



RECRUITMENT AND SELECTION PROTOCOL FOR VISITING COMMITTEE MEMBERS APPOINTED BY LOCAL AUTHORITIES

Introduction

The aim of this recruitment and selection protocol is to provide guidelines to Local Authorities to ensure that they continue to recruit the most appropriate persons to Visiting Committees (VCs). This document offers procedures which should help prevent discrimination and ensure consistent and justifiable criteria are used to reach decisions in the selection and recruitment of VC members.

Appendix A provides information on the general role and statutory responsibilities of VCs. Full details are set out in Part 17 of the Prisons and Young Offenders Institutions (Scotland) Rules 2006.

Appendix B sets out the role of the Association of Visiting Committees for Scottish Penal Establishments (AVC) which supports and promotes the work of VCs. The Scottish Government is committed to working in partnership with the AVC as a repository of experience, advice and best practice – all those involved in prison visiting are encouraged to make use of the full support that the AVC can provide.

Appendices C to F are templates which have been developed by the AVC in conjunction with VCs and representatives from Local Authorities and which the AVC recommend Local Authorities adopt for the purpose of consistency, openness and transparency.

Organising Recruitment

Local Authorities who are responsible for recruiting, selecting and appointing VC members should establish clear policies and procedures covering the processes. This includes ensuring that the work is adequately resourced so that functions such as publicising opportunities for volunteers, processing applications and conducting interviews can be carried out effectively.

It is recommended that adequate numbers of suitably qualified VC members are available at all times and ensuring that they are representative of the local community and provide a suitable balance in terms of factors such as age, gender and ethnicity. To this end, it is recommended that Local Authorities consider adopting a rolling programme of recruitment rather than only recruiting when vacancies arise.

The Recruitment & Selection Process

It is strongly recommended that the following recruitment and selection process be applied universally. This includes any applications received from local authority councillors who may volunteer, or are approached by their authority, to serve as VC members.

A Job Description (**Appendix C**) and Person Specification (**Appendix D**) should be prepared. The Job Description should provide a clear outline of the duties required whilst the Person Specification should identify the skills, experience, qualifications and personal attributes required to carry out the role of VC members effectively. Such specification should guide recruitment and interviewing and help to provide a foundation for dealing with any appeals against unfairness in the selection process.

Consideration should be given to how to publicise the opportunities and attract applicants. **All vacancies should be advertised.** Advertising in the local media can reach a broad section of the local community. The need to ensure that VC members are representative of the community as a whole may, however, require targeting of recruitment at specific groups, perhaps through local community organisations or via newsletters of voluntary organisations. Whilst word of mouth recommendations remain a legitimate source of potential VC members, care should be taken to ensure that this does not lead to an imbalance through existing VC members recommending people from similar backgrounds to themselves. **Any appointment should ultimately be made solely on merit.**

When enquiries are received, basic information covering the purpose of Visiting Committees, the role of the VC member, the commitment required and the terms and conditions of appointment should be forwarded to the applicant, together with the job description, person specification and an Application Form (**Appendix E**).

Sifting of applications should be carried out on the basis of the agreed person specification.

Suitable applicants should be asked to attend for interview and no one should be appointed as a VC member without an interview taking place. The main purpose of the interview should be to test suitability against the person specification and to maintain consistency and objectivity in selecting from the field of potential VC members. For the purposes of fairness and consistency, and to provide feedback to unsuccessful candidates, if requested, the selection panel should record the reasons for decisions about appointment and non-appointment.

Prior to attending for interview, candidates should be offered the opportunity to tour a prison with an experienced VC member (subject to the agreement of the prison Governor). A short report should be made available to the Interview Panel on how the candidate reacted to the prison environment and how he/she interacted with prisoners and staff.

An Interview Panel should be established comprising a minimum of one representative of the Local Authority, the Chair or Vice-Chair of the recruiting VC (who might act as Chair of the Interview Panel) and one other member of the recruiting VC. If a new Visiting Committee is being established, the Interview Panel should comprise a minimum of one representative of the Local Authority, a VC Chair or Vice-Chair and a VC member from established Visiting Committee(s). Representatives of Local Authorities who have authority to recruit and appoint or are involved in the shortlisting and interview process should be trained in recruitment and selection and have a working knowledge and understanding of equality and discrimination legislation as well as the role and function of Visiting Committees and their members.

