Able to see beyond a particular perspective and to help others consider their own position in a non-confrontational way</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 a <b>tailored career history</b> . We will also discuss this at <b>interview</b> , if you are shortlisted and will be assessed as part of the <b>practical exercise</b> .

## 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 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 any relevant experience in a <b>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> </ul>	We will also discuss this at <b>interview</b> , if you are shortlisted and it will be

	<ul style="list-style-type: none"> <li>• Able to influence colleagues and stakeholders, and to adapt your style appropriately</li> <li>• Confident in questioning proposals and debating issues, able to challenge constructively, and able to put forward views in an objective way</li> </ul>	assessed as part of the <b>practical exercise</b> .
<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> <li>• Striving to achieve consensus but accept collective decisions, even if going against a personal view</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 a <b>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 all available evidence and balance a number of considerations within the wider context.</li> <li>• Confident analysing information, making reasoned judgements and articulating and justifying their rationale.</li> </ul>	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.

### Section C

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

Knowledge, experience and skills required	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

### Appointments Timetable

Stage in Process	Dates	Comments
<b>Early engagement meeting</b>	25 April 2024	
<b>Planning meeting</b>	15 May 2024	
Committee to consider papers	18/25 June 2024	
<b>Advertising period</b>	28 June 2024	
<b>Advertising closes</b>	9 August 2024	
<b>Shortlisting meeting</b>	19 August 2024	
<b>Interviews</b>	25-27 September 2024	
Minister's decision	By 18 October 2024	
Committee opportunities to consider appointments	29 October 2024/ 5 November 2024	TBC if candidates will be required to appear at Committee
Parliamentary Vote	w/c 18 November 2024	
<b>Appointment dates</b>	19 December 2024	

# Information pack for appointments to the Scottish Land Commission



SCOTTISH LAND COMMISSION  
COIMISEAN FEARAINN NA H-ALBA

The Cabinet Secretary for Rural Affairs, Land Reform and Islands is seeking to appoint 2 Land Commissioners to the Scottish Land Commission. The Cabinet Secretary values highly the benefits of having different points of view on the board and welcomes applications from people from all walks of life.

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

## Key dates for this appointment round

<b>Closing date</b>	Friday 9 August 2024
<b>Sift of applications</b>	Monday 19 August 2024
<b>Date applicants will hear about the outcome of their application</b>	Friday 23 August 2024
<b>Interviews</b>	<p>Wednesday 25 – Friday 27 September 2024</p> <p>Interviews will be held in person, in Inverness.</p> <p>Candidates can request for the interview to be conducted online, on the dates published above, if they are unable to attend in person.</p> <p><b>It is unlikely that we will be able to offer an alternative interview date.</b></p>
<b>Ministerial decision</b>	By Friday 18 October 2024
<b>Parliamentary Consideration</b>	<p>Late October/Early November 2024</p> <p>Candidates nominated by the Minister may be required to meet with the parliamentary committee during this time period (further details are provided later in this pack)</p>
<b>Start date</b>	Thursday 19 December 2024

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



T: 0300-244-4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

June 2024

Dear Applicant

Thank you for your interest in becoming a Land Commissioner with the Scottish Land Commission.

We are looking for new Land Commissioners at a particularly important time for land reform in Scotland, with the Scottish Government having introduced an ambitious Land Reform Bill in March of this year, based on recommendations made by the Scottish Land Commission. 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](#).

A Land Commissioner's non-executive Board role is to provide leadership, direction, support and guidance to ensure the Scottish Land Commission delivers its functions effectively and efficiently, and in accordance with the aims, policies and priorities of Scottish Ministers.

To be successful in its role, the Board needs Land Commissioners with a range of knowledge, skills and experience. We are currently looking for people with either: knowledge and experience of community empowerment, including in relation to ownership, engagement, and wealth building; or experience of human rights and equal opportunities. Candidates will also need to demonstrate evidence of: knowledge of land reform and policy; strategic thinking and judgement; communication, influence and constructive challenge; and teamwork and collaboration.

Candidates do not need to have previous experience of being on a Board. New Land Commissioners will have the opportunity to receive comprehensive training. This will include being assigned an existing Commissioner as a mentor, who will offer individual support and guidance, in order to learn the new skills they require during their time on the 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 currently under-reflected groups to apply, including those from varied socio-economic backgrounds.

The role of a Land Commissioner 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 [Add name], one of the current Commissioners, by emailing [Add email address]. We are also holding two online events to provide further information on the Scottish Land Commission, the Board of Commissioners and the roles on:

[Add dates and times]

Please email [commsteam@landcommission.gov.scot](mailto:commsteam@landcommission.gov.scot) to register for either of these online events and we will email you details of how to join.

