

Good Practice in Public Appointments

There is no one size fits all to producing diverse and effective boards, and the 2022 Code encourages new and innovative ways of running appointment rounds. It is important that approaches taken are tailored to the specific posts being advertised for, and where new ways of working have proven to be effective, good practice case studies can aid selection panels faced with similar circumstances – to use, learn, adapt and improve upon. Not every round will demonstrate good practice end to end, and instead we might observe ‘snapshots’ of good practice, where the panel have had a particular focus that has made a positive impact on the rest of the round. In some cases, these snapshots of good practice may have a clear and direct impact on the outcome of the round, and in other cases the activity might positively influence a particular phase of the round and those involved in the appointments process.

There are five distinct phases of the appointments process: succession planning, early engagement, formal planning, publicising the opportunity, shortlisting and assessment. Following this, if the round has been successful, the most able candidate(s) is(are) recommended to the appointing minister and, if appointed, a resulting news release is published. Additionally, at the end of each appointment round the ESC receives reports from the panel chair and, if applicable, the Public Appointments Adviser who is the ESC’s representative on panels. These reports detail why a round was or was not successful, as well as detailing other aspects of the appointment round that inform our continuous improvement activity. We also conduct applicant surveys for those applicants who have agreed to be contacted for the purposes of continuous improvement, to research the public appointments process from the applicant’s perspective.

These ‘snapshot’ case studies aim to review each phase and provide examples of what selection panels have done well within it. The case studies use appointment rounds concluded within the last 12 months and their associated end of round reporting material to inform their content.



Planning in Context



Formal Planning

Planning is a key part of the public appointments process. It is through planning that the ministerial requirements for the role will be discussed, and the appointment plan developed. Getting the appointment plan right and giving enough time, attention and discussion to each aspect of the appointment round allows the rest of the process to run smoothly. The planning phase of an appointment round will cover topics such as: role description, person specification and criteria, attraction strategy, application and assessment methods, key dates and timetabling.

Other topics such as positive action and delegated assessment may also be discussed and agreed. It is also during planning that the panel have the opportunity to use creativity in their approaches to the rest of the round, to use innovative assessment methods and to ensure that they are applicant focussed, while meeting the ministerial requirements for the role.

Planning and the Code of Practice

B4 When planning a new appointment, the Scottish Ministers will communicate to the selection panel their desired outcome for the appointment exercise. The skills, knowledge, experience and related attributes represent “Merit” for the purposes of the appointment being made. The definition of “Merit” cannot include protected characteristics. Where the Scottish Ministers wish to see the under-reflection of protected characteristics on a board addressed, this will also be communicated to the panel.

The 2022 Code of Practice places greater responsibility for the planning phase on the panel chair. In practice, this means that panel chairs are designated by the appointing minister and make all key decisions on their behalf. This means that the implementation and outcome of an appointment round are the responsibility of the selection panel chair, taking into account the views of the other panel members.

Several successful rounds have directly identified the strength of planning as a key contributor to the overall success of the round. Over and above this, good practice in planning has been emerging within the end of round reports received and reviewed by the ESC. As a result, this review highlights some of the good practice we have identified during recent appointment rounds and their planning phases.

1. Strength of Panel

Result: understanding operational context of body and its current needs, fully engaging with ministerial requirements and creating robust, accessible person specifications.



It is clear that the strength of the selection panel, working together to secure a successful outcome, will contribute to the effectiveness of the planning phase. A number of rounds concluded under the 2022 Code provided end of round reporting which indicated that the strength of the panel contributed to a strong planning phase and a few examples are outlined below.

During the planning phase, in particular, it is clear that panel discussions:

- fully considered the needs of the board
- the attraction and ask of applicants were carefully explored

This means that the resulting attraction strategy and assessment of applicants was fully informed and tailored to both the needs of the body and to potential applicants. This aimed to ensure that the widest pool of applicants felt empowered to apply, and that the person specification and applicant pack were designed with a focus on accessibility. Planning also benefitted from:

- contributions offered through the local knowledge of the board chair
- the knowledge of the ESC's representative
- contributions of the Sponsor Team and the SG's Public Appointments Team
- effective discussion and teamwork as a panel

All of this ensured where there was a larger than usual panel (made up of 5), each panel member was fully informed and exceptionally briefed during the planning phase. These activities also meant that panels were fully engaged with the ministerial requirements for the round whilst also ensuring the resulting criteria were accessible to applicants. More on this under 'applicant focussed'.

2. Operational Context and Timing

Result: understand how applicants view body. Develop clear, inclusive criteria. Ensures requirements are met with opportunity for discourse with appointing minister. Applicant packs are clear, particularly when the body concerned is working within a challenging operational context or going through change.



Consideration of the operational context of the body and timing of publicising opportunities was also an effective part of planning for the rounds analysed. Activities included:

- Exploring the wider operating environment of the board to understand the complexities of the role being advertised for
- Understanding of external factors resulting in change for the body
- Time for sufficient dialogue with the appointing minister to ensure their requirements were met
- Ensuring complex criteria was made accessible to potential applicants
- Designing the applicant pack with the applicant in mind

Sufficient timetabling and exploring the wider operating environment of the board, which at the time was moving through a period of significant change, proved to be effective for one round in particular during their planning phase. In this case the planning process took five months. This is longer than is typical, but end of round reporting suggests that the planning phase was focussed on understanding the complexities of the role, and that the panel wanted to ensure a robust and thorough planning phase to benefit everyone involved for the full duration of the appointment round. This timescale also took account of the wider environment and need for full understanding of the change process being experienced by the body being appointed to at the time. There was post round reflection that the time allowed for sufficient dialogue with the minister, presenting options to them and allowing the panel to consider how to effectively communicate the complex set of criteria in an accessible way for applicants.

Additionally, engaging with the wider external challenges being experienced by the body allowed the panel to explore what potential applicants might understand of the body and space it is working in, and designing the applicant pack and person specification with this in mind.

3. Applicant Focussed

Result: Anticipating applicant needs. Considered, accessible criteria and offers of support to encourage applications. Awareness of limitations to aid development of criteria with aim of widening applicant pool.



Another recurring theme in recent rounds demonstrated a true applicant focus in their planning discussions. In practice this can range from:

- considering the perceptions of potential applicants about the body itself
- considering how the publicity strategy could be designed with applicants and their needs in mind
- designing and streamlining the criteria for the roles with accessibility and support to applicants at the forefront of discussions.

One example includes the accessibility of the skills being sought and the resulting criteria agreed on being carefully considered during the planning phase. In one round, where the ask of applicants was recognised as challenging, and potentially pool limiting, the panel worked hard to break down the requirement and to ensure it was accessible for applicants. In another instance the panel kept the priority criteria limited to encourage applications. In another appointment round, the panel focussed on applicants by ensuring the applicant pack included an offer of support, by way of mentoring, to the successful applicant. Approaching the planning phase with an applicant focus also resulted in one of the rounds using a vlog and outreach event with a particular focus on attracting under-reflected groups on the board.

Finally, of the applicants who completed an applicant survey at the conclusion of the three appointment rounds analysed here, 93% felt that the application pack contained all the details they needed to apply and 87% felt that the requirements of the role were clearly outlined in the applicant pack. Although a small data sample, this indicates a degree of success in the panel's efforts to ensure the process was applicant focused.