Ethical Standards Commissioner

Assessment and Recording Assessment
Good Practice Guidance

Introduction to the guidance

The purpose of the [Code of Practice for Ministerial Appointments to Public Bodies in Scotland](#) (the Code) is to find the right people for the right roles at the right time in a fair and transparent way. The Code is supported by [statutory guidance](#), also produced by the Commissioner, on its implementation. Whichever processes for assessment that panels use – and there are many options available – they should be designed to be accessible to as wide and diverse a range of prospective applicants as possible.

The purpose of this guide is to assist selection panels to comply with the provisions of the Code. The Code is very flexible and designed to encourage panels to use bespoke approaches depending on the target pool of people that the minister wishes to appoint. Panels following the Code will find that it fosters good practice in recruitment and selection and encourages learning from appointment round activity on an ongoing basis. That in turn encourages good practice to be shared more widely so that the appointments process is improved over time.

Additional advice and guidance on all of the information in this document is available from the Commissioner's office.

Some basic pointers

The Code includes three principles and a section about the context that it is applied in. Here are some extracts from the context section that should help to explain what's anticipated:

The purpose of the process is to attract a diverse range of able applicants and appoint the most able to lead Scotland's public bodies in the delivery of efficient and effective public services.

The purpose of the Code is to provide the framework that enables the Scottish Ministers to attract and appoint the most able people in a manner that meets the requirements of the Act.

The principles are set out here also for ease of reference:

Merit
All public appointments must be made on merit. Only persons judged best able to meet the requirements of the post will be appointed.

Integrity
The appointments process must be open, fair and impartial. The integrity of the process must earn the trust and have the confidence of the public.

Diversity and Equality
Public appointments must be advertised publicly in a way that will attract a strong and diverse field of suitable candidates. The process itself must provide equality of opportunity.

The public appointments process will be outcome focused and applicant focused.

Taking these together, here are some headline basic pointers for panels when running an appointment round.

- Focus on the outcome = it is the appointment of the most able person or persons.
- Remember what most able means. It is determined by the appointing minister at the start of an appointment round and is based on a given board's needs at a given point in time. Those needs are further defined in the person specification that is published in the applicant information pack and that explains in transparent terms what most able looks like. It is usually a mix of skills, knowledge, experience and personal qualities such as values. Each criterion for selection should have indicators that describe what meeting it/good evidence looks like. Additionally, in order to be deemed most able, people need to meet the fit and proper person test.
- The entire process is used to identify the most able. The initial application stage is not a mini-competition or hurdle that people have to get over and the appointment process doesn't reset just prior to interview. Panels should take account of all of the information and evidence that applicants have provided over the course of an appointment process in order to reach their assessment decisions.
- The process should be designed to find the most able board members and not the most effective at completing forms and/or performing at interview. Panels should be clear about what they are testing and how they are testing it. For example, experience and ability are different things and should be assessed in different ways. How criteria and their associated indicators are worded is very important too. The person specification is based on the core skills framework so that there is transparency for both applicants and selection panels about the nature of the evidence sought. By way of example, first-hand experience of social exclusion lends itself to one type of assessment, experience as a practising solicitor to another. As a general rule, the following guidance from our website is helpful:

All assessment and selection is against the requirements published in the person specification. New requirements are not introduced. The panel will not take into account the level you have worked at or how recent your skills, knowledge or experience are unless it is clear from the person specification that level or recency are important.

Most of the assessment is undertaken by a selection panel although the panel may delegate some elements of the assessment to suitably qualified individuals. For example the panel may delegate the running of assessment centre exercises or, when a significant number of people apply, the first assessment of written applications.

Testing skills

The selection panel will usually test skills by using competency-based questioning at interview or in a written application. In either case you will be asked to provide examples of having put your skills to use in previous situations. The panel may also use an assessment centre approach to test certain skills such as team working and/or communications. Panels may also set specific tasks such as asking you to review a board paper to assess skills such as analysis and judgment or asking you to make a presentation to assess your communication and presentation skills.

The panel will establish not just whether you have used a given skill but how effective you are at putting it into practice. The panel will identify the applicants who are best at putting their skills into practice.

Testing knowledge

The panel will not take into account whether you have applied your knowledge in practical circumstances unless it is clear from the person specification that practical application is important. The use of wording such as "a working knowledge" means that the panel will look for evidence of your having applied your knowledge to practical situations by asking you to provide examples of having done so.

The panel will usually test your knowledge by questioning your understanding of the subject area. The panel may also set a test or exam either online or as part of an assessment centre exercise. You will be advised of the assessment methods being used in the application pack. The panel will establish not just whether you have the knowledge but how in-depth it is. The panel will identify the applicants who are most knowledgeable in the subject area.