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

# Information about the role

<b>Remuneration</b>	Currently rate for 2024-25: £224.38 per day, up to a maximum total fee of £5,387.52 per financial year (non-pensionable), and reasonable expenses.
<b>Time commitment</b>	Up to two days per month, each of no less than 7.5 hours.
<b>Length of appointment term</b>	Five years
<b>Location of meetings</b>	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 public meetings.
<b>Disqualifications</b>	<p><b>Extract from Land Reform (Scotland) Act 2016</b></p> <p>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:</p> <p>12 Disqualification from membership</p> <p>(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—</p> <ul style="list-style-type: none"><li>(a) a member of the House of Commons,</li><li>(b) a member of the Scottish Parliament,</li><li>(c) a member of the European Parliament,</li><li>(d) an officer-holder of the Scottish Administration,</li></ul>



	<p>(e) a councilor of any local authority.</p> <ul style="list-style-type: none"> <li>• A member of the Scottish Parliament cannot also hold a public appointment for public bodies listed in the schedule of <a href="#">the Scottish Parliament (Disqualification) Order 2020</a>.</li> <li>• Former ministers and senior civil servants (director general level and above) should seek advice from the Advisory Committee on Business Appointments (ACOBA) before applying for this role.</li> </ul>
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## 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 17 full time equivalent staff (as at June 2024) 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).

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Scottish Ministers are looking to appoint new Land Commissioners by the end of 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, people aged under 50 and people from a range of socio-economic backgrounds.

## **The role of Land Commissioners**

Scottish Ministers are looking to recruit two Land Commissioners, and a Tenant Farming Commissioner, 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 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 X](#).

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- 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](https://www.landcommission.gov.scot/62b1d85026cbf-Commissioners-Code-of-Conduct-May-2022.pdf)  
[\(landcommission.gov.scot\)](https://www.landcommission.gov.scot/)

## The selection panel

<b>Chair</b>	<b>Fiona Harrison</b> - Deputy Director Land Reform, Rural & Islands Policy, Scottish Government
<b>Independent panel member</b>	<b>Pat Armstrong</b>
<b>Representative from the Ethical Standards Commissioner</b>	<b>Heidi Winser</b> – Public Appointments Advisor

<b>Panel member</b>	<b>Michael Russell</b> - Chair, Scottish Land Commission
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Please note that applicants will be asked to declare if they know any members of the selection panel. The panel will also declare if they know any applicants. Any actual or perceived conflicts of interest will be managed in line with the [Ethical Standards Commissioners Code of Practice for Public Appointments](#).

## Person specification

### 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.

- 7. 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.

**8. 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.

**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 the Tenant Farming Commissioner role as well as a Land Commissioner role, you will need to submit a separate application form for the Tenant Farming Commissioner.

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 Land Commissioner must demonstrate **evidence of at least one of the two 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>Human Rights and Equal Opportunities</b>	<ul style="list-style-type: none"> <li>• Experience of human rights law in relation to one or more of the following: property, ECHR, contract law, or devolved competence</li> <li>• Experience and understanding of the relationship between land reform, environment, human rights, social and economic wellbeing</li> <li>• Track record of enabling and promoting equality of opportunity</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>.</p> <p>We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<b>Stakeholder Engagement and</b>	<ul style="list-style-type: none"> <li>• Knowledge of community empowerment issues, including in relation to ownership,</li> </ul>	<p>You will have <b>up to 300 words in your application form</b> to</p>

<b>Community Empowerment</b>	<p>engagement, and wealth building</p> <ul style="list-style-type: none"> <li>• Experience of working with stakeholders and/or community groups and ensuring all voices are heard</li> <li>• Experience of bringing people together to build consensus and achieve outcomes</li> </ul>	<p>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>
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## Section B

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

<b>Knowledge, experience and skills required</b>	<b>What does it mean?</b>	<b>Where it will be tested</b>
<ul style="list-style-type: none"> <li>• <b>Land Reform</b></li> </ul>	<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. We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<ul style="list-style-type: none"> <li>• <b>Strategic thinking and judgement</b></li> </ul>	<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 performance</li> <li>• Skilled at weighing up evidence and balancing a number of considerations</li> </ul>	<p>We will assess this at <b>interview</b>, if you are shortlisted, as part of the <b>practical exercise</b>.</p>

	to make reasoned judgements	
<ul style="list-style-type: none"> <li>• <b>Communication, influence and constructive challenge</b></li> </ul>	<ul style="list-style-type: none"> <li>• Able to communicate and influence effectively with different audiences and in public settings</li> <li>• Able to challenge constructively, particularly in a Board or group setting</li> <li>•</li> </ul>	We will assess this at <b>interview</b> , if you are shortlisted, as part of the <b>practical exercise</b> .
<ul style="list-style-type: none"> <li>• <b>Teamwork and collaboration</b></li> </ul>	<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> <li>•</li> </ul>	We will assess this at <b>interview</b> , if you are shortlisted.

