



## **GUIDANCE NOTE**

**Ordinary Member (Surveyor Experience) of the Upper Tribunal for Scotland.**

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## 1. INTRODUCTION

This guidance note is provided for applicants who are considering applying for the role of ordinary member (surveyor experience) of the Upper Tribunal for Scotland. This provides information and guidance about how to apply and how to complete the application form.

There are two vacancies. Ordinary Members are appointed to sit as part of a judicial panel within the Upper Tribunal for Scotland. They contribute specialist expertise and professional experience to support informed, balanced decision-making. Working collaboratively with the judicial or legal Member, ordinary Members help to ensure the fair, impartial, and efficient determination of cases, delivering a high-quality, accessible, and timely service to tribunal users.

The role demands the ability to analyse complex information, apply sound professional judgement, and contribute to clear, well-reasoned decisions. Ordinary Members are expected to demonstrate the highest standards of professionalism and impartiality, alongside a strong commitment to delivering justice in a respectful, inclusive, and user-focused manner.

The Upper Tribunal for Scotland is located at the Glasgow Tribunals Centre, Atlantic Quay. Hearings may also be heard elsewhere in Scotland.

Ordinary Members may be required to travel throughout Scotland and undertake site visits as part of their duties. Such visits can be physically demanding and may involve walking over fields, uneven terrain, or other challenging environments. In addition, hearings may take place outside Edinburgh and Glasgow where this is most appropriate for users. Reasonable adjustments will be considered where required, for example in relation to travel arrangements, accessibility of venues, participation in site visits, or the provision of appropriate support or equipment.

## 2. Role Profile

The Role Profile, which is produced by the Judicial Office for Scotland, outlines the responsibilities and required skills for ordinary member (surveyor experience) of the Upper Tribunal for Scotland.

It is expected that the successful candidates will be appointed in early 2027 when they will commence the induction process with the Judicial Institute for Scotland.

Please read the [Role Profile](#) on our website.

## 3. Appointment and Remuneration

### 3.1 Fees and Expenses

The role is paid on a daily fee basis. Ordinary (Surveyor) members of the Upper Tribunal for Scotland are paid a total daily fee of £597.62. Travel and subsistence expenses will also be met in line with terms and conditions.

Upper Tribunal surveyor terms and conditions allow members to make a claim, at the full daily fee rate, for each day of up to 7.5 hours (excluding lunch breaks) given to the exercise of their functions. Upper Tribunal surveyor members may also claim at 50% of the full daily fee rate, for each day of up to 4 hours (excluding lunch breaks) given to the exercise of their

functions. In addition to the substantive hearing functions include travelling throughout Scotland, carrying out site visits, and preparing for hearings.

Should candidates have any queries regarding fees and expenses they may email **Tribunal.Policy@gov.scot**.

There is no requirement for applicants to reside in Scotland. However, judicial office holders located outside of Scotland will not be reimbursed for travel expenses outside of Scotland.

### **3.2 Time Commitment**

You are required to be available for not less than 15 days in each year, although the total time commitment could vary depending on the volume of work of the Chamber. The allocation of a minimum number of sitting days in any year is not guaranteed.

In addition to sittings, there is at least one annual mandatory training event. Additional training is offered throughout the year. Induction training will last half a day.

### **3.3 Period of Appointment**

You will be appointed for a period of 5 years (subject to the statutory retirement age). By virtue of paragraph 4 of schedule 7 of the 2014 Act you will be automatically reappointed for periods of five years, unless one of the conditions listed in paragraph 4(3) of Schedule 7 applies. You may decline automatic reappointment by providing one month's written notice to the Lord President that you do not wish to continue in post at the expiry of your current period in office.

## **4. ELIGIBILITY**

### **4.1 Statutory Eligibility Requirements**

The eligibility to be appointed as an ordinary member (surveyor experience) of the Upper Tribunal for Scotland is set out in [section 6 The Scottish Tribunals \(Eligibility for Appointment\) Regulations 2015](#).

