

Nominations & Remuneration Committee

Date of Meeting	Wednesday 17 March 2021
Paper Title	Non-Executive Recruitment 2020-21
Agenda Item	11
Paper Number	NRC4-F
Responsible Officer	Board Secretary
Status	Disclosable
Action	For Decision

1. Report Purpose

- 1.1** To apprise the Committee of the status of non-executive recruitment arrangements and to seek agreement on a recommendation to the Board with regard to membership of a recruitment panel.

2. Recommendations

2.1 The Committee is invited to:

- **note** the revised timetable of activity under 4.0 below;
- **agree** a recommendation to make to the board on membership of a recruitment panel (ref para 3.2 below);
- **consider** the option of proceeding with an event or other promotional activity to generate interest in joining the Board (notwithstanding circumstances outlined under 3.5 below).

3. Background

3.1. The Nominations and Remuneration Committee is responsible for areas of the Board's activity relating to non-executive recruitment. In particular, the Committee should:

- before any non-executive appointment is made by the Board, ensure that a full evaluation of the balance of skills, knowledge, experience and diversity on the relevant Board, has been carried out and that, in the light of this evaluation, an appropriate role description has been agreed; and
- ensure that a fair, open and merit based recruitment process is conducted for the appointment of non-executive board members and that all appointments are made in a manner which encourages equal opportunities and the observance of equal opportunity requirements.

3.2. Established GCRB procedure is for a recruitment panel to be appointed comprising three Board Members and one Independent Person, in accordance with the Ministerial guidance on appointments. In the past, the panel has included the Board Chair (Panel Chair), the Chair

of NRC, and a Student Member. The Independent Person should be part of the recruitment process throughout, including the skills assessment.

- 3.3. Members should note that one Member of the Committee is among those reaching the end of their second term and may therefore not participate in the panel or any related decision-making processes, as stipulated in the Ministerial guidance.
- 3.4. An indicative timetable was agreed by the Board in October and is provided (updated) below. Actions that are complete are shown in grey text.
- 3.5. The deferral of the next Board meeting by three weeks has affected dates but should not interfere with completion of the process prior to the date on which tenures end, i.e., 31 July 2021.
- 3.6. Members are asked to note that the outcomes of the current regional review process may have implications for governance arrangements going forward and that, depending on the status of the decision-making process in April/May, it may be preferable to approach the Scottish Government with a proposal to extend current non-executive appointments in the short-term (with the consent of those concerned). Such arrangements have been permitted in other circumstances, including during lockdown in 2020. The Scottish Government will be consulted in advance on whether the Minister would be content to approve time-limited extensions if required. It is hoped that a clearer position may be reached by the time of the Board meeting on 19 April.
- 3.7. Members are asked also to note that it had been anticipated that the Scottish Government might have progressed arrangements for the introduction of Trade Union Members and two additional Non-Executive members of GCRB, during 2021, these constitutional changes having been planned to come into effect in August 2020, originally. There is no indication at this stage of movement in this area and any changes would now also need to be considered in the light of changes referred to under 3.5.

4. Non-Executive Recruitment Process 2020-21

Activity	Timing
1. Board approves arrangements and delegation of authority to decide on extension of terms of office.	25 January 2021
2. Second Terms Committee meets to consider and agree as appropriate extension of terms of office of two Non-Executive Members.	10 March 2021
3. Committee recommends/Board approves recruitment panel, which may be subgroup of NRC plus Independent Member.	11 March/ 19 April
4. Panel/Committee conducts detailed review of skills, etc, and future needs, taking account of outcome of 2. above and Diversity Succession Plan.	w/c 26 April
5. Panel agrees person specification(s) for vacancies, process and application materials, taking account of outcome of Second Terms process.	w/c 3 May (3 rd itself is Bank Holiday)
6. Advert goes live on recommended list of platforms including Public Appointments and CDN website.	10 May
7. Potential event/other activity to disseminate information/ promote opportunity to join Board.	w/c 10 or 17 May

8. Closing date for applications.	28 May
9. Shortlisting.	w/c 31 May
10. Interviews.	w/c 7 June
11. Recommendation to Board/approval.	21 June
12. Approval received from Scottish Ministers.	by 19 July
13. New Members take up appointments (based on known terms of office; commencement of new vacancies will depend on Scottish Government guidance).	1 August 2021

5. Risk Analysis

5.1 Timely and well planned recruitment is essential to mitigate risk 0012: the capacity and capability of the Board is inadequate and standards of governance fall below the level required. The current statutory minimum membership of the Board is fifteen members.

5.2 Both the regional review process, as outlined above, and COVID arrangements could be a significant factor in the viability of the proposed timetable. The situation will continue to be monitored.

6. Equalities Implications

6.1 Equality and diversity should be built into, and be a consideration throughout, the recruitment process in line with the Board's Diversity Succession Plan.

7. Legal Implications

7.1 There are no new legal implications associated with this report.

8. Resource Implications

8.1 There are no significant resource implications associated with this report. Depending on the decision to proceed with a recruitment event or other activity there may be moderate cost implications, which would be within normal budget limitations.

9. Strategic Implications

9.1 This report is not directly relevant to the Regional Outcome Agreement, however, robust governance arrangements are the essential to the effective determination and delivery of GCRB objectives.