In some cases, although rarely, the role may require a qualification. If so, this will always be made explicit in the person specification as will whether it has to be at a certain level. Verification in this case will usually be by asking you to confirm by way of a tick box or similar that you have the qualification. This can then be checked with the awarding body.

Testing experience

Where experience is sought the panel will usually include a section entitled "Life History" in the application form, or ask you to provide a tailored CV or a letter. In all cases you will be asked to set out the roles you have held or the activities that you have engaged in that are relevant to the experience described in the person specification. The person specification can also give guidance on the type of backgrounds or positions that the experience might have been gained in. Experience does not have to have been gained in a professional capacity. Experience gained in your personal life and from any voluntary work you may have done is equally valid. In some cases the experience sought may be something very personal to potential applicants such as direct experience of social exclusion or first-hand experience of the accessibility issues that affect public-service users with a disability. The panel will compare what applicants have written against the type of experience it is looking for to see which applicants provide the closest match. The panel may ask follow up questions at interview to see how effective you have been in the roles you have held. If this is planned it will be made clear in the person specification.

- Focus on the applicant = There is a limited pool of people who can apply for this (and other) public appointments. Encourage (appropriate) repeat applications and, regardless of the calibre of applicant, instil public confidence in the process
- As these are public appointments they must be fair and be <u>demonstrably</u> fair.

New developments to be aware of

Since this guidance and the website guidance on assessment was originally published, the NHS in Scotland has introduced a version of values based recruitment for all new chair and board member posts. This is currently a hybrid form of the appointments process as it uses the core skills framework to describe the skills, knowledge and experience sought and a narrative explanation of the values sought with an explanation for applicants that their behaviours should be aligned with them. Here is an extract from a recent pack:

The values that are shared across NHSScotland are outlined in the [Everyone Matters: 2020 Workforce Vision](). These are: • care and compassion; • dignity and respect; • openness, honesty and responsibility; and, • quality and teamwork	Embedding these values in everything we do. In practice this means: • demonstrating our values in the way we work and treat each other; • using our values to guide the decisions we take; • identifying and dealing with behaviours that don't live up to our expectations; and, • being responsible for the way we work and not just the work we do.

The values are usually always assessed using psychometric tests and simulated activities, as well as from written application and interviews. As with all other regulated appointments, the appointment pack will continue to be clear about the assessment methods that will be used. The Commissioner anticipates that other appointing ministers may seek to include values as essential personal qualities for future appointments that they make. It is also anticipated that the core skills framework will be further adapted to include appropriate indicators against the relevant criteria for selection such that both panels and applicants are fully aware of the types of behaviours that are being sought.

Stages of assessment elements

There are three distinct stages for each element of assessment and it will be helpful to selection panels to take cognisance of these and their ramifications for an appointments process.

The stages in order of activity are:

1. Data Gathering
2. Evaluation
3. Decision Making

These activities should not be carried out simultaneously as the increased cognitive load implicit in that activity is more likely to lead to decisions made on the basis of factors other than the evidence. Allowing plenty of time for assessment improves on decision making. By way of example, panel members should not be decision making about suitability during interviews and the extent of their evaluations during interview should be limited to whether or not their questions are generating the quality and amount of information they need (as otherwise they wouldn't know whether further probing was appropriate).

A note about validity

Application and assessment methods should be chosen because they have validity. A simple description of the different types of validity is set out below. Validity is increased when certain types of indicator are used to describe what good evidence of a criterion being met will look like. It is decreased when other types are used. Pearn Kandola's research on behaviourally anchored rating scales (BARS) is relevant. In summary the following are features of well-designed BARS (indicators):

o   A clear/objective distinction between each level of performance
o   A focus on specific behaviours, not frequency of behaviours
o   Using behaviours that are in the normal range (i.e. no extremes at each end)
o   Describing behaviours as clear actions that can be seen (rather than the absence of actions).

Predictive validity which measures who will perform effectively.
For example if subject knowledge is sought it can be tested by way of a verbal or written exam (but see content validity below).

Face validity which means the method must have credibility for and/or be acceptable to the applicant pool.

For example the prospective chairs for Scottish Enterprise would be unlikely to attend the same assessment centre on the same day and participate in exercises together whereas prospective board members for a territorial health board may feel that this would be a good, fair and transparent method for them.

Content validity which concerns whether an assessment method assesses the attribute sought, as opposed to something else, and the extent to which it assesses it.
If I am being appointed, because of area expertise, to advise the board about developments in my field, is it necessary for me to give a presentation to a selection panel? If I am poor at delivering presentations then the panel may confuse this with a lack of expertise. Equally, if questioning on my area of expertise is superficial, the assessment will lack validity.

Guidance from research by Nightingale et al provided eight broad categories of learning outcomes and suitable methods for their assessment. That is included as appendix one to this document.