A person is eligible for appointment as an ordinary member of the Upper Tribunal for Scotland if the person —

- (a) is a member or fellow of RICS, and
- (b) has at least 10 years' experience as such a member or fellow in matters relating to valuation for rating.

Applicants are required to confirm that they meet these experience requirements within the application form.

### **4.1 Mandatory Retirement Age**

There is a mandatory retirement age of 75 for judicial office holders as defined in Section 16 of the [Judicial Pensions and Retirement Act 1993 \(legislation.gov.uk\)](#).

## 5. JUDICIAL SKILLS AND QUALITIES

### 5.1 Skills and Qualities

We will assess each applicant against a set of professional knowledge, personal and judicial qualities that are necessary for the role as set out in the role profile.

#### Professional Knowledge, Personal and Judicial Qualities



Those seeking appointment should be individuals with significant professional expertise in surveying/rating.

The essential requirement for the role of an ordinary member (surveyor experience) in the Upper Tribunal is the ability to contribute effectively to decision-making at an appellate level. This requires the capacity to analyse and evaluate complex evidence, including expert and technical material, and to assist in the formulation of clear, structured, and well-reasoned decisions.

The role demands the application of strong analytical skills, sound professional judgement, and the ability to weigh conflicting evidence and submissions in a fair and impartial manner.

Ordinary Members must be able to work collaboratively with judicial and legal members, contributing their professional expertise and experience to collective decision-making that is authoritative and robust.

It is essential that applicants demonstrate the capacity to apply their professional surveying expertise effectively within the judicial context of the Upper Tribunal. This includes the ability to analyse and assess complex technical, valuation and expert evidence and to contribute professional expertise to fair and well-reasoned decision making.

We do not expect that all applicants will have direct experience of specific aspects of Upper Tribunal work. Once appointed, there will be opportunities for further training and professional development. However, it is important that an ordinary member is capable of contributing effectively from the outset to the tribunal's deliberations and decision making. Applicants must demonstrate both the intellectual capability and the professional standing required to operate at this level.

## **5.2 Professional Knowledge, Personal and Judicial Qualities Being Sought for the Role**

Set out below are the professional knowledge, personal and judicial characteristics which are being sought for this role.

An Upper Tribunal ordinary member will possess a high level of professional expertise, experience, and standing within their field, particularly in rating matters. They will demonstrate well-developed skills in the analysis and evaluation of complex evidence, including technical and expert material, and the ability to apply sound judgement within a legal framework. Applicants should demonstrate how they maintain and update their professional competence. This may include continuing professional development (CPD), keeping abreast of changes in legislation, case law, professional standards, regulatory requirements, and developments in surveying and valuation practice. Applicants should also provide evidence of their ability to acquire new knowledge and skills where required and apply them effectively in their professional work.

In addition to their professional expertise, ordinary members are expected to exhibit strong personal and judicial qualities. The panel will seek evidence of an applicant's ability to exercise sound, fair, and balanced judgement within a judicial setting. Applicants should demonstrate how they have managed complex or sensitive situations, applied professional judgement and discretion, and contributed to reasoned and defensible outcomes, particularly where technical or expert issues arise.

### **Criterion 1: Professional Knowledge**

- Demonstrates a high level of knowledge and expertise in rating matters, sufficient to deal with cases which will come before the Upper Tribunal.
- Demonstrates willingness and ability to maintain the requisite professional and technical knowledge and skills.
- Demonstrates credibility within the profession.

### **Criterion 2: Working With Others**

- Works collaboratively and effectively with other judicial office holders and is proactive throughout the process, providing expert advice as necessary.

- Manages difficult and complex issues which may arise in an inclusive and supportive manner, with care and sensitivity.
- Is self-aware and uses feedback and self-reflection.

### **Criterion 3: Exercising Judgement**

- Remains impartial and open minded and is seen to be fair to all.
- Is able to absorb and distil complex arguments, summarise issues, and apply professional knowledge to support well-reasoned decisions.
- Is able to focus on salient information and ask probing, focused questions in a way that is appropriate to those being questioned.

