

ANGUS COUNCIL

POLICY AND RESOURCES COMMITTEE – TUESDAY 14 MAY 2002

A SCOTTISH COMMISSIONER FOR PUBLIC APPOINTMENTS

RESPONSE BY ANGUS COUNCIL TO CONSULTATION PAPER

REPORT BY THE DIRECTOR OF LAW AND ADMINISTRATION

ABSTRACT

This Report requests the homologation of the response submitted to the Scottish Executive on the consultation paper "A Scottish Commissioner for Public Appointments".

1. RECOMMENDATION

It is recommended that the Committee homologates the views contained in the response to the Scottish Executive's consultation paper "A Scottish Commissioner for Public Appointments", as appended to the Report.

2. BACKGROUND

In 1995, the Committee on Standards in Public Life (then known as the Nolan Committee), made a series of recommendations intended to increase public confidence in the way in which appointments to public bodies across Government were made. The principal recommendation was that an independent Commissioner for Public Appointments should be appointed. This Commissioner's role would be to establish a Code of Practice for Ministerial appointments to public bodies, and to monitor the process to ensure that appointments are made on merit after fair and open competition.

The first Commissioner for Public Appointments was appointed in December 1995 and the first Code of Practice was issued in July 1996.

3. THE SCOTTISH POSITION

At its meeting on 9 May 2000, the Committee approved the terms of a response to a Scottish Executive consultation paper entitled "Appointments to Public Bodies in Scotland: Modernising the System".

The Scottish Executive has now developed detailed proposals taking account of the responses to this paper, which suggested widespread support for the creation of a **Scottish** Commissioner. These proposals are contained in a further consultation paper, which is attached as **Appendix A**.

The proposal to create a **Scottish** Commissioner for Public Appointments is a key commitment in the "Public Bodies: Proposals for Change" issued by the Scottish Executive. The Minister for Finance and Public Services, Andy Kerr MSP, has already stated that the creation of a **Scottish** Commissioner would be central to the Executive's plans to provide Scotland with an independent, accountable and open public appointments system, based on merit.

As views were invited on this consultation paper by 11 April 2002, an officer response (**Appendix B**) has been submitted to the Executive, with the proviso that it has still to receive elected member consideration.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this Report.

5. CONSULTATION

The Chief Executive and the Director of Finance have been consulted in the preparation of this Report.

6. HUMAN RIGHTS IMPLICATIONS

There are no Human Rights implications arising from this Report.

7. CONCLUSION

The Committee is asked to homologate the views as expressed in the attached response to the Scottish Executive's consultation paper "A Scottish Commissioner for Public Appointments", which have been based on the Council's previously expressed comments.

CATHERINE A COULL
Director of Law and Administration

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this report.