At shortlisting

•   The panel should look for reasons to include applicants for interview rather than reasons for ruling them out. This has been demonstrated to increase the diversity of the pool that reaches the next stage of assessment.
•   The panel should treat applications equitably and assess them consistently = the panel can "set the bar" wherever it wishes to but the same bar has to apply to all applicants
•   The panel should base its reasons and decisions on the evidence presented by applicants and on the criteria for selection and their associated indicators. Paragraphs C1 and D1 to D3 of the Code are relevant. The Code precludes bringing prior knowledge of applicant performance into account as doing so would mean that the treatment of applicants would be inconsistent. People known to the panel could be advantaged over others who are not known. Equally, a known applicant could be disadvantaged on the basis of hearsay. There is an exception to this general rule of thumb. The Code states at A16 that if a panel member knows something about an applicant that would suggest that

the person may not meet the fit and proper person test, that panel member is obliged to share the information with their fellow panel members. Such information should always be transparently investigated to establish the facts and applicants should always have an opportunity to respond before a final decision on their suitability is made.

- Panels should beware of unconscious and other forms of bias that are likely to preclude fair and transparent decision making and the identification of the most able candidates. This applies to diversity in the broadest sense. By way of example, simply because a panel isn't familiar with the field that someone has worked in shouldn't invalidate the evidence that they provide. Similarly, panels may have unconscious views about the suitability of people with certain genders for certain roles. The Commissioner has produced a simple to follow crib sheet which includes pointers for bias mitigation.

- The panel should be clear about what good evidence will look like and remember that this will differ depending on the criterion under consideration. For example experience can be inferred from positions held but not necessarily skills (abilities). An applicant may have been a board member previously and therefore have that experience but they may or may not have been very effective in that role and they may or may not have the skills that this board needs at this point in time.

- Panels should remember that applicants don't necessarily provide the evidence that they are seeking in the relevant "box". Panel members should review the entire application before drawing conclusions (see "stages of assessment" above).

- The panel should have clear reasons as a panel for ruling people into or out of the next stage of assessment. These should be agreed by the whole panel and a written record of their view should be captured. This is important for transparency and for feedback.

- The Scottish Government has a dedicated Public Appointments Team (PAT) and their expert managers tend to work in support of all regulated appointment rounds from beginning to end. A PAT manager will usually record panel decisions and reasons for them at this stage. The record doesn't have to be overly detailed but it will be referred to and would have to be relied on in the event of a complaint or investigation. As well as reasons for not taking applicants forward, the record should be clear about which particular areas the panel wants to follow up on with particular applicants who are to proceed interview.

- The panel should use the techniques provided to mitigate bias. For example the panel members should each have reached and recorded their own decisions about the quality of applications before discussing them collectively. Rotating the identity of the person who will lead on giving their view about successive applications can help to mitigate against the effect of authority bias and conformity.

Simulations and practical exercises

By reference to the guidance on validity (see above) it is important for panels to ensure that practical exercises, where used, test the attribute sought rather than something else. It is not uncommon for candidates to be given board papers, for example, 30 minutes prior to their interview and then to spend the first ten minutes of the interview itself answering questions on them. The length and complexity of the board paper immediately become an issue in relation to the content validity of such a test. Is the test meant to assess the ability to take in and analyse a lot of information in a short time frame or is it instead intended to simply assess analysis skills? If it's the latter, then the paper should be brief so that candidates can assimilate the information in the first 10 to 15 minutes of their half hour and consider the issues in the information in the remaining time.

If the panel wants candidates to look at something more complex, they should consider sending information to them in advance of the interview and in preparation for the exercise. This is clearly very similar to what board members are expected to do in advance of a board meeting and so more closely simulates the activity that successful candidates will be engaged in. Candidates can then be given a set of questions about the material 30 minutes prior to interview or simply questioned during the course of the interview on the content of the papers.

In all cases, it is important that panels explain in advance how they plan to assess candidates and why. This approach is transparent and provides public assurance about the way in which the process is being conducted. This cannot be underestimated as the diverse pool of people that the Scottish Ministers wish to put themselves forward for these roles will only do so if they have trust in the appointments system.

It is also important for simulations and other forms of assessment, such as board paper exercises, that people with a disability are given the opportunity to request reasonable adjustments to allow them to take part and to be treated equitably. By way of example, a candidate with dyslexia is likely to be put at a significant disadvantage in comparison with other candidates if only given 30 minutes to review a complex board paper before being asked questions on it.