### **Criterion 4: Managing Work Effectively**

- Is able to deliver work to an appropriate standard while meeting case timetable deadlines.
- Is able to manage their own time, cases and other duties effectively.

### **Criterion 5: Communicating Effectively**

- Is able to communicate in an inclusive and respectful manner, varying style as necessary to meet the needs of judicial office holders, parties and witnesses.
- Listens with care, patience and respect.
- Is able to participate fully in deliberations before, during and after the hearing, conveying complex professional knowledge clearly, and challenging other tribunal members appropriately where necessary.

## **5.3 Education, Professional Qualifications, Training and Career History**

While we place great importance on the professional career of an applicant, and success in that career, we also value experience outside of the profession that may be relevant to the qualities required for judicial office.

Judicial experience (including part-time or full-time; court or tribunal) is something that we will take into account, but it is not a requirement for appointment to judicial office. If you have not held judicial office, you should not be deterred from applying. You should draw attention to any aspect of your career or any other experience that demonstrates the qualities required for judicial office.

## **6. THE PANEL**

The panel will consist of two JABS Board members, two lay members (one of whom will chair the panel), and two tribunal representatives from the Lands Tribunal for Scotland. The panel will assess applications, conduct interviews, and make recommendations to the JABS Board regarding appointments.

A moderator will also be present throughout the recruitment process. The moderator does not assess candidates but ensures the recruitment process is conducted consistently and fairly for all applicants.

A note taker will also attend interviews to record proceedings.

## 7. THE PROCESS

You must complete an online application. Applications will be assessed by the panel on a name-blind basis against the required criteria. You will then be notified whether or not you have been shortlisted and invited for interview.

Final decisions on recommendations are made by JABS in line with statutory requirements. Recommendations are made solely on merit, provided JABS is satisfied about the good character and conduct of applicants.

You can view the whole assessment process, including guidance, hints and tips on '[The Process](#)' page on the JABS website.

## 8. ONLINE APPLICATION

On the first occasion you apply online for a judicial office where the recruitment is carried out by JABS, you will be required to register on the GetGot portal via the JABS website. The email registered will become the default email contact for the recruitment process. If you have any difficulties, please contact the Business Management Unit (BMU) on 0131 244 3131 or email us directly on [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot).

When you submit your application, you will receive acknowledgement by email. You should contact us if you have **not** received an acknowledgement within 24 hours of submitting your application.

Please note the application system will not spell or grammar check your submission. Please take care to check that there is no typing, spelling or grammatical errors.

Evidence will be considered by the whole panel from across the entire application when assessing your professional, personal and judicial characteristics.

**Applications need to be submitted by 12 noon on the closing date of noon Tuesday 15 September 2026. Applications received after this time will not be accepted.**

## 9. COMPLETING THE APPLICATION FORM

The online system is designed to be intuitive and includes instructions for completion within the form. You should also review the [Application Section](#) of our website before completing the form. There are some areas in the application form that require instruction and these are detailed below.

### 9.1 Personal Information

It is mandatory to include your first name and surname in your application. It is optional to include 'Any Other Surnames' by which you are known as this may be needed in correctly identifying you for the process of eligibility, consultation and disclosure. If you have a middle name, it is mandatory to include. If you do not have a middle name, please add 'N/A'. Applicant names and personal information will not be shared with the panel for shortlisting purposes but will be shared with the panel if you are invited to interview.

There is a mandatory retirement age of 75 for judicial office holders, as defined in Section 16 of the [Judicial Pensions and Retirement Act 1993 \(legislation.gov.uk\)](#). It is therefore



mandatory to include your date of birth for eligibility purposes. Applicants' dates of birth will not be shared with the panel.

A preliminary assessment of each application is carried out by the Business Management Unit of JABS (BMU) in relation to eligibility and whether applicants meet the age requirement. Should a concern arise, the BMU will send anonymised information to the panel to make a decision on the matter.