## Section C

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

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<ul style="list-style-type: none"> <li>• <b>Gaelic</b></li> <li>•</li> </ul>	<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>

## The assessment process

The assessment process will happen as follows:

1. The selection panel will assess all application forms against the criteria for appointment (see the person specification). Those who demonstrate evidence

that most closely meet the criteria tested at this stage will be shortlisted for interview. **Applications will be anonymised.**

2. The selection panel will interview candidates, the questions they ask will relate directly to the criteria for appointment. There will also be a practical exercise to complete. Details of this will be share with those shortlisted.
3. The selection panel will also ask questions relevant to the fit and proper person test (see below) which will include questions about the [Principles of Public Life](#).
4. The selection panel will review the evidence provided and agree on which candidates have most strongly met the criteria for selection and should be recommended to the appointing Minister.
5. The appointing Minister will make a decision about whom to appoint based on evidence from the selection panel. The appointing Minister may request to meet with candidates before making a final decision.
6. Appointees will be asked to complete pre-appointment checks which will include a Disclosure Check (there is no charge for this). Appointment is conditional on satisfactory completion of these.

## **Parliamentary Scrutiny and Approval**

The final stage of assessment is Parliamentary approval. The candidates nominated by the appointing Minister will be considered by the Scottish Parliament Net Zero, Energy and Transport (NZET) Committee, who in turn will report to Parliament. The NZET Committee may wish to hear from proposed candidates once identified. This will be an **open/closed** session. The Committee will then report its findings to the Scottish Parliament, and there will be a Chamber motion on the approval of candidates. This may comprise a short parliamentary debate, and there will be a vote at decision time.

If nominated for appointment by the Minister, information from your application and a summary of evidence from the assessment process including how this contributes to the requirement on Scottish Ministers to have regard to the points set out in sections 11(1) and 11(2) of the Land Reform (Scotland) Act 2016 and suitability for public appointment including the results of the fit and proper person test will be shared with the NZET Committee and may be published after the consideration of the



appointments. However, personal contact details will be redacted and information on protected characteristics from the Public Appointments monitoring form such as age, ethnic grouping, disability and sexual orientation etc. will not be shared.

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- **Guaranteed interviews**

This appointment round will provide guaranteed interviews for disabled people who meet the criteria for the role being tested at the application stage. To be eligible for a guaranteed interview you must have a physical or mental impairment or a health condition which has a substantial and long-term effect on your ability to carry out normal day to day activities. The selection panel will not know which applicants have requested a guaranteed interview until the shortlisting is complete.

### **Fit and proper person checks**

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

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

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- **Social media and online checks for candidates invited to interview**

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

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

The Gender Representation on Public 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 is not, 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). [Scottish Government Guidance on the Act is available here.](#)

### How to apply

Start the application process apply by clicking this link: [Appointment Listings at Scottish Government \(icims.com\)](#)

Find the advert for the board you want to apply for. Follow the instructions on the advert to register online and complete the relevant sections. Then download the document called 'application form', complete the form (this should be a word document or pdf) and return it by the closing date to [PA Applications Mailbox@gov.scot](mailto:PA.Applications.Mailbox@gov.scot)

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

## Common questions and answers

<b>Who can I contact to speak about this role?</b>	Fiona Harrison: <a href="mailto:deputydirectorlandreformruralandislandspolicy@gov.scot">deputydirectorlandreformruralandislandspolicy@gov.scot</a>
<b>Who can I speak to about a disability related reasonable adjustment?</b>	Please contact the Public Appointments Team Email: <a href="mailto:public.appointments@gov.scot">public.appointments@gov.scot</a> Telephone: 0300 244 1898 Deaf, deafblind and BSL users can contact the team via <a href="#">contactSCOTLAND-BSL</a>
<b>I am having a problem with the application process who can I speak with?</b>	Please contact the Public Appointments Team (see contact details above).

