



Higher Education Governance (Scotland) Act 2016

2016 asp 15

PART 1

GOVERNANCE ARRANGEMENTS

CHAPTER 1

GOVERNING BODIES

Senior lay member of governing body

3 Relevant criteria and process

- (1) Whenever a vacancy arises in the position of senior lay member of the governing body of a higher education institution, the governing body must delegate to a committee the responsibility of—
 - (a) devising the relevant criteria with respect to the position,
 - (b) ensuring the efficiency and fairness of the process for filling the position.
- (2) The relevant criteria include the availability, skills and knowledge considered by the committee to be necessary or desirable to—
 - (a) exercise the functions of the senior lay member,
 - (b) command the trust and respect of—
 - (i) the other members of the governing body,
 - (ii) the academic board of the institution,
 - (iii) the staff and students of the institution.
- (3) Each time the process for filling the position is undertaken, the committee must make publically available a report indicating by way of overview (and without disclosing individual identities or confidential information)—
 - (a) the number of applicants for the position,

Changes to legislation: There are currently no known outstanding effects for the Higher Education Governance (Scotland) Act 2016, Section 3. (See end of Document for details)

- (b) so far as consent to disclosure has been received by the committee from the applicants, the characteristics listed in section 149(7) of the Equality Act 2010 with respect to—
 - (i) the applicants,
 - (ii) the applicants invited to an interview for the position,
 - (iii) the applicants entitled to stand as candidates in an election for the position following such an interview.
- (4) The membership of the committee must include at least one person from each of these categories—
 - (a) the staff of the institution,
 - (b) the students of the institution.
- (5) Rules made by the governing body of the institution may contain provision about the process for filling the position of senior lay member of the governing body (subject to sections 4 to 8).

Commencement Information

II S. 3 in force at 30.6.2017 by [S.S.I. 2016/382](#), [reg. 2\(2\)](#) (with [reg. 3](#))

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