At interview

- Panels should prepare in advance and remember what people provided in their initial applications. Some evidence may require no verification, some will require verification and some will require follow up and probing. Fairness at interview doesn't mean asking every applicant exactly the same questions but will involve covering the same question areas.
- Panel members should remember the purpose of the interview – it is only one of the stages of assessment. It should not be a test of how well people perform at interview but a method of assessing whether people meet the requirements of the role.
- Preparation as a panel also involves reminding each other about bias mitigation techniques. This includes ensuring that there is sufficient time for interviews and any exercises as well as for assessment between them. As per the advice on the stages of elements of assessment, interviews should fall into three distinct stages and time should be allowed for each of them. The interview itself is to gather data, so the panel members will ask questions and take a note of the responses. After the interview, panel members will individually and collectively review the evidence provided against the criteria for selection and the indicators. Only then should the panel reach a decision on how closely the candidate meets the criteria and on their suitability. Panels should also be aware of non-verbal cues (micro-inequities and affirmations) in their interactions with interviewees. Body language can have a negative or positive impact on assessment that neither the panel nor the interviewee will consciously be aware of. Our bias mitigation crib sheet addresses other such issues that can have an impact on the validity and outcome of assessments.
- The PAT Manager will usually record the evidence provided by applicants in response to panel questions as well as panel decisions and reasons for them. The role of the panel chair is pivotal to success in this area. A good panel chair will be able to sum up what the panel has agreed in relation to each of the criteria assessed at this stage for each candidate. The quality of that summing up process and how it is captured will have a direct bearing on the quality of the description of the most able candidate(s) – which

forms the basis of a minister's decision on whom to appoint – and on the quality of feedback provided to people.

- Panels should try to make it as welcoming and relaxing as possible for candidates and focus on allowing people to give of their best.
- The panel's role is to establish who will be most able. Sometimes this will require more probing and follow up questioning of one candidate than another in particular areas. That's the panel's role and candidates should not be penalised for making a panel work harder to get the information that it needs to. There's more information on this in the next sections which concern interview types and questioning techniques.
- Panels must also remember to stick to the criteria for selection. Applicants may offer information that's clearly not relevant. By way of example, a candidate may refer to a particular skill that they have that wasn't included in the specification and which, on reflection, the chair of the body feels would be very helpful. That's absolutely fine and understandable but panels shouldn't seek out such information without good reason and shouldn't take it into account in their assessment as that may well have the effect of introducing a new requirement (see the Code at D2).
- If the fit and proper person test has been delegated to the panel, it is important for the panel to ensure that all elements of it have been covered (see E6 of the Code). If the panel has concluded that someone cannot meet the test, the interview is an ideal opportunity for that to be relayed to the candidate concerned so that he or she has an opportunity to respond before a final decision on their suitability is made (see the Code at A16 and A17).
- As noted above, it is recommended that the panel discusses its assessment of candidates after each interview rather than at the end of the day. Good practice involves each panel member drawing his or her own conclusions about the evidence presented and writing down his or her reasons for those conclusions *first* and then the panel chair asking each panel member to give their independent view before the panel reaches its collective conclusion. The role of "first person to offer a view" should be rotated throughout the day. The collective conclusion is the one used as the record of the assessment and included in the applicant summary. The summary is the agreed conclusion of the panel and cannot include references to individual dissent on the part of panel members. For the same reason, individual panel member's notes should be disposed of once the panel has agreed the content of the applicant summary.

Interview types

There are a range of types of interview that panels can use to elicit the information that they need from candidates. In all cases, the information sought should be directly related to the criteria and indicators published in the pack. To use some simple examples asking people about roles that they have held will generate evidence of experience and asking people questions about subject matter will generate evidence of knowledge or understanding.

Generally, questioning in relation to skills and values involves asking people what they have done previously, i.e. their behaviours in specific situations, as that is considered to be a reasonable predictor of what they will do in future.

Situation, Task, Action, Result, (Reflection) (S.T.A.R.(R))

This is the technique that is most commonly adopted in the public sector. It is also known as competency based assessment. Its success, as with other similar techniques, is predicated

on the panel knowing in advance what good evidence will look like. This in turn relies on the design of clear criteria for selection and associated indicators (BARS).

In this technique, candidates are expected to describe a situation (S), the task that they were required to perform (T), the action that they took (A) and the result (R). In some cases, candidates are also asked to reflect (R) on the situation. What, in hindsight, might they have done differently?

Such a system has a number of benefits over what are now considered to be ineffective unstructured interviews. Prospective applicants can refer to a well-defined set of behaviours that they will require to demonstrate in order to be successful. The process used to identify suitable people is fairer and more open and it should be possible for panels to assess transferable skills and identify required behaviours regardless of career background.

There are however some potential drawbacks with strict adherence to such an approach. It can elicit pat answers from people who have undergone the same type of interview on several occasions and who have pre-prepared responses for certain criteria for selection. It also relies on people having built up sufficient experience to be able to draw on such examples. As a result, it can be biased towards older people and people from public sector backgrounds. Probing questions at interview and seeking examples other than the one originally offered can mitigate the latter effect so it is important for panels to dig deeper when faced with well-rehearsed responses. It is also possible to use cognitive questioning to assess the veracity of the responses (see below).