<b>Do you have any advice about how to complete an application form?</b>	Yes. More information is provided here: <a href="https://www.gov.scot/public-appointments-guide">Introduction - Public appointments: guide - gov.scot (www.gov.scot)</a>
<b>Do you have any advice for candidates attending interviews?</b>	Yes. More information is provided here: <a href="https://www.gov.scot/public-appointments-guide">Introduction - Public appointments: guide - gov.scot (www.gov.scot)</a>
<b>I can't attend the interview in person, can I attend remotely?</b>	Yes. You can request to attend the interview using MS teams. Please contact the Public Appointments Team (see contact details above).
<b>Will you reimburse expenses for attending an interview?</b>	Yes. You can claim reasonable expenses, further information will be provided with the invitation to interview.
<b>What does 'appointed on merit' mean?</b>	Appointed on merit means that the people who are appointed most closely meet the criteria that is sought for the board vacancy at a point in time. People are assessed on the evidence that they present in the appointments process and the findings of the fit and proper person test.
<b>What role does the Ethical Standards Commissioner (ESC) have in the appointments process?</b>	The ESC <a href="#">regulate and monitor the public appointments process</a> . The Commissioner plays a role in ensuring appointments are made on merit and use fair methods. More information about the Commissioner's role is provided here: <a href="#">Public appointments Information leaflet   Ethical Standards Commissioner</a>
<b>Can I apply if I am not a British citizen?</b>	Yes. You can apply for and be appointed to the Boards of Public Bodies if you are not a British citizen however you must be legally entitled to work in the UK.
<b>Would remuneration for a public appointment impact on my benefits?</b>	Possibly. Taking up a remunerated public appointment may affect benefits payments. This will depend on individual circumstances and you should seek advice from your benefits provider. More information is provided here: <a href="https://www.gov.scot/public-appointments-welfare-benefits">Public appointments and welfare benefits: information - gov.scot (www.gov.scot)</a>
<b>Do the selection panel see information from the diversity monitoring form?</b>	No. Diversity monitoring information provided by applicants is not shared with the selection panel.

	<p>If applicants opt for a guaranteed interview this information will be shared with the selection panel following shortlisting.</p> <p>Sometimes information about a reasonable adjustment is shared with the selection panel to ensure that requirements are met (e.g. if a BSL interpreter is required).</p>
<b>Do I need to provide an email address and contact details at application stage?</b>	<p>In order to meet the requirements of the Baseline Personnel Security Standard (BPSS) the Scottish Government must be able to verify the credentials of applicants for public appointments should they be recommended for appointment. To ensure that this is possible all applicants must provide an address and contact details at application stage. If applicants do not provide this information their application will be rejected.</p>
<b>How will my personal information be handled?</b>	<p>All personal information will be handled with great care and in line with UK GDPR and data protection requirements. Further information can be found in the Privacy Notice here: <a href="https://www.gov.scot/publications/privacy-notice-public-appointments/guide/pages/default.aspx">Privacy notice - Public appointments: guide - gov.scot (www.gov.scot)</a></p>
<b>Can I get feedback on my application or interview?</b>	<p>Yes. You can request feedback.</p>
<b>Is any training provided if I am offered and take up an appointment?</b>	<p>Yes. Each board has their own induction process and training offer. New appointees are also invited to attend an induction day hosted by the Scottish Government.</p>
<b>Can I apply for a Chair role on a board if I have already been a member of that board?</b>	<p>Yes. Board members can serve a maximum of 8 years on one board in one role. The board Chair is considered a different role and so current and previous members can apply.</p>
<b>Is it possible to hold more than one public appointment?</b>	<p>Yes. It is possible to have more than one public appointment. You should check that you can make the time commitment for an additional appointment and that there are no unmanageable conflicts of interest.</p>
<b>Are public appointments announced?</b>	<p>Yes. Every appointment is announced here: <a href="https://www.gov.scot/publications/public-appointments-news-releases/pages/default.aspx">Public appointments: news releases - gov.scot (www.gov.scot)</a></p>

	<p>The board may also announce new appointments on their own website and social media platforms. Information published will include a biography and details of any political activity within the last 5 years.</p>
<p><b>What standards are expected of board members?</b></p>	<p>The conduct expected of board members of Scottish public boards is set out here: <a href="#">Members of devolved public bodies: model code of conduct - December 2021 - gov.scot (www.gov.scot)</a>(this includes the Principles of Public Life)  The Commission’s Code of Conduct is here: <a href="#">62b1d85026cbf Commissioners Code of Conduct May 2022.pdf (landcommission.gov.scot)</a></p>
<p><b>How can I complain about the public appointments process?</b></p>	<p>Further information about the complaints process for public appointments can be found here: <a href="#">How to apply - Public appointments: guide - gov.scot (www.gov.scot)</a>  Anyone concerned about public appointments can raise a complaint and have it independently investigated by the Ethical Standards Commissioner.  <a href="#">Investigation process public appointments   Ethical Standards Commissioner</a></p>