## **9.2 Nationality**

It is mandatory to include your nationality. Applicants should be aware that the panel will consider applications from applicants who are not citizens of the British Commonwealth. However, if recommended, the Scottish Ministers may be unable to appoint such an applicant. Applicant nationality will not be shared with the panel.

## **9.3 Address and Contact Information**

Applications are automatically linked to the email address used to create your GetGot account. If you wish to use a different email address for future correspondence, you may either create a new GetGot account using your preferred email address or email [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot) to request an update. Please note that any request to change your correspondence email must be sent from the original email address associated with your GetGot account.

Your address and contact information will not be shared with the panel at any point.

## **9.4 Statutory Eligibility**

You must confirm that you have read the statutory eligibility criteria in this Guidance Note (Section 4). You should also give a brief description of how you meet the statutory eligibility criteria - you do not need to use the full 300 words.

## **9.5 Relevant Memberships**

In this section you are asked to confirm if you are a member or a fellow of the Royal Institution of Chartered Surveyors. If you are a fellow, please ensure you confirm the date you also became a member. Please ensure the dates you provide are consistent with the membership records on their website.

## **9.6 Availability and Conflict of Interest**

You will be asked at interview to confirm that there are no issues with availability if you are selected, arising from any roles you currently hold.

As stated in the role profile, applicants should carefully consider whether any of their current professional, business, or other commitments could give rise to actual or perceived conflicts of interest with the duties of an Ordinary Member of the Upper Tribunal for Scotland. This is particularly relevant for individuals who continue to practise in professions such as rating surveying. Guidance on identifying and managing conflicts of interest can be found in the [Guidance to Judicial Office Holders on Judicial Ethics in Scotland](#).

In completing the form, you should have due regard to this statement and should ensure that if you do identify a conflict, you should indicate how you believe this might be managed.

## **9.7 Education, Professional Qualifications and Training**

Please give any details of your degree(s), as well as any other relevant qualifications or training completed.

## **9.8 Career History**

The system only allows you to enter one current role. We are aware that you may have more than one. If that is the case, you should enter what you consider to be your main role in the 'Current Job' section. Any other current role(s) should be entered in the 'Previous Job' section. Where you are asked to add in your leaving date, in the box 'Dates To' enter the date that you submit your application.

If you are self-employed or a judicial office holder, use the 'Employer Name' field to state this.

If relevant, please include information on any breaks in employment. This is not mandatory.

## **9.9 Tribunal and Other Judicial Appointments**

Please give detail of any judicial appointments, including courts and tribunals, which you hold or have held, including dates (starting with the most recent) that are not included elsewhere in the application. Please include a brief description (no more than 50 words) of work undertaken in these roles. Appointment to the Mental Health Tribunal for Scotland, the Parole Board for Scotland or as a Justice of the Peace should be noted here.

## **9.10 Membership of Specialist Professional Organisations**

Please give details of any additional specialist professional organisation of which you are a member, if relevant.

## **9.11 Any Other Relevant Experience and Membership of Organisations**

Please provide any other experience, including memberships of organisations, which is relevant to your suitability for judicial office, and not referred to elsewhere in your application.

## **9.12 Personal Statement**

Please explain why you consider yourself to be suitable for this role. You should read the role profile carefully before completing this section. You may wish to refer to some aspects of this statement in more detail later in the application.

This section of your application is your opportunity to describe how your skills, experience, and personal qualities align with the requirements of the role of ordinary member (surveyor experience) of the Upper Tribunal for Scotland.

Your response should not exceed 800 words.

### **9.13 Self-Assessment – Professional Knowledge and Personal and Judicial Qualities (Criterion 1 - 5)**

This is the section of the application that you will spend the most time completing. Here, we ask you to assess yourself against the professional, personal and judicial skills and qualities required for the role of Ordinary Member (surveyor experience) of the Upper Tribunal for Scotland.