It should be noted also that this type of interview is unlikely to be sufficient for assessing certain personal qualities in any depth and that is should always be considered as one option to be used alongside others to generate the necessary evidence. By way of example, using simulations to test skills is likely to be more equitable for people, regardless of their age and experience.

Started, Contribution, Amount, Result (S.C.A.R.)

This technique is similar to the STAR(R) technique and is used to assess the extent to which someone has taken ownership of an issue and initiated a particular course of action in order to improve a situation. It can be particularly effective at identifying people who have change management skills. "Started" relates to initiation. Did the person take the initiative or were they instructed to? Was it to address something that had gone wrong or to improve a situation? "Contribution" relates to what the person actually did as an individual. If they simply delegated the activity then there is a question over the quality of their contribution. "Amount" relates to the extent of the difference. Simply applying an "off the shelf" solution to a problem is different to coming up with something new and bespoke. "Result" is about how successful the activity was and the extent to which it led to a positive change.

Performance based interviewing (PBI)

Also known as "the one question" interview, this technique is more discursive and can allow the conversation to flow more naturally and freely. As a consequence, it may be less susceptible to rehearsed responses and/or sectoral background bias whilst still generating the evidence sought. It also allows for hypothetical questions to be asked and related back to the previous behaviours. This can be very important when appointing people to posts that require the successful candidate to have a clear vision and plan for an organisation's future

in the short, medium or longer term. The following is not an exhaustive list of potential questions but does demonstrate that questioning in this way can generate evidence that criteria for a role are met without referring specifically to the criteria themselves. Here's an example of how it works in practice (with areas potentially being tested in brackets):

- Please think about your most significant accomplishment. Now, could you tell me all about it?
- Who else was involved and how did you work with them to achieve your goals? (teamworking/leadership/influencing etc)
- How did you ensure that you achieved your goals? (resource management/ planning/strategic thinking etc.)
- Can you tell me more about the context in which you achieved your goals? (environment)
- How did you keep people informed of progress? (communication)
- What challenges did you face and how did you overcome them? (problem solving/strategic thinking)
- Did you have any difficult decisions to make? If so, how did you decide to do what you did? (decision making/problem solving etc.)
- What would you do differently if you had to do this again? (critical faculty/ability to take an objective view)
- In this role, you will have to achieve X within six months, from what you've told me, how will you go about it on this occasion?

Strengths based interviews (S.B.I)

Whereas traditional competency-based interviews aim to assess what a candidate can do, a strengths-based interview looks at what they enjoy doing and have a natural aptitude for. The approach is predicated on the understanding that people will be more motivated to fulfil roles effectively when the activities that they will be required to perform are a match for what they enjoy doing. These interviews therefore seek to identify what energises and motivates the candidate.

Questions could include: what kind of situations do you excel in? What tasks do you find most enjoyable? Can you describe in detail an example of where you feel you performed your best in the role?

This approach will be unfamiliar to many and therefore does have the advantage of mitigating against the possibility of candidates providing pat answers. A drawback of using this technique in isolation from competency based assessment is that the relevance and predictive validity may be limited.

The Code is not at all prescriptive about which type of interview panels should use. It simply expects the assessment method to be appropriate to what is being assessed. Any combination of the interview types above, or others not referred to, will be legitimate if they achieve this aim.

Questioning techniques

As explained above, each type of interview generally involves a variety of questioning techniques to elicit information. Some of the most common techniques are set out below.

Probing or Reflective Questions

Probing questions encourage the candidate to provide more information and to expand on answers already provided. They also allow interviewers to request more specific answers when initial responses are vague, limited in detail, confusing or unclear.

Examples

- *what exactly was your role in the team?*
- *what did you do to achieve that?*
- *can you give me a specific example?*

Reflective questions encourage candidates to add to answers they have already given. They can also be used to link an earlier answer to a new question. They are helpful at triggering memories and assisting with recall (see cognitive questioning below). They also demonstrate that the interviewers are listening to what the candidate is saying and that they have taken account of the earlier stages of assessment such as an initial application.
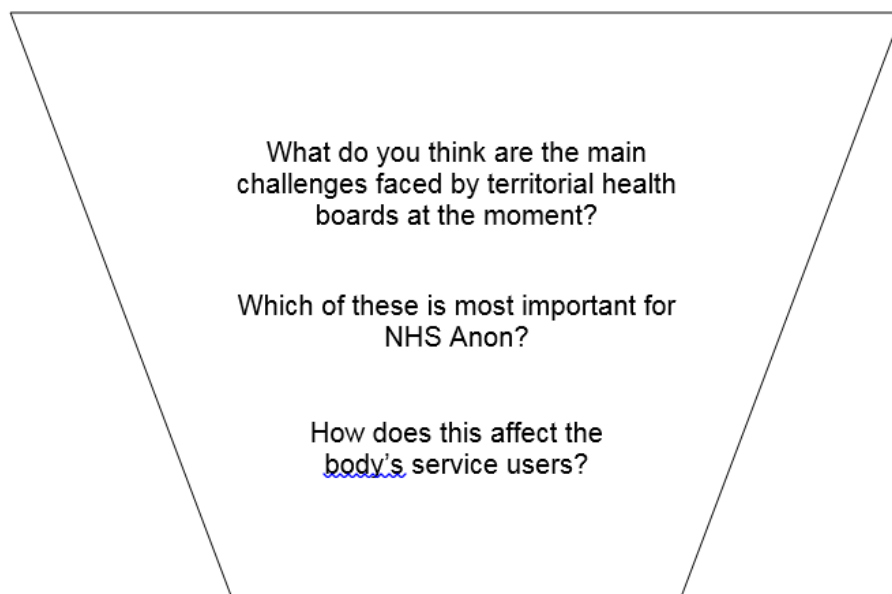
Examples