Copies of candidates' application forms and supporting papers should be circulated to each member of the Interview Panel at least 24 hours prior to the interviews taking place, and returned on conclusion of interviews. Scoring matrices should be completed by each member of the Interview Panel and results recorded by the Panel Chair. A brief assessment of each candidate should be written and signed by all Interview Panel members together with their final recommendation. In the event of failure to agree, a minority report should be submitted. The appointing officer should sign a declaration confirming that interviews have been conducted in a proper manner. It is recommended no more than six interviews should be undertaken in any one day by an Interview Panel.

The aim of the selection decision is to appoint the most suitable applicant to the post by following a clearly defined and fair procedure. The selection decision should at all times be based on individual merit and the necessary attributes for the post. This involves an assessment against the selection criteria as outlined in the person specification, the report on the candidate's tour of a prison and references, if applicable. The Chair of the Interview Panel should lead the decision making process. Consideration and care should be taken to avoid any potential conflict of interest. Serving prison officers or other members of criminal justice bodies may be unsuitable for that reason. However, each application should be considered on its individual merits, having regard to the public service principle of being seen to be independent and impartial.

All appointments should be subject to a satisfactory report from Disclosure Scotland.

Basis of Service

It is recommended that those recruited as VC members have a clear understanding of the expectations on them and of the support that the Scottish Ministers, Scottish Prison Service, Local Authority, AVC and VC will provide. Such information should be included in guidance notes to accompany the application form (**Appendix F**).

Tenure

VC members should be at least 18 years of age, but there is no upper age limit. VC members appointed after 31 July 2008 shall serve until 30 June 2011 and thereafter may be re-appointed for a four year term.

Complaints Procedure

Procedures should be in place to consider complaints against individual VC members by prisoners, prison staff or others. There should also be a clear mechanism for handling complaints from VC members and issues of concern arising from their work.

Payment

VC members are entitled to be reimbursed for their expenses necessarily incurred in carrying out their role.

Association of Visiting Committees for Scottish Penal Establishments

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APPENDIX A

The Role of the Visiting Committee

Prison Visiting Committees provide a necessary outside perspective on the life and work of a prison or young offenders institution.

A Visiting Committee acts as an independent observer on behalf of the Scottish Ministers to whom it is responsible. If there are matters which are of concern to a committee, it is its duty to report them to the Governor; where the Governor does not take appropriate remedial action, the committee may bring the matters to the attention of Scottish Ministers. To fulfil their responsibilities, members must be capable both of understanding the requirements of prison management and the difficulties of the prisoners. They must earn the respect and confidence of all parts of the prison community and at the same time be prepared to exercise judgement without fear or partiality. They need to acquire a working knowledge of the prison system and of all aspects of life within the establishment to which they have been appointed. At the same time, they must preserve their independence.

The work of a Visiting Committee can therefore be complex, at times highly sensitive and not a little time-consuming. Not fewer than two members of a Visiting Committee must visit the prison fortnightly.

The principal duty of a Visiting Committee is to satisfy itself as to the state and administration of the prison and, in particular the treatment of prisoners.

A Visiting Committee carries out these responsibilities by acting as an independent observer.

The independence of the Visiting Committee is central to its function; it is not part of the management structure of the establishment. Operational and managerial responsibility is vested in the Governor, who is himself answerable to the Chief Executive of the Scottish Prison Service and, ultimately, to Scottish Ministers.

To be fully effective, a Visiting Committee needs to maintain a good working relationship with the Governor. It has a right and a duty to make known its views on any matter affecting the establishment or those in it to the appropriate level in the prison system and, if necessary, thereafter to Scottish Ministers.

In all its activities, the Visiting Committee needs to uphold the principles of fairness and humanity in the treatment of prisoners, while giving full weight to the need for the maintenance of discipline and control. Visiting Committees are expected to exercise firmness with understanding and consistency without rigidity.

