INFORMATION FOR APPLICANTS
Scottish Human Rights Commission

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To apply for this appointment you should read the information below and complete and return your application form by **12noon on 2 May 2017**.

**Context**

One of the Scottish Human Rights Commission’s part-time members, Matt Smith, will demit office on 31 August 2017.

The Scottish Parliamentary Corporate Body (SPCB) will sit as a selection panel to appoint Mr Smith’s successor.

**Statutory Framework**

The Scottish Human Rights Commission is established under the Scottish Commission for Human Rights Act 2006. The Commission’s general duty is to promote human rights and, in particular, to encourage best practice in relation to human rights¹. For the purposes of its general duty the Commission may-

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

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¹ Human rights means – the convention rights within the meaning of section 1 of the Human Rights Act 1998, and other human rights contained in international convention, treaty etc ratified by the UK
(a) a particular Scottish public authority,
(b) Scottish public authorities generally; or
(c) Scottish public authorities of a particular description; and
(d) With the leave of the court or at the invitation of the court, intervene in court proceedings for the purpose of making a submission on an issue arising in the proceedings.

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

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

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

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

http://www.scottishhumanrights.com/

In the performance of the Commission’s functions, the Commission is not subject to the direction or control of any member of the Parliament, any member of the Scottish Government, or the Scottish Parliamentary Corporate Body (SPCB).

The Act provides that the Commission is a body corporate and consists of a member appointed to chair the Commission and not more than 4 other members. The member appointed to Chair the Commission is an individual appointed by Her Majesty on the nomination of the Scottish Parliament and the other members of the Commission are appointed by the SPCB.

The Chair of the Commission is Judith Robertson and the part time members are Ms Susan Kemp, Dr Alan Mitchell and Mr Matt Smith.

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**Finance and staffing**

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

The Commission’s budget for 2017/18 is £991k.

The Commission employs 10 full-time equivalent members of staff and is based in Edinburgh.
Key Responsibilities and Duties

The role of the Commission is outlined above. In this context, the main responsibilities and duties of a member are to:

- in partnership with the Chair and other members, monitor the performance and strategic direction of the Commission;
- ensure the smooth and efficient running of the Commission;
- build and maintain positive and effective working relationships with fellow commission members; the UK Equality and Human Rights Commission (EHRC), public authorities including the Scottish Parliament and Scottish Government, human rights organisations, and other stakeholders; and
- promote human rights and in particular, represent the Commission as and when required and encourage best practice in relation to human rights.

Person Specification

The successful candidate will be able to demonstrate the following -

Essential

- Excellent interpersonal skills to facilitate team working;
- The ability to constructively challenge and influence decision making;
- Experience of governance issues at a senior level;
- Excellent networking skills;
- Demonstrable experience of delivering results that lead to change; and
- Knowledge and experience of Scottish Parliamentary processes and the working of civic society in Scotland.

Desirable

- An understanding of human rights;
- An understanding of how organisations implement human rights in practise;
- Board/committee experience.

Terms and Conditions of Appointment

Status

The Commission is not a servant or agent of the Crown and has no status, immunity or privilege of the Crown.
Disqualification
A person is disqualified from appointment, and from holding office as a member of the Commission if that person is, at the date of nomination, or has been in the year preceding the proposed date of appointment -

- a member of the House of Commons;
- a member of the Scottish Parliament; or
- a member of the European Parliament.

Applicants who have already served 8 years as a member of the Commission are ineligible to apply.

Length of Appointment

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

The successful candidates will be expected to take up appointment on or as near to 1 September 2017.

Daily fee rate

The daily fee rate is £262.74 which may be reviewed by the SPCB.

Expenses

Expenses that you actually and necessarily incur in connection with your official duties will be reimbursed e.g.-

- travel to and from home to the Commission’s normal meeting venue; and
- travel and subsistence when you are required to work at other locations.

Location

The Commission is based in Edinburgh.