- *In your application form you gave an example of…, can you quantify the benefit of the outcome in that case for us?*
- *You mentioned earlier that you…how does that compare to your work with…?*
- *You indicated that the project went well, can you tell me about the outcomes?*

The Question Funnel

This technique assesses whether a candidate has the ability to recognise a wider or strategic context (the big picture) and then make reasoned judgments about specific aspects of it.
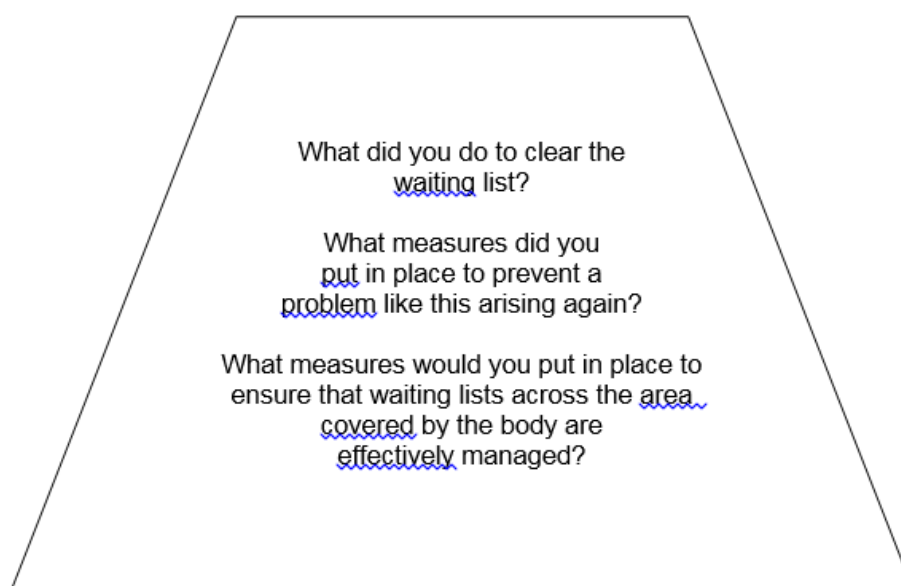
Question funnel questions – examples

What do you think are the main challenges faced by territorial health boards at the moment?

Which of these is most important for NHS Anon?

How does this affect the body's service users?

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The Inverted Question Funnel

This technique can be helpful in aiding a more nervous candidate to open up.
Both funnel techniques can give rise to purely hypothetical answers which may not be good indicators of ability in the role but they can be useful for establishing, in particular, strategic thinking.

Inverted funnel questions – examples

What did you do to clear the waiting list?

What measures did you put in place to prevent a problem like this arising again?

What measures would you put in place to ensure that waiting lists across the area covered by the body are effectively managed?

Cognitive questioning

Because of the way memories are encoded and stored, memory recall is effectively a reconstruction of elements scattered throughout various areas of our brains. Memories are not stored in our brains like books on library shelves, or even as a collection of self-contained recordings or pictures or video clips, but may be better thought of as a kind of collage or a jigsaw puzzle, involving different elements stored in disparate parts of the brain linked together by associations and neural networks.

Memory retrieval therefore requires re-visiting the nerve pathways the brain formed when encoding the memory, and the strength of those pathways determines how quickly the memory can be recalled. Recall effectively returns a memory from long-term storage to short-term or working memory, where it can be accessed, in a kind of mirror image of the encoding process. It is then re-stored back in long-term memory, thus re-consolidating and strengthening it.

This technique is a way of stimulating the different pathways involved in recall by using different cues.

When candidates appear to be giving pat or rehearsed responses to questions, or seem unable to recall what they have done, this technique helps to surface more accurate

evidence. The technique can help to identify whether people's initial responses accurately reflect what they did. For example:

- in cases in which people are intentionally or unconsciously providing inaccurate information
- in cases in which people have performed well but struggle to evidence it in response to initial questions.

