



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE

Tuesday 2 November 2010

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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE

12th Meeting 2010, Session 3

CONVENER

*Gil Paterson (West of Scotland) (SNP)

DEPUTY CONVENER

*Marilyn Livingstone (Kirkcaldy) (Lab)

COMMITTEE MEMBERS

*Robert Brown (Glasgow) (LD)

*Aileen Campbell (South of Scotland) (SNP)

*Angela Constance (Livingston) (SNP)

*Nanette Milne (North East Scotland) (Con)

*Peter Peacock (Highlands and Islands) (Lab)

COMMITTEE SUBSTITUTES

Alasdair Morgan (South of Scotland) (SNP)

Mary Mulligan (Linlithgow) (Lab)

Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

Elizabeth Smith (Mid Scotland and Fife) (Con)

*attended

CLERK TO THE COMMITTEE

Gillian Baxendine

Alison Walker

LOCATION

Committee Room 6

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Tuesday 2 November 2010

[The Convener opened the meeting at 14:16]

Decision on Taking Business in Private

The Convener (Gil Paterson): I welcome everyone to the 12th meeting in 2010 of the Standards, Procedures and Public Appointments Committee. There are no apologies.

Item 1 is a decision on whether to take in private items 3 and 7. Item 3 relates to a complaint report from the Scottish Parliamentary Standards Commissioner, which would always be considered in private. Item 7 relates to consideration of members' interests, following the committee's report on Calman, and will involve a discussion on the committee's approach to proposed changes to the Scotland Act 1998. Do members agree to take the items in private?

Members indicated agreement.

Commissioner for Public Appointments in Scotland (Report)

14:16

The Convener: Item 2 is a report from the Commissioner for Public Appointments in Scotland on a complaint investigation regarding an application for the Scottish Legal Aid Board. In summary, the complaint was that the Scottish Government had not provided an applicant with constructive feedback about his application, that the detailed feedback did not, in the complainant's opinion, provide a fair assessment of his application, and that the feedback referred to an additional criterion against which his application was measured but which had not been part of the publicised criteria for the role.

The commissioner noted that in 2006 she dealt with a similar complaint in relation to an appointment to the same body. She upheld the complaint in respect of the quality of the feedback that was provided and she issued guidance at the time in respect of the provision of feedback, which was noted and accepted by the Justice Department.

I invite members to consider what action, if any, to take in relation to the report. Action might include writing to the Cabinet Secretary for Justice, to invite his response on the points that the commissioner raised in her report and, in particular, to ask whether the Government accepts the commissioner's findings and will ensure that systems are put in place to take account of the guidance that she issued.

Peter Peacock (Highlands and Islands) (Lab): As you said, the right course of action is perhaps to write to the cabinet secretary, as is proposed in paragraph 15 of paper SPPA/S3/10/12/1. That seems to be an appropriate way to proceed.

The Convener: Are members happy with that view?

Members indicated agreement.

The Convener: Thank you. We will write to the cabinet secretary and see what response we get.

14:19

Meeting continued in private until 15:11.

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