You may draw upon examples from any aspect of your career, professional practice, voluntary work, or personal experience. Your examples should demonstrate how your knowledge, skills, behaviours, and experience meet the requirements of the criterion. Please focus on your own role and contribution, providing sufficient detail to enable the selection panel to assess your suitability.

It is important that your responses address each of the bullet points under each criterion.

In this section you are asked to provide evidence, including by way of examples, of the personal and judicial qualities for each of criteria 1-5.

**Your response to criterion 1 should not exceed 800 words, and your responses to each criterion 2–5 should not exceed 600 words.**

Please ensure you provide sufficient detail to enable the panel to fully assess your evidence and your written skills.

In your evidence you might find it helpful to include the following: a description of the situation and the context; how you approached it and what skills and knowledge you deployed; what was achieved as a result.

There may be occasions when the use of bullet points in an application can be helpful. However, it is important that in your response you convey the context and nuance of the example provided and substantial use of bullet points may not achieve this.

Where examples are provided, please use your strongest ones and make sure that these are clear, focussed and relevant to the criterion or sub criterion.

Do not use hyperlinks. You should avoid lists, generalised descriptions or unevidenced assertions.

### **9.14 Reasonable Adjustments**

We are committed to considering any reasonable adjustment to ensure that you can participate in the appointment process fairly. Please indicate on the form whether you require any reasonable adjustments to access materials or at interview.

If you require larger font size for the Guidance Note, please contact the BMU. You can increase font size of the application form on GetGot.

You can also submit a request at any point in the process by emailing us at [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot). We may contact you about your request and ask you to provide more detail if required.

We will consider requests on a case-by-case basis. The information you provide is not used in the selection decisions.

## 9.15 Conflicts of Interest

You are required to note family, personal or professional relationships with any JABS Board member (whether part of the panel for this competition or not) as well as Lay and Legal Appointment Advisers.

### **JABS Board Members:**

Mr Lindsay Montgomery CBE, Chairing Member and Moderator  
Mr Jonathan Barne, KC  
Mr Paul Cackette, CBE  
Mrs Wilma Canning  
Chamber President May Dunsmuir, Health and Education Chamber  
Sheriff Farquharson, KC  
Mr Paul Gray, Lay Panel Chair  
The Hon. Lady Haldane  
Ms Denise Loney  
Ms Emma Marriott  
Dr Fiona McLean, Lay Panel Member  
Mr Gareth Morgan, QPM  
Mr Peter Murray  
Sheriff Principal Nigel Ross  
The Hon. Lord Weir

### **Legal and Lay Appointment Advisers:**

Mrs Gillian Mawdsley, Legal Appointment Adviser  
Dr Geoff Garner Lay Appointment Adviser  
Mr Peter McGrath, Lay Appointment Adviser  
Ms Marieke Dwarshuis, Lay Appointment Adviser  
Mrs Deirdre Futon, Lay Appointment Adviser

### **Tribunal Representatives**

Lord Duthie, Chair of the Scottish Land Court and President of the Lands Tribunal for Scotland, Tribunal Panel Member  
Mr Craigie Marwick FRICS, Lands Tribunal for Scotland, Tribunal Panel Member

You should read the [JABS policy on conflicts of interest](#) which is on our website.

The conflict test is whether any relationship might reasonably create a perception by others that you might be treated differently from other applicants.

Infrequent social interaction or simple contact with a JABS Board member or others specified above in a professional context, such as having appeared before the JABS Board member in a court or tribunal, sitting in the same court, or having involvement in the same cases will not usually constitute a professional relationship without further involvement, and does not need to be declared. However, frequent contact of this nature may constitute a professional relationship and should be declared.

## 9.16 Good Character and Conduct

Applicants are asked to respond to several questions relating to their personal and professional life, and character and conduct, including the need to disclose any unspent criminal convictions as well as any other issues which may call into question an individual's suitability for judicial office. Applicants must also disclose spent convictions unless those

spent convictions are protected from disclosure by virtue of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013.