**For further information**

Please contact the Public Appointments Team, Scottish Government

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

**Phone number:** 0300 244 1898

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

# Information pack for appointments to the Scottish Land Commission



SCOTTISH LAND COMMISSION  
COIMISEAN FEARAINN NA H-ALBA

The Cabinet Secretary for Rural Affairs, Land Reform and Islands is seeking to appoint a Tenant Farming Commissioner to the Scottish Land Commission. The Cabinet Secretary values highly the benefits of having different points of view on the board and welcomes applications from people from all walks of life.

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

## Key dates for this appointment round

<b>Closing date</b>	Friday 9 August 2024
<b>Sift of applications</b>	Monday 19 August 2024
<b>Date applicants will hear about the outcome of their application</b>	Friday 23 August 2024
<b>Interviews</b>	Wednesday 25 – Friday 27 September 2024 Interviews will be held in person, in Inverness.  Candidates can request for the interview to be conducted online, on the dates published above, if they are unable to attend in person.  <b>It is unlikely that we will be able to offer an alternative interview date.</b>
<b>Ministerial decision</b>	By Friday 18 October 2024
<b>Parliamentary Consideration</b>	Late October/Early November 2024 Candidates nominated by the Minister may be required to meet with the

	parliamentary committee during this time period (further details are provided later in this pack)
<b>Start date</b>	Thursday 19 December 2024

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



T: 0300-244-4000

E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

June 2024

Dear Applicant

Thank you for your interest in becoming the Tenant Farming Commissioner (TFC) with the Scottish Land Commission.

We are looking for new Tenant Farming Commissioner at a particularly important time for land reform and agriculture in Scotland, with the Scottish Government having introduced an ambitious Land Reform Bill in March of this year, based on recommendations made by the Scottish Land Commission. 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 Tenant Farming Commissioner's non-executive role is important to improving relationships between landlords and tenant farmers. The TFC will work with the main stakeholder organisations within the industry and be responsible, among other things, for establishing codes of practice providing practical guidance to landlords and tenants of agricultural holdings, promoting the use of those codes and keeping them under regular review.

To be successful in its role, the Board needs a Tenant Farming Commissioner with a range of knowledge, skills and experience. We are currently looking someone with expertise or experience in agriculture, including an understanding of agricultural holdings legislation in Scotland, and how this impacts on landlords and tenants, including small landholdings; experience of facilitating negotiation and mediation to avoid, assist and enable dispute resolution. Candidates will also need to demonstrate

evidence of: strategic thinking and oversight; communication, influence and constructive challenge; teamwork and collaboration; and sound judgement.

Candidates do not need to have previous experience of being on a Board. The new Tenant Farming Commissioner will have the opportunity to receive comprehensive training. This will include being assigned an existing Commissioner as a mentor, who will offer individual support and guidance, in order to learn the new skills they require during their time on the 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 currently under-reflected groups to apply, including those from varied socio-economic backgrounds.

The role of the Tenant Farming Commissioner 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 Bob McIntosh, the current Tenant Farming Commissioner, by emailing [Bob.McIntosh@landcommission.gov.scot](mailto:Bob.McIntosh@landcommission.gov.scot). We are also holding two online events to provide further information on the Scottish Land Commission, the Board of Commissioners and the roles on:

[Add dates and times]

Please email [commsteam@landcommission.gov.scot](mailto:commsteam@landcommission.gov.scot) to register for either of these online events and we will email you details of how to join.

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



# Information about the role

<b>Remuneration</b>	Currently rates for 2024/25: £224.38 per day, up to a maximum total fee of £5,387.52 per financial year (non-pensionable), and reasonable expenses.
<b>Time commitment</b>	Up to eight days per month, each of no less than 7.5 hours.
<b>Length of appointment term</b>	Five years
<b>Location of meetings</b>	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 public meetings.
<b>Disqualifications</b>	<b>Extract from Land Reform (Scotland) Act 2016</b>  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 councilor of any local authority.

s12 (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.

s12 (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).

- A member of the Scottish Parliament cannot also hold a public appointment for public bodies listed in the schedule of [the Scottish Parliament \(Disqualification\) Order 2020](#).

