

CHAIR OF THE SCOTTISH COMMISSION FOR HUMAN RIGHTS - REAPPOINTMENT

Executive summary

1. This paper invites the SPCB to undertake an exercise to consider the Chair of the Scottish Commission for Human Rights (SHRC), Professor Alan Miller, for reappointment. It also invites the SPCB to agree the terms and conditions of reappointment.
2. The Chair's first 5-year term in office will end on 2 March 2013 and under the Scottish Commission for Human Rights Act 2006, as amended, the Chair is eligible for reappointment for a further period of 3 years (the total period in office must not exceed 8 years).

Issues and Option

3. The process for consideration of an officeholder for reappointment is as follows:-
 - Assistant Clerk/Chief Executive writes to the Chair inviting him to confirm or otherwise that he wishes to be considered for reappointment (mid November 2012);
 - If he wishes to be considered, he will be invited to complete a new application form and submit any supporting material he wishes the SPCB to see (early December 2012);
 - The Chair will be invited to a formal interview with the SPCB sitting as a reappointment panel (December 2012);
 - Copies of the Chair's annual evaluations along with supporting material such as Annual Reports, appearances before Committees and press cuttings will be made available to the reappointment panel;
 - Following interview the SPCB will, if it decides to recommend reappointment, lodge a motion before Parliament, to take effect from 2 March 2013 (January 2013).
4. The SPCB reappointment panel members who considered the part-time members of the SHRC for reappointment in April 2012, indicated that for continuity they would ideally like to sit as the reappointment panel to consider the Chair. **Do they still wish to do so?**
5. The SPCB does have the option of not inviting the Chair to be considered for reappointment but it would need sound reasons for doing so. In such circumstances, an open recruitment would be undertaken to identify a new Commissioner.

6. We have suggested that any reappointment interview is held in December. This is to allow sometime to recruit another Chair should Professor Miller not be successful.

7. Should the SPCB be minded to consider the Chair for reappointment we would recommend he retains his current terms and conditions which are set out in the table in Annex A.

Resource Implications

8. An annual evaluation of Professor Miller has only recently been undertaken (October 2012) which we consider would be relevant for the reappointment. Therefore, the only additional expense will be the independent adviser's costs for overseeing the process and providing a validation certificate which will be in the region of £750.

Governance issues

9. The reappointment is provided for by the Scottish Commission for Human Rights Act 2006, as amended.

Publication Scheme

10. This paper should not be published until the SPCB has made a formal decision.

Next steps

11. We will write to the Chair informing him of the SPCB decision.

Decision

12. The SPCB is invited to:

- (i) Agree or otherwise to undertake a reappointment exercise to consider Professor Miller for reappointment;
- (ii) Agree who the SPCB reappointment panel members will be; and
- (iii) Agree the terms and conditions of reappointment

Officeholder Services
November 2012

SHRC, Chair - Terms and Conditions of Appointment

| | |
|------------------------------|---|
| Salary | £76,875 |
| Pensionable? | Yes |
| Travel and Expenses | SPCB rates |
| Hours, holidays etc | SPCB hours and holidays (37hr week and 30 days annual leave) |
| Accountable Officer | Yes |
| Subject to annual evaluation | Yes |
| Evaluate part-time Members | Yes |