Business case



Business Case for extension of two fixed term contracts

Background

Following the approval of an additional budget of £100k per annum for financial years 2020-21 and 2021-22 two members of staff were employed by the Commission on fixed term contracts: a Head of Legal and Policy and a Legal Policy Development Officer. Both contracts come to an end on 31 March 2022.

The Commission submitted a further business case for additional funding in September 2021, a key element of which was to make these temporary roles permanent. The work undertaken by these roles and the rationale for their permanency was laid out in the Commission's September 2021 business case. The critical skills and experience provided by these currently temporary roles is as follows:

Head of Legal and Policy	International human rights law expertise	Support the development of the proposed framework Human Rights legislation, leading to strengthened legislative provisions and strengthened implementation in practice
	Increased strategic oversight	Free up strategic oversight capacity for the Head of Strategy and Legal, helping ensure effective and efficient targeting and use of the Commission's resources to achieve strategic outcomes.

	Increased line management and oversight Litigation experience and expertise	Effective delivery of the Commission's strategic outcomes and support growing staff team Build litigation capacity incrementally towards more significant delivery, particularly in relation to the new powers to be given to us by the UNCRC (Incorporation) (Scotland) Bill, once passed into law
Legal Policy Development Officer	Detailed legal policy analysis skills	Support the development of the proposed framework legislation, leading to strengthened legislative provisions and strengthened implementation in practice, and provide sufficient capacity to enable strategic use of our legal powers

With the requirement to undertake an independent review of resources to further support the Business case we are aware that any approval of additional funds is likely to happen after 31 March 2022. For the Commission to make best use of any additional funds approved as a result of its business case, continuity of personnel will be vital and without confirmation of a permanent role by 31st March, it is possible, even likely, that the temporary members of staff may leave the Commission before any such approval is received. We are concerned to avoid this outcome if at all possible as this would significantly affect our ability to engage with the work relating to the First Minister's Taskforce on Human Rights Leadership recommendations and the development of

new legislation. Additionally recruiting and inducting new members of staff is expensive and time-consuming and the proposal below is intended to avoid that eventuality.

Proposal

We would like to extend the fixed term contracts of two temporary staff to end on 31 July 2022. This would enable us to secure continuity of staffing over this period. Our expectation is that if our Business Case funding proposal is agreed these positions will be made permanent. The costs of extending the contracts of these roles is shown below.

We would also like to extend the fixed term contract of the Media and Communications Officer to 31 July 2022 (currently 31 March 2022) which we are currently resourcing via reallocated project costs, as previously agreed with SPCB. Extending this contract will enable us to maintain communications capacity at current levels, which are also those proposed within the September 2021 business case. The cost of this is £11k and this can continue to be met on a temporary basis by reallocating budget lines from project costs and would therefore not be additional.

Budget

The additional cost of the two temporary roles from 1 April to 31 July is:

Role	Detail	Total cost from contingency in 2022/23
Head of Legal and Policy	Grade 6, 0.8 FTE, 4 months	£24k
Legal Policy Development Officer	Grade 4, full time, 4 months	£19k

Total		£43k
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If any further information is required please let me know

Judith Robertson

Chair

SHRC