- Former ministers and senior civil servants (director general level and above) should seek advice from the Advisory Committee on Business Appointments (ACOBA) before applying for this role.

## 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 17 full time equivalent staff (as at June 2024) 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 the Tenant Farming Commissioner by the end of 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, people aged under 50 and people from a range of socio-economic backgrounds.

## **The role of Land Commissioners**

Scottish Ministers are looking to recruit two Land Commissioners, and a Tenant Farming Commissioner, 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 Tenant Farming Commissioner will work with the main stakeholder organisations within the industry and be responsible, among other things, for establishing codes of practice providing practical guidance to landlords and tenants of agricultural holdings, promoting the use of those codes and keeping them under regular review.

The Tenant Farming Commissioner will be supported in this work by Commission staff and will have the power to delegate functions as deemed appropriate.

In appointing the Tenant Farming Commissioner, Scottish Ministers must ensure that the person appointed has expertise or experience in agriculture. However a person may not be appointed as the Tenant Farming Commissioner if that person is the owner or tenant of land subject to a tenancy under the 1991 Act or the 2003 Act.

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 X](#).

### **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](#)  
[\(landcommission.gov.scot\)](#)

## The selection panel

<b>Chair</b>	<b>Fiona Harrison</b> - Deputy Director Land Reform, Rural & Islands Policy, Scottish Government
<b>Independent panel member</b>	<b>Pat Armstrong</b>
<b>Representative from the Ethical Standards Commissioner</b>	<b>Heidi Winser</b> – Public Appointments Advisor
<b>Panel member</b>	<b>Michael Russell</b> - Chair, Scottish Land Commission

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

## Person specification

**What skills, experience & personal qualities does the Tenant Farming Commissioner need to have?**

This section provides information on the skills, experience and knowledge required for the Tenant Farming Commissioner (TFC) and how these will be assessed in the recruitment process. The TFC will need to bring specific skills and experience to the role and it is a statutory requirement that the TFC must have expertise or experience in agriculture, as set out in section 11 of [the Land Reform \(Scotland\) Act 2016](#). Section 12 also states that a person may not be appointed as the TFC if they are the owner or tenant of land subject to a relevant tenancy. An explanation of 'relevant tenancy' is set out in section 12(3).

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..

**10. Section A – Priority Criteria:** applicants for Commissioner **must** be able to demonstrate evidence of **both** of the priority criteria in order to be considered for appointment.

**11. 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.

**12. 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 Land Commissioner role as well as this TFC role, you will need to submit a separate application form.

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 Tenant Farming Commissioner must demonstrate **evidence of both priority criteria below.**

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<b>Agriculture</b>	<ul style="list-style-type: none"> <li>• Expertise and/or experience in agriculture</li> <li>• An understanding or knowledge of agricultural holdings legislation in Scotland, and how this impacts on landlords and tenants, including small landholdings</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>Mediation</b>	<ul style="list-style-type: none"> <li>• Experience of facilitating negotiations and mediating to avoid disputes and to assist with and enable dispute resolution</li> <li>• Able to see beyond a particular perspective and to help others consider their own position in a non-confrontational way</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 will be assessed as part of the <b>practical exercise.</b></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
<ul style="list-style-type: none"> <li>• <b>Strategic thinking and oversight</b></li> </ul>	<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 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 any relevant experience in <b>a tailored career history</b>.</p> <p>We will also discuss this at <b>interview</b>, if you are shortlisted.</p>
<ul style="list-style-type: none"> <li>• <b>Communication, influence and constructive challenge</b></li> </ul>	<ul style="list-style-type: none"> <li>• Able to communicate effectively with different audiences and in public settings</li> <li>• Able to influence colleagues and stakeholders, and to adapt your style appropriately</li> <li>• Confident in questioning proposals and debating issues, able to challenge constructively, and able to put forward views in an objective way</li> </ul>	<p>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>
<ul style="list-style-type: none"> <li>• <b>Teamwork and collaboration</b></li> </ul>	<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> <li>• Striving to achieve consensus but accept collective decisions, even if going against a personal</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>.</p>



	view	We will also discuss this at <b>interview</b> , if you are shortlisted.
<ul style="list-style-type: none"> <li>• <b>Sound judgement</b></li> </ul>	<ul style="list-style-type: none"> <li>• Able to weigh up all available evidence and balance a number of considerations within the wider context.</li> <li>• Confident analysing information, making reasoned judgements and articulating and justifying their rationale.</li> </ul>	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.