### 9.17 Judicial Ethics

The Judicial Office for Scotland has published guidance to Judicial Office Holders on Judicial Ethics in Scotland. At the application stage you are required to confirm that you can comply with this guidance, which is available online at the [Judicial Office website](#). If invited to interview, you will be asked some questions on your ability and willingness to adhere to requirements relating to the Guidance to Judicial Office Holders on Judicial Ethics in Scotland.

### 9.18 Diversity Questions

The Board has a duty under Section 14 of the Judiciary and Courts (Scotland) Act 2008 to have regard to the need to encourage diversity in the range of individuals available for selection for judicial appointments. To help us do this, we ask applicants to provide information at the application stage allow us to create aggregated diversity data. We use this data to let us better understand the diversity of the applicant pool.

The questions are deliberately wide-ranging since we consider it important to cover all the areas relevant to Section 14 considerations.

**This questionnaire will be separated from your application form. The panel and the wider Board will not have access to this form. The purpose of this is to provide data for recruitment rounds. The information contained in it will not be held or otherwise processed in a manner which would allow the Board or panel members to identify you or otherwise link that information to you. The information is held by the Business Management Unit and used to produce diversity reports for each competition, which show overall summaries and do not identify any individual.**

The declaration on the application form does not relate to information provided in the diversity monitoring form.

JABS decisions on making recommendations for appointment are made solely on merit and matters to do with diversity cannot be taken into account.

## 10. DISCLOSURE SCOTLAND

We are required to carry out a Level 2 Disclosure Scotland check as part of the appointment process.

Should you be successful in being invited to interview, a link to the online disclosure application form and guidance will be sent to you with your outcome decision letter. You will be required to pay the cost of the check, which is £25.

Only those with a satisfactory disclosure check will be recommended for appointment.

## 11. CONSULTATIONS

We will undertake for consultations relating to applicants who are invited to interview. These consultations will be sought from if applicable (amongst others):

- The Lord President
- The President of the Scottish Tribunals
- Chamber Presidents
- The Crown Agent
- Professional Bodies (such as RICS)

If you are invited to interview and, if relevant, you will be given the opportunity to address any queries or concerns arising from the [consultation](#) process.

## 12. SOCIAL MEDIA CHECKS

Candidates who are invited to interview will be subject to social and general media background checks. These will be conducted by an external party contracted by JABS, Giant Screening. This will involve personal information including your name, email address(es) associated with your social media accounts, date of birth, national insurance number and address details for the preceding five years being provided to Giant Screening for this purpose only. Additional information will be provided to relevant candidates after shortlisting.

## 13. FEEDBACK

We aim to offer feedback to those candidates who request it. We are unable to offer a timescale for this feedback.

The Business Management Unit will send you a survey to be completed following the application and interview stages.

These surveys provide you with an opportunity to comment on your experience of the JABS recruitment process, which provide valuable feedback to JABS to help us review and improve our processes and we encourage all candidates to complete them.

The surveys are anonymous and individual responses will not be seen by the board.

## 14. COMPETITION SCHEDULE

We anticipate following the key milestone dates as detailed below:

| Date                          | Milestone                                                                                  |
|-------------------------------|--------------------------------------------------------------------------------------------|
| 18 August 2026                | Application window opens                                                                   |
| 15 September 2026             | Application window closes                                                                  |
| 15 September – 5 October 2026 | Shortlisting period                                                                        |
| W/C 16 November 2026          | Interviews                                                                                 |
| 7 December 2026               | Final decision meeting                                                                     |
| W/C 14 December 2026          | Interview outcome letters issued and recommendation report sent to the Scottish Government |

## **15. COMPLAINTS**

If you are dissatisfied with any aspect of the handling of your application, you should refer to the [Complaints Handling Procedure](#) on our website.

## **16. FURTHER SUPPORT**

Business Management Unit staff are available to answer queries on the process, please email any questions to [mailbox@jabs.gov.scot](mailto:mailbox@jabs.gov.scot).