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Collette Stevenson MSP
Convener
Social Justice and Social Security Committee

By email: sjss.committee@parliament.scot

14 September 2023

Dear Collette,

POVERTY AND INEQUALITY COMMISSION – NEW ROUND OF PUBLIC APPOINTMENTS

Further to my letter of 11 August 2023, notifying you that there will be no re-appointments of existing Commissioners to the Poverty and Inequality Commission (the Commission) by Scottish Ministers at this time, I am writing to update you on the arrangements for the new round of public appointments to the Commission.

In line with procedures in the [Code of Practice for Ministerial Appointments to Public Bodies in Scotland](#), the Ethical Standards Commissioner has agreed a code variation to change the Selection Panel membership and extend the planned recruitment round to appoint up to eight new Commissioners and a new Chair.

Membership of the new Selection Panel will be –

- Julie Humphreys, Deputy Director, Tackling Child Poverty and Financial Wellbeing, Scottish Government (Panel Chair)
- Douglas White, Director of Policy and Advocacy at Consumer Scotland (and former Commissioner with the Commission)
- Neelam Bakshi, Public Appointments Adviser, Ethical Standards Commissioner
- Keith Connal, pre-approved independent panel member and a retired Deputy Director in the Scottish Government

In light of these changes I wanted to ask the Committee to advise the level of scrutiny that it wishes to adopt in the appointment process, including on the appointment plan, in particular the role description and person specification. In considering this, I would like to draw your

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attention to the Ethical Standards Commissioner's [Code of Practice](#), in which, at section C (page 11), there is a requirement that –

“When an appointment requires parliamentary approval, the selection panel will consult the relevant subject committee with a view to agreeing that the [appointment] plan will deliver against parliamentary and ministerial requirements.”

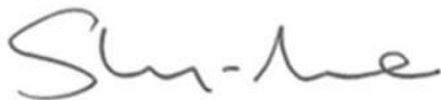
In addition, the Ethical Standards Commissioner's [Guidance](#) on the Code, at section 5.10 (page 13) includes that -

“Where parliamentary approval for an appointment is required, the selection panel must consult the relevant subject committee with a view to agreeing that the plan will deliver against both parliamentary and ministerial requirements. That consultation must be meaningful and must offer the committee in question an opportunity to provide views on any and all aspects of the draft appointment plan, including, in particular, the draft role description and draft person specification.”

To provide an indication of the different stages of the appointment process that will require the Committee's involvement, I have attached a revised timetable at **Annex A** for your consideration and have highlighted the relevant stages in yellow. In addition to advising as to the level of scrutiny the Committee wishes to undertake, please let me know if the revised timetable presents the Committee with any challenges in relation to its wider workplan.

As you are aware, the Chair and three Commissioners recently resigned. This means that, without action, from 11 November 2023 the Commission would no longer be quorate. In order to address this, I expect to write to the Ethical Standards Commissioner to seek approval of a code variation to urgently appoint a Chair and up to two Commissioners on a short-term basis. This will ensure that the necessary governance arrangements remain in place to enable the Commission to continue to function and meet its statutory requirements until such time that we can appoint a new Chair and Commissioners on a longer term. I will provide you with an update in due course.

I look forward to your reply advising of the level of scrutiny the Committee wishes to adopt for this round of appointments.



SHIRLEY-ANNE SOMERVILLE

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Poverty and Inequality Commission: Public Appointments Exercise Revised Timetable¹

Stage in Process	Dates
Letter to Committee advising of changes to appointment exercise and re-confirming level of scrutiny	11-15 September 2023
Reply from Committee	22-29 September 2023
Appointment plan (including the advert, information pack and attraction strategy) sent to the Committee for consideration	8-9 November 2023
Appointment plan returned by Committee	16 November 2023
Advert live	21 November – 11 December 2023
Interviews	29 January - 9 February 2024
Letter to Committee advising of appointment recommendations	6 March 2024
Committee invites recommended appointees to meet	7-8 March 2024
Committee meets with Selection Panel Chair, followed by meeting with recommended appointees	21 March 2024
Committee considers appointments	21 March 2024
Committee considers report to Parliament on appointments	28 March 2024
Motion laid in Parliament	16 April 2024
Agreement from Parliament	18 April 2024
Candidates advised of the outcome	19 April 2024

¹ Please note that all dates may change, subject to the level of scrutiny the Committee decides to adopt.

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