### Section C

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

Knowledge, experience and skills required	What does it mean?	Where it will be tested
<ul style="list-style-type: none"> <li>• <b>Gaelic</b></li> <li>•</li> </ul>	<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>

# The assessment process

The assessment process will happen as follows:

7. The selection panel will assess all application forms against the criteria for appointment (see the person specification). Those who demonstrate evidence that most closely meet the criteria tested at this stage will be shortlisted for interview. **Applications will be anonymised.**
8. The selection panel will interview candidates, the questions they ask will relate directly to the criteria for appointment. There will also be a practical exercise to complete. Details of this will be share with those shortlisted.
9. The selection panel will also ask questions relevant to the fit and proper person test (see below) which will include questions about the [Principles of Public Life](#).
10. The selection panel will review the evidence provided and agree on which candidates have most strongly met the criteria for selection and should be recommended to the appointing Minister.
11. The appointing Minister will make a decision about whom to appoint based on evidence from the selection panel. The appointing Minister may request to meet with candidates before making a final decision.
12. Appointees will be asked to complete pre-appointment checks which will include a Disclosure Check (there is no charge for this). Appointment is conditional on satisfactory completion of these.

## Parliamentary Scrutiny and Approval

The final stage of assessment is Parliamentary approval. The candidates nominated by the appointing Minister will be considered by the Scottish Parliament Net Zero, Energy and Transport (NZET) Committee, who in turn will report to Parliament. The NZET Committee may wish to hear from proposed candidates once identified. This will be an **open/closed** session. The Committee will then report its findings to the Scottish Parliament, and there will be a Chamber motion on the approval of candidates. This may comprise a short parliamentary debate, and there will be a vote at decision time.

If nominated for appointment by the Minister, information from your application and a summary of evidence from the assessment process including how this contributes to the requirement on Scottish Ministers to have regard to the points set out in sections 11(1) and 11(2) of the Land Reform (Scotland) Act 2016 and suitability for public appointment including the results of the fit and proper person test will be shared with

the NZET Committee and may be published after the consideration of the appointments. However, personal contact details will be redacted and information on protected characteristics from the Public Appointments monitoring form such as age, ethnic grouping, disability and sexual orientation etc. will not be shared.

### **Guaranteed interviews**

This appointment round will provide guaranteed interviews for disabled people who meet the criteria for the role being tested at the application stage. To be eligible for a guaranteed interview you must have a physical or mental impairment or a health condition which has a substantial and long-term effect on your ability to carry out normal day to day activities. The selection panel will not know which applicants have requested a guaranteed interview until the shortlisting is complete.

### **Fit and proper person checks**

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

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

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

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

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

The Gender Representation on Public 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 is not, 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). [Scottish Government Guidance on the Act is available here.](#)

### How to apply

Start the application process apply by clicking this link: [Appointment Listings at Scottish Government \(icims.com\)](#)

Find the advert for the board you want to apply for. Follow the instructions on the advert to register online and complete the relevant sections. Then download the document called 'application form', complete the form (this should be a word document or pdf) and return it by the closing date to [PA Applications Mailbox@gov.scot](mailto:PA.Applications.Mailbox@gov.scot)

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

## Common questions and answers

<b>Who can I contact to speak about this role?</b>	Fiona Harrison: <a href="mailto:deputydirectorlandreformruralandislandspolicy@gov.scot">deputydirectorlandreformruralandislandspolicy@gov.scot</a>
<b>Who can I speak to about a disability related reasonable adjustment?</b>	Please contact the Public Appointments Team Email: <a href="mailto:public.appointments@gov.scot">public.appointments@gov.scot</a> Telephone: 0300 244 1898 Deaf, deafblind and BSL users can contact the team via <a href="#">contactSCOTLAND-BSL</a>
<b>I am having a problem with the application process who can I speak with?</b>	Please contact the Public Appointments Team (see contact details above).