The technique should not be used all of the time but only in these situations where a candidate is struggling to recall or where the response lacks coherence. It should not be used in a challenging way in order to "catch out" candidates but rather as a way of ensuring that the panel has a complete picture.

It works by stimulating disparate parts of the brain where our memories are stored diffusely. It enhances recall and tackles exaggeration. It can be contrasted with more traditional questioning in a few ways:

Traditional questioning	Cognitive questioning
• Focus on tasks and behaviour • Person's own perspective • Linear questions • Repeat if struggling	• Wider context – behaviours, feelings, implications • Own and others' perspectives • Dynamic ordering • Explore associated events

There are four different areas or "cues" that the interviewer can use individually or in combination to elicit the information sought. These are:

- Personal context (feelings, implications)
- Different perspective
- Different order
- Associations

Personal context includes things like how the interviewee felt about a given situation. It can also include questions on the implications of course of action for the interviewee and others.

Example questions:

- *You were getting ready to present your recommendations to the board. How did you feel at the time?*
- *What implications did this work have for you and your team?*

Different perspectives includes questions on how others felt about or were affected in the situation being recalled.

- *What did John focus on in that meeting?*
- *What expectations would Susan have had?*

Different order means mixing up the order of events that you are asking your interviewee about.

- *"You've told us about what you did at the meeting, how did you prepare for it…?"*

- *"You've said you decided to focus on... what were the key steps that led to that decision?"*

Associations means asking questions about other things that were going on at the time of the events under exploration.

- *"What other priorities did you have at that time?"*
- *"Where were you spending the majority of your time?"*

Whilst questions in all of these areas are not necessarily directly relevant to what is being assessed, it is legitimate to use them if it elicits the evidence that the panel is looking for.

Recap - Some Pointers for Interviews

- be clear about what you are trying to achieve/evidence and ensure that your fellow panel members are 'on the same page'
- prepare question areas in advance and agree the style of questioning with your fellow panel members as well as agreeing what a good answer will look like
- ask short, open questions as much as possible to allow the candidates to demonstrate that they're a match for the role
- be prepared to adapt the questioning style to get the best from each candidate
- give the candidate sufficient time to consider the question and respond.

Assessing evidence

The interview will generate responses in relation to the range of questions put by the selection panel. The job of the panel is then to assess those responses to identify whether they meet the criteria for selection and associated indicators. This is not always as straightforward as it seems. Sometimes biases can adversely affect the judgment of the people conducting assessment. The bias mitigation tips document will assist with that as will the following guidance.

After interview

- The PAT Manager will draft an applicant summary which sets out the evidence provided by each applicant drawn from each stage of assessment against each of the criteria for selection and the panel's view on how each applicant did or did not demonstrate their suitability. There's no requirement for the summary to set out which stage of assessment generated the evidence sought.
- Only the applicants who have met all of the essential requirements most closely can be identified as most able.
- Where the fit and proper test has been delegated to the panel, the information about and generated by the test also has to be included in the summary.
- Particular care must be taken over the contents of the applicant summary. It should include contextual information provided by applicants where this is relevant to the criteria for selection. It should not include reference to apparent new requirements and, as should be clear from the foregoing, new requirements should not in any case have featured in the assessment of applicants.

Why including additional requirements (or appearing to in the summary) is damaging

- Public confidence is eroded if applicants believe that the process of selection is not fair and open.
- People may draw this conclusion if the feedback they receive appears not to be based on their assessment against the criteria for selection.
- This is most likely to happen when applicant summaries refer to new requirements.

For example

General knowledge of employment law is required in the person specification. The applicant summary notes that the applicant had general knowledge but not detailed knowledge relevant to the work of the body. This is fed back to the (unsuccessful) applicant. The applicant may conclude that they have been ruled out for reasons not related to the published requirements. The applicant may also conclude that they have wasted their time and effort in applying. Examples of good and poor practice in recording applicant summaries follow.

Examples of summary contents

In this section you'll find examples of applicant summary content that, depending on the context and criterion being assessed, will or won't comply with the provisions of the Code.

Criterion – the ability to challenge constructively within a team or committee setting

Compliant:

"Ms X provided an excellent example in her application of challenging in the context of her role as a board member of the Inversnecky Housing Association. She described how she challenged the perception of newer members that they would have a day to day role in the running of the organisation rather than overseeing and monitoring its strategic direction; at interview she explained how she did this in a constructive, engaging and facilitative way, offering to provide information and material at a future meeting in order to ensure all members had greater clarity on their role. Ms X provided a second example… The panel concluded that Ms X was highly skilled at challenging constructively within a team or committee setting*"*

Non-compliant (see <mark>highlights</mark>):

"Ms Y is a <mark>chartered accountant with PWC</mark>. She has held a <mark>mid-management</mark> role in the company for <mark>seventeen years although she had a four year break during that period</mark>. She <mark>came across as quite nervous at interview</mark> but nevertheless gave a reasonable example of challenging constructively during a staff meeting but it was from <mark>some time ago</mark> and not at the <mark>level of seniority</mark> that the body requires to be an effective board member as it was not at board level. She also <mark>didn't appear to understand the differences between the role of the executive and non-executive and the panel concluded that this would mean she would find it difficult to operate effectively as a challenging board member.</mark>"

Please remember that whether or not an applicant summary's contents are compliant is context-driven.