Hours of Work

Members must be able to make a firm commitment to spend at least 30 days per year on Commission business, which may occasionally be outwith normal office hours in the evenings and at weekends. Members may also be required to travel within Scotland and occasionally within the UK and abroad.

Commission meeting are held monthly, usually on a Monday.

Evaluation

Your performance will be assessed annually by the Chair of the Commission who will prepare a report. A copy of report will be sent to the SPCB.
Relieved and removal from office

A member may be relieved of office by the SPCB at the member’s own request.

A member may be removed from office by the SPCB if the following conditions are satisfied:

Condition A - that the SPCB is satisfied that the member has breached his/her terms of appointment and the Parliament resolves that he/she should be removed from office for that reason; or

Condition B - that the Parliament resolves that it has lost confidence in the member’s willingness, suitability or ability to perform his/her functions.

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

Restrictions on other appointments

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

Subsequent appointments

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

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

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

Political and Outside activities

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

You may not, in your capacity as a member of the Commission and in accordance with section 6(1) of the Act, represent or provide legal advice to any person in
connection with any claim or legal proceedings to which that person is or may become a party.

Pension

The post is not pensionable.

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**Application and Selection Process**

**How to apply**

Applicants must complete an application form.

An on-screen version of the application form can be found on our website at [http://www.scottish.parliament.uk/abouttheparliament/12442.aspx](http://www.scottish.parliament.uk/abouttheparliament/12442.aspx)

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

Each application is assessed in the same way, against the same agreed criteria for the appointment in question. “Criteria” means the key skills and knowledge we think you need to be able to do the job. The information that you provide in Part B of your application form is the only information we will use in deciding whether or not you will be short-listed for interview. **Please do not send us your Curriculum Vitae or supporting documents as they will not be considered.** This is to ensure that all application forms can be assessed equally.

Before filling in part B of the application form you should read the information provided above under the headings ‘key responsibilities and duties’ and the ‘person specification’. This is to make sure that you know what the appointment involves and the skills and knowledge needed.

**Completing Part B of the Application Form**

Part B of the application form is your chance to demonstrate that you have the skills and knowledge required. You should use the application form to address all of the criteria.

**You should use specific evidence to support your statements. You must show us what you did, the reasons for your action, what happened, what you took into account and the outcome.**

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

**You should use no more than 250 words per criterion.**

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**Political Activity Form**
The information provided in the political activity form shall remain confidential until the panel has agreed who to appoint. At this time, the information will be released to panel members to make them aware of any activity.

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

The Selection Panel

The selection panel members are Gordon MacDonald MSP, David Stewart MSP and Andy Wightman MSP.

An Independent Assessor will oversee the process and be present at the sift meeting and the interviews to ensure the process conforms to good practice and to confirm or otherwise, that the nomination is made on merit after a fair, open and transparent process.

Selection Process

Short listing will take place on 11 May 2017. Those applicants who appear from the information provided to have the best skills and knowledge for the post will be invited to interview. Applicants selected for interview may be required to make an oral presentation to the panel.

Interviews will be held on 19 June 2017.

An offer of appointment will be made following the satisfactory completion of pre-appointment checks.

Submitting your Application

Please ensure you complete and return all the necessary documentation:

- Parts A and B of the Application Form,
- The Equal Opportunities Monitoring Form,
- The Political Activity Form; and
- Any additional Information.

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

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

Completed Application Forms can be posted to:

The Scottish Parliament, Officeholder Services, Room Q2.03, Edinburgh, EH99 1SP
The closing date for applications is **12 noon, 2 May 2017.** Late applications will not be accepted.

**Equal Opportunities**

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

If you require any of the documentation in an alternative format, or you have any queries about the post or the selection process, please contact Janice Crerar, The Scottish Parliament, Edinburgh EH99 1SP (telephone 0131 348 6851) or at janice.crerar@parliament.scot

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**Additional Information**

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