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## **Education, Children and Young People Committee**

# **The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025 [draft]**



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# Education, Children and Young People Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills and matters relating to the Historical Abuse Inquiry, redress and languages falling within the responsibility of the Deputy First Minister.



[ecyp.committee@parliament.scot](mailto:ecyp.committee@parliament.scot)



0131 348 6225

# Committee Membership



**Convener**  
**Douglas Ross**  
Scottish Conservative  
and Unionist Party



**Deputy Convener**  
**Jackie Dunbar**  
Scottish National Party



**George Adam**  
Scottish National Party



**Miles Briggs**  
Scottish Conservative  
and Unionist Party



**Keith Brown**  
Scottish National Party



**Pam Duncan-Glancy**  
Scottish Labour



**Ross Greer**  
Scottish Green Party



**Bill Kidd**  
Scottish National Party



**John Mason**  
Independent



**Willie Rennie**  
Scottish Liberal  
Democrats

# Introduction

1. At its meeting on 12 March 2025, the Education, Children and Young People Committee considered a piece of subordinate legislation which is subject to the affirmative procedure.
2. This report summarises the purpose and the scrutiny of the instrument, as well as confirming the Committee's decision.
3. The [minutes](#) of the meeting have been published. The Official Report of the meeting will be [published](#) in due course.

# Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025 [draft]

4. The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025 [draft] was laid before Parliament on 28 January 2025.
5. The purpose of the instrument is to enable the Scottish Ministers to make appointments to Qualifications Scotland, which are treated as regulated appointments, prior to it being established and listed as a specified authority in the Public Appointments and Public Bodies etc. (Scotland) Act 2003.
6. A draft policy note published to accompany the order can be accessed [here](#).
7. The Delegated Powers and Law Reform Committee considered the order on Tuesday 18 February 2025. The Committee published its [report](#) on 18 February 2025 and made no recommendations in relation to the order.
8. At its meeting on 12 March 2025, the Committee took evidence from Jenny Gilruth MSP, Cabinet Secretary for Education and Skills; Clare Hicks, Director, Education Reform, Scottish Government and Nico McKenzie-Juetten, Lawyer, Scottish Government Legal Directorate.
9. The Committee requested further information about how the Scottish Government will ensure any amendments agreed to the Education (Scotland) Bill at Stages 2 and 3 will be factored into future recruitment processes, including specifically any amendments relating to the composition of Qualifications Scotland's board.
10. The Cabinet Secretary agreed to provide such information, and to provide details of the recruitment processes involved in making appointments to the Board of Qualifications Scotland. This will include further information about public advertising campaigns, and how these will be aligned to the timescales associated with Stage 2 and 3 of the Bill process.
11. Jenny Gilruth MSP, Cabinet Secretary for Education and Skills moved motion SM6-16297— That the Education, Children and Young People Committee recommends the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Qualifications Scotland as Specified Authority) Order 2025 [draft] be agreed.

The Committee agreed the motion by division (For 7, Against 0, Abstentions 3).