The Statutory Responsibilities of the Visiting Committee

Some of the rules governing Visiting Committees are of a largely procedural nature, relating to appointments, meetings, etc. but others spell out responsibilities which are central to the role of Visiting Committees, ie:

- They shall co-operate with Scottish Ministers and the Governor in promoting the efficiency of the prison;
- They shall inquire into and report to Scottish Ministers upon any matter into which they may ask them to inquire;
- They shall immediately bring to the attention of the Governor any circumstances pertaining to the administration of the prison or the condition of a prisoner when they consider this necessary;
- If the Governor had not remedied matters within a reasonable period of time, they shall bring the matter to the notice of Scottish Ministers;
- They shall, from time to time, inquire into the state of the prison premises and inspect the food and drink provided to the prisoners and if at any time they find these unsatisfactory they shall record any deficiencies in their minute book and send a copy to Scottish Ministers and the Governor;
- They shall hear and investigate any applications or complaints which prisoners may make to them and shall report their findings to the Governor and Scottish Ministers;
- Not fewer than two members of a Visiting Committee shall visit the prison fortnightly;
- They may inspect prison records other than personal records; prisoners' records and security manuals or other papers which have implications for security and a note of their inspection shall be made in their minutes;

- They shall make annual reports for the period of 12 months ending on 31 March each year to Scottish Ministers about the state of the establishment and its administration and may include any advice and suggestions they consider appropriate;
- A member of a Visiting Committee shall cease to hold office if subsequent to his or her appointment the member has been convicted of a criminal offence, or his or her conduct has been such that is not fitting that he or she should remain a member.

Conflict of Interest

The Prison Rules state that a member of a Visiting Committee shall not have any direct financial interest in any contract for the supply of goods or services to the prison for which the committee is appointed or any other prison.

A Visiting Committee member must declare **immediately** if a prisoner is known to them personally or if they have a relative, friend or personal acquaintance in the prison they are to visit.

False Declaration

The provision of false or misleading information by a Visiting Committee member may result in their removal from office.

Association of Visiting Committees for Scottish Penal Establishments

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APPENDIX B

The Role of the Association of Visiting Committees

The Association of Visiting Committees (“AVC”) was formed in 1988 to promote, support and co-ordinate the effective operation of Visiting Committees. Visiting Committees are statutory bodies of volunteers appointed to monitor conditions in prisons. Their members are expected to understand the requirements of prison management and the difficulties of prisoners, and to exercise their judgements without fear or partiality as completely independent arbiters of the prison system. The Scottish Government is committed to working in partnership with the AVC as a repository of experience, advice and best practice and all those involved in prison visiting are encouraged to make use of the full support that the AVC can provide.

The key objectives of the Association are:

- to provide a forum for committees to discuss and exchange information
- to be responsible for the co-ordination and implementation of any directions affecting Visiting Committees made by Scottish Ministers
- to recommend standard practices by which committees should operate
- to discuss penal affairs and make recommendations to relevant parties
- to run training programmes for members
- to produce training literature for members
- to clarify prison rules for members
- to set standards for members’ attendances and visit to establishments
- to publicise the role of Visiting Committees for the benefit of the public

Membership of the Association is open to all Visiting Committees. Full meetings of Association members are held quarterly throughout the year in March, June, September and December.

Association of Visiting Committees for Scottish Penal Establishments

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APPENDIX C

VISITING COMMITTEE MEMBER

JOB DESCRIPTION

- 1 To act as an independent observer of the prison on behalf of Scottish Ministers.
- 2 To arrange prison visits with fellow Visiting Committee members in line with agreed rosters.
- 3 To advise the Visiting Committee Clerk of any problems with rostered prison visits.
- 4 To satisfy oneself as to the state and administration of the prison and, in particular, the treatment of prisoners and report thereon.
- 5 To carry out prison rota visits in line with guidelines and training provided by the Visiting Committee and Association of Visiting Committees.
- 6 To inquire, from time to time, into the state of the prison premises and inspect the food and drink provided to prisoners, their living accommodation and other sensitive areas within the establishment (eg. health facilities, reception area).
- 7 To hear any complaints or requests which a prisoner or officer wishes to make, investigate, if appropriate, report back to the prisoner or officer and record all details in the Visiting Committee minute book.
- 8 To discuss with the Governor or members of prison staff, any concerns regarding the visit and bring to the Governor's attention any issue that needs to be dealt with.
- 9 To attend continuous training sessions as appropriate.
- 10 To attend Visiting Committee meetings as appropriate.
- 11 To carry out duties of a Visiting Committee member with regard to health and safety requirements in line with the Scottish Prison Service guidelines.
- 12 To familiarise oneself with prison rules and operating standards and practices.