By way of example, if the criterion for selection relates to experience then a list of standalone statements about roles held which demonstrate that an applicant has relevant experience is compliant:

Criterion - Experience of the Scottish Criminal Justice System

"Mr Z is a practising Advocate, working on criminal cases. He has judicial experience as one of the Judges of the Courts of Appeal of Inversnecky since 2005."

Knowledge can also sometimes be inferred from positions held and in such cases it is again perfectly legitimate to list relevant positions.

Criterion - Knowledge of the Scottish Criminal Justice System

"Professor Z is Emeritus Professor of Prison Studies in the University of Inversnecky. He was the founding Director of the Scottish Centre for Incarceration Studies (2002-2008) and a former prison governor. Professor Z has a PhD from the University of Aberdon in criminology."

APPENDIX 1 - Assessment methods

The following criteria are taken from the work by Nightingale et al (1996) that provided eight broad categories of learning outcomes and suitable methods for their assessment

Criteria	Further explanation	Assessment methods	Assessment methods
Thinking critically and making judgements	Developing arguments, reflecting, evaluating, assessing, judging	• Essay/Report writing • Letter of advice/preparing a minute	• Present a case for an interest group • Review a paper • (in writing or verbal feedback)
Solving problems and developing plans	Identifying problems, posing problems, defining problems, analysing data, reviewing, planning, applying information	• Group or individual work on a realistic problem	• Analyse a case and report the situation with solutions
Demonstrating knowledge and understanding	Recalling, describing, reporting, recounting, recognising, identifying, relating and interrelating	• Interview (specialist member) • Comment on the accuracy of a paper/set of records	• Provide a view on a question • Answer a multiple choice test, online or on paper
Communicating	One and two way communication, communication as a part of a group, verbal, written and non-verbal communications, arguing, describing, advocating, negotiating etc	• Written presentation (application form/personal statement/essay) • Oral presentation • Group work	• Discussion • Presentation to camera • Observation of practice (simulated board meeting)

Other methods

Other assessment methods commonly used in recruitment and appointment activity include telephone interviews and on-line assessment via tests or application methods.

Psychometric tests are now routinely used to test specific competencies as well as behaviours. SHL for example work with a range of industries and have tools to measure integrity, team building, leadership and financial stewardship to name but a few. The reports and their

subsequent analysis (by trained personnel) can help inform particular areas of questioning that may be relevant to the role and criteria being tested.

When assessing criteria, either from an application or at interview it is helpful to refer to positive and negative indicators. The nature of assessment should be agreed at planning stage, not shortly before the actual assessment takes place. The Core Skills Framework is a tool that panels can use to design appropriate person specifications and associated positive indicators. An example of a simple assessment methodology is included overleaf.

Criteria	Positive indicators	Negative indicators	Assessor's record
The requirement should be described as it appears in the pack provided to the applicant	What does good look like? It is useful to include some pointers so that you are not swayed by an articulate answer that may in fact be at a very superficial level/or reference to roles held rather than personal contribution and resulting impact	What would not constitute suitable evidence?	Note here evidence provided and any follow ups asked OR to be asked + rating if at an initial sift stage.

Interview question	Outline of evidence required	Negative indicators	Assessors record
Influencing skills: You will be required to influence in a team setting. Can you tell us about a time when you have had to 'sell' a new policy or initiative to a diverse group of people? Follow up question if required: What steps did you take to involve difference audiences?	We want evidence that the applicant understands the importance of preparing a convincing argument supported by compelling facts. Have they had to overcome resistance? Have they succeeded in changing mind-sets? Did they maintain positive relationships? [If they have not changed minds can they influence? How will you know?] If req'd may check how they ascertained validity of supporting info.	There are negative indicators to look out for: • You don't want to see evidence of relying on authority and the rules when challenged. • You don't want to see evidence that matters are referred upwards as soon as there's an issue that is difficult to resolve.	This question focusses on the way the applicant influences and checks that they actually influenced – in this instance it isn't required that the influencing took place at a board table. Questioning can establish the complexity of the task – did the person have to influence a number of people coming from different viewpoints or people sharing one, alternative, view point. It may be appropriate to probe further on the maintaining positive relationships and to probe further about the complexities (not necessarily the level) of the 'team' involved.
Leadership style: How would you describe your leadership style?	Here we need corroboration. If they say 'inspirational' where is the evidence? What is it that they do that justifies their description		