<b>Do you have any advice about how to complete an application form?</b>	Yes. More information is provided here: <a href="https://www.gov.scot/publications/introduction-public-appointments-guide-2019/pages/introduction-public-appointments-guide-2019.aspx">Introduction - Public appointments: guide - gov.scot (www.gov.scot)</a>
<b>Do you have any advice for candidates attending interviews?</b>	Yes. More information is provided here: <a href="https://www.gov.scot/publications/introduction-public-appointments-guide-2019/pages/introduction-public-appointments-guide-2019.aspx">Introduction - Public appointments: guide - gov.scot (www.gov.scot)</a>
<b>I can't attend the interview in person, can I attend remotely?</b>	Yes. You can request to attend the interview using MS teams. Please contact the Public Appointments Team (see contact details above).
<b>Will you reimburse expenses for attending an interview?</b>	Yes. You can claim reasonable expenses, further information will be provided with the invitation to interview.
<b>What does 'appointed on merit' mean?</b>	Appointed on merit means that the people who are appointed most closely meet the criteria that is sought for the board vacancy at a point in time. People are assessed on the evidence that they present in the appointments process and the findings of the fit and proper person test.
<b>What role does the Ethical Standards Commissioner (ESC) have in the appointments process?</b>	The ESC <a href="#">regulate and monitor the public appointments process</a> . The Commissioner plays a role in ensuring appointments are made on merit and use fair methods. More information about the Commissioner's role is provided here: <a href="#">Public appointments Information leaflet   Ethical Standards Commissioner</a>
<b>Can I apply if I am not a British citizen?</b>	Yes. You can apply for and be appointed to the Boards of Public Bodies if you are not a British citizen however you must be legally entitled to work in the UK.
<b>Would remuneration for a public appointment impact on my benefits?</b>	Possibly. Taking up a remunerated public appointment may affect benefits payments. This will depend on individual circumstances and you should seek advice from your benefits provider. More information is provided here: <a href="https://www.gov.scot/publications/public-appointments-welfare-benefits-information-2019/pages/public-appointments-welfare-benefits-information-2019.aspx">Public appointments and welfare benefits: information - gov.scot (www.gov.scot)</a>
<b>Do the selection panel see information from the diversity monitoring form?</b>	No. Diversity monitoring information provided by applicants is not shared with the selection panel.

	<p>If applicants opt for a guaranteed interview this information will be shared with the selection panel following shortlisting.</p> <p>Sometimes information about a reasonable adjustment is shared with the selection panel to ensure that requirements are met (e.g. if a BSL interpreter is required).</p>
<b>Do I need to provide an email address and contact details at application stage?</b>	<p>In order to meet the requirements of the Baseline Personnel Security Standard (BPSS) the Scottish Government must be able to verify the credentials of applicants for public appointments should they be recommended for appointment. To ensure that this is possible all applicants must provide an address and contact details at application stage. If applicants do not provide this information their application will be rejected.</p>
<b>How will my personal information be handled?</b>	<p>All personal information will be handled with great care and in line with UK GDPR and data protection requirements. Further information can be found in the Privacy Notice here: <a href="https://www.gov.scot/publications/privacy-notice-public-appointments/guide/pages/default.aspx">Privacy notice - Public appointments: guide - gov.scot (www.gov.scot)</a></p>
<b>Can I get feedback on my application or interview?</b>	<p>Yes. You can request feedback.</p>
<b>Is any training provided if I am offered and take up an appointment?</b>	<p>Yes. Each board has their own induction process and training offer. New appointees are also invited to attend an induction day hosted by the Scottish Government.</p>
<b>Can I apply for a Chair role on a board if I have already been a member of that board?</b>	<p>Yes. Board members can serve a maximum of 8 years on one board in one role. The board Chair is considered a different role and so current and previous members can apply.</p>
<b>Is it possible to hold more than one public appointment?</b>	<p>Yes. It is possible to have more than one public appointment. You should check that you can make the time commitment for an additional appointment and that there are no unmanageable conflicts of interest.</p>
<b>Are public appointments announced?</b>	<p>Yes. Every appointment is announced here: <a href="https://www.gov.scot/publications/public-appointments-news-releases/pages/default.aspx">Public appointments: news releases - gov.scot (www.gov.scot)</a></p>

	<p>The board may also announce new appointments on their own website and social media platforms. Information published will include a biography and details of any political activity within the last 5 years.</p>
<p><b>What standards are expected of board members?</b></p>	<p>The conduct expected of board members of Scottish public boards is set out here: <a href="#">Members of devolved public bodies: model code of conduct - December 2021 - gov.scot (www.gov.scot)</a>(this includes the Principles of Public Life)  The Commission’s Code of Conduct is here: <a href="#">62b1d85026cbf Commissioners Code of Conduct May 2022.pdf (landcommission.gov.scot)</a></p>
<p><b>How can I complain about the public appointments process?</b></p>	<p>Further information about the complaints process for public appointments can be found here: <a href="#">How to apply - Public appointments: guide - gov.scot (www.gov.scot)</a>  Anyone concerned about public appointments can raise a complaint and have it independently investigated by the Ethical Standards Commissioner.  <a href="#">Investigation process public appointments   Ethical Standards Commissioner</a></p>

**For further information**

Please contact the Public Appointments Team, Scottish Government

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

**Phone number:** 0300 244 1898

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