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APPENDIX D

VISITING COMMITTEE MEMBER

PERSON SPECIFICATION

<u>Essential Criteria</u>	<u>Measure By</u>
1 Must be at least 18 years of age.	Application
2 Must live (or work) within reasonable distance of the prison.	Application
3 Able to demonstrate sufficient time and flexibility to carry out the role of Visiting Committee member.	Interview
4 Able to work with colleagues as part of a team.	Interview
5 Able to communicate well both orally and in writing.	Application/ Interview
6 Able to communicate effectively with people from a variety of backgrounds in line with equal opportunities.	Interview
7 Able to demonstrate an independent and impartial view in relation to all parties involved in the prison visiting process.	Interview
8 Able to maintain confidentiality.	Interview
<u>Desirable Criteria</u>	
1 Some knowledge of prison visiting and the criminal justice system.	Interview
2 Able to complete forms and reports clearly and concisely.	Application/ Training
3 Able to demonstrate mobility in relation to undertaking visits.	Interview

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APPENDIX E

APPLICATION FOR APPOINTMENT TO

.....**VISITING COMMITTEE**

Please complete this form in black ink and in block capitals.

Before completing this form please read the accompanying notes.

ABOUT YOURSELF			
Surname (now) and Title (Mr/Mrs/Ms etc)		Full Forenames	
a) Surname (at birth)	b) Maiden name and/or any other Surname(s) used		Sex
Date of Birth	Town, County & Country of Birth		Nationality
Current Occupation	Are you a J.P.? If so, state which bench		
Current Home Address and distance from xxxxxx prison		Work Address (If any)	
Tel No:		Work Telephone Number (if any):	
Previous Address(es) for last 3 years			

If you have any experience of voluntary service or any special skills or knowledge that you feel are relevant to your application please give details below:-

Please give details of any public appointments already held with initial date of appointment:-

If you or your partner or spouse are now or have previously been in contact with persons who are currently or have been in custody, or who are directly associated with the Prison Service please state in what capacity this contact has arisen:-

Please give the names, addresses and telephone numbers of two referees who may be contacted in support of your application.

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The information provided is to the best of my knowledge correct and I have read the guidance notes.

I am aware that appointment to the Prison Visiting Committee will be subject to a satisfactory report from Disclosure Scotland.

I will advise the appointing authority immediately if I am the subject of any convictions, reprimands, warnings or cautions.

Signed _____

Date _____

For use by interviewing panel only (if necessary continue on a separate sheet)

For official use only.

I have seen passport and I enclose photocopy of main page/I enclose a photocopy I have taken of original birth certificate/marriage certificate and proof of current address.

Signature _____

Yes

No

Designaton _____

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APPENDIX F

Notes to accompany Application Form

Service as a member of a Prison Visiting Committee is recognised as a public duty. Employers are statutorily required to allow employees reasonable time off to perform their duties. Members receive no payment, however travelling expenses may be paid.

The work of a Visiting Committee can be complex, at times highly sensitive and not a little time-consuming. Not fewer than two members of a Visiting Committee must visit the prison fortnightly. **Applicants should ensure that they are able to devote the necessary time to the duties involved in committee membership before applying.**

Application does not guarantee appointment – the number of applications may exceed the number of vacancies.

The Prison Rules preclude any person who is interested in any contract for the supply of goods or services to a Prison Service establishment from joining the Prison Visiting Committee at that establishment. If you think that this ruling affects you then please state this when you return the application form.

You will be required to produce your passport and/or your original birth certificate/marriage certificate and proof of current address at any interview.

Prior to appointment, the Council will ask Disclosure Scotland for a certificate, or “Disclosure” which will provide details of any criminal convictions, etc or state that there are none.

Given the nature of the work of Prison Visiting Committees, it is Local Authority practice to carry out such checks on all persons prior to appointment. It is unlikely anyone with any convictions, reprimands, warnings or cautions will be appointed. In returning the application form you are accepting that this check will be carried out. References may not necessarily be taken up.

Completed applications forms should be returned to: