

Cross-Party Groups Best Practice Guidance

Introduction

Cross-Party Groups (CPGs) provide an opportunity for Members of the Scottish Parliament (MSPs) to engage with external stakeholders on a particular subject.

CPGs are not formal parliamentary business and should not be confused with the Parliament's committee system. They do not have any power to introduce issues formally into the parliamentary or government systems.

CPGs do not have access to any financial or staffing resources, other than is necessary for CPGs to meet in the Parliament. Should CPGs require translation services, catering, travel costs for attendees/speakers or equipment (other than is publicly available in the meeting rooms), these costs cannot be met by the Parliament. Costs can be met by the external secretariat as long as any costs that exceed £500 are declared on the registration and annual return forms. CPGs can also charge all members of the Group a subscription to cover these costs.

This guidance has been produced to assist MSPs and secretariats in the running of CPGs. All CPGs must comply with the Rules in [Section 6 of the Code of Conduct for MSPs](#) (the Code), failure to comply with these rules may result in the Standards, Procedures and Public Appointments Committee (the SPPA Committee) removing recognition from CPGs.

Guidance on the Rules in Section 6 of the Code

Question

Do CPGs have access to financial or staffing resources?

Advice

MSPs, but not other members of CPGs, may make reasonable use of the Parliament's telephone, fax, photocopying, IT facilities and Parliamentary stationery in pursuit of CPG business. CPGs may only use the Parliament's IT facilities where these are available for public use. CPGs cannot use IT staff to set up any equipment required.

CPGs may not make use of free postage facilities provided by the Parliament.

CPGs may not make use of the Parliament's audio or broadcasting equipment and there is no provision for the televising or sound recording of their proceedings.

CPGs may not draw on the resources of the Parliamentary staff to service meetings other than to book meeting rooms.

MSPs who are members of a CPG may use the services of the Parliament's Information Centre to brief themselves on matters relating to that CPG, but other members of the Group may not.

Question:

How do I establish a CPG?

Advice:

The first step is for an MSP to agree to seek to establish a proposed CPG.

Once an MSP has agreed, the next step is to determine whether there is sufficient interest among other MSPs and, if so, to hold an initial meeting, which must include the election of office bearers. This initial meeting should conform to the Rules for CPG meetings, such as the requirement that it should be notified to standards clerks at least 10 calendar days in advance and that there should be at least 2 MSPs who wish to be members of the Group present. Minutes of this meeting must be produced and sent to standards clerks.

The initial meeting should be used to confirm the purpose of the CPG, the MSP membership and the Group's office bearers. CPGs should be aware of Section 6, paragraph 8 of the Code which requires that each Group has at least 5 MSP members, with at least one MSP member from each of the parties or groups represented on the Parliamentary Bureau. The SPPA Committee has agreed a waiver to this rule for Session 5 and all CPGs are required to have at least 5 MSP members, with at least one MSP member from the majority of the parties or groups represented on the Parliamentary Bureau.

Within 30 days of its initial meeting, a CPG is required to submit a registration form, setting out details of the CPG's purpose, membership, office bearers and any financial benefits received by the CPG, and confirming that the CPG will operate within the Rules laid out in Section 6 of the Code.

Copies of the registration form will be sent to the MSP contact once standards clerks receive notification of a CPG's initial meeting.

Please note that the date the CPG is established is the date of the initial meeting of the Group and not the date the CPG was accorded recognition by the SPPA Committee. AGMs must take place within 11-13 months of this date.

Question:

Who can be members of a CPG?

Advice:

CPGs can have both MSP and non-MSP members and any MSP can be a member of a Group. However, the membership or involvement of non-MSPs is a matter for the members of each CPG to determine.

Question:

How can the membership of a CPG be updated?

Advice:

The MSP membership can be updated by the Convener of the Group or a member of staff of the Convener who has been formally delegated authority (staff members who are able to send PQs and Motions on behalf of the Member are recognised as

formally delegated). The non-MSP membership of a CPG can be updated by the secretariat to the Group or a member of staff of the Convener who has been formally delegated authority. Any membership changes should be notified, by email, to the CPG mailbox: CrossPartyGroup@parliament.scot

Question:

What information must a CPG provide?

Advice:

A CPG must provide the following—

- Registration forms – within 30 calendar days of the initial meeting the CPG holds to establish the name and purpose of the group and the office bearers;
- meeting notifications – which should be provide at least 10 calendar days prior to the meeting. The notification must include the meeting date, time and room number;
- minutes of all meetings (including initial meetings and AGMs). Although the Code does not state when minutes should be provided, CPGs should be mindful that the minutes are required to keep people informed of the work of the Group. Draft minutes can be published on the webpage so these should be provided as soon as practicably possible after the meeting. Approved minutes should be provided as soon as they have been approved by the Group at its next meeting. Minutes must include an attendance list, and this must make clear which attendees are members of the Group and which are invited attendees; and
- annual return forms – which must be provided no later than 30 calendar days after the AGM.

These should be sent to the CPG mailbox: CrossPartyGroup@parliament.scot

Question:

When should financial and material support be disclosed, for example secretariat support?

Advice:

The SPPA Committee would encourage CPGs to include as much detail as possible in registration and annual return forms on financial and material support to ensure their operation is as transparent as possible.

The registration form sets out the information that a proposed CPG must provide and section 6, paragraph 41 of the Code sets out when Groups should provide details on financial benefits:

41. If a Group receives secretariat support from an employee of an external organisation, the value of any time that employee spends on supporting CPG activities should be calculated and, if over £500 per year, registered. The only exception to this is where the secretariat is provided by an individual in their own time; in these circumstances it is not considered that any financial benefit is received by the Group.

The rules provide for an individual to provide secretariat to a group either as an individual in a voluntary capacity or as an employee of an organisation. They do not allow for an individual to volunteer their time on behalf of an organisation.

The only circumstances where an individual can volunteer their time is if they are listed as a member of the group in an individual capacity.

Under no circumstances is attributing a financial value to secretariat support intended to discourage an organisation from providing support or imply any impropriety; it is simply intended to ensure that there is transparency about where a Group's support comes from.

The SPPA Committee appreciates that a number of people providing secretarial support will have distinct sets of circumstances. As ever, if secretaries supporting CPGs or CPG Conveners are in any doubt as to what information to detail, for example in annual returns, they should contact the Standards clerks for advice on 0131 348 6924 or at CrossPartyGroups@parliament.scot.

Question:

How often should a CPG meet?

Advice:

CPGs must meet at least twice a year; one of these meetings must be an AGM which must include the election of office bearers

Question:

How will the SPPA Committee monitor CPGs?

Advice:

The clerks to the SPPA Committee will produce an annual report for the Committee, this will inform the Committee of the activities of all CPGs for the previous 12 months and draw the attention of the SPPA Committee to any Groups which have not complied with the rules.

Question:

When should an AGM be held?

Advice:

CPGs are required to hold their AGM 11-13 months of the date the CPG was established (the date of establishment is the date that the Group held its initial meeting, where the office bearers were elected and not the date that the CPG was accorded recognition) and each 11-13 months thereafter. As stated above, the AGM must include the election of office bearers. The AGM notification should be sent to the CPG mailbox 10 calendar days prior to the meeting and minutes should be produced as per the procedure for a standard meeting. The annual return should be sent to the CPG mailbox, no later than, 30 calendar days after the AGM.

Question:

What happens if the CPG does not comply with the Code of Conduct?

Advice:

Any CPGs that are not adhering to the Code will be notified to the SPPA Committee, the Committee will then decide what action should be taken against CPGs, the Convener of the Group may be invited to a formal committee meeting to discuss why the Code is not being adhered to.

Question:

A webpage for each CPG will be created and maintained by standards clerks. It is incumbent on CPGs to keep these up to date by providing information via the CrossPartyGroups@parliament.scot inbox

What information can a CPG put on its webpage?

Advice:

In addition to the information on the CPG Registration Form, advance notification of meeting details (which should be posted at least 10 calendar days in advance of the meeting) minutes and the annual return form, which must be provided, standards clerks can post agendas and links to external websites (on receipt of the appropriate paperwork). CPGs should note that they are required to seek permission from the Convener of the CPG prior to adding a link to an external website.

Question:

Who can make updates or changes to the information on CPGs?

Advice:

As the Convener of the CPG is an MSP, we can accept the following changes/documentation to the CPG information from a member of staff of the Convener who has been formally delegated authority (formal delegation is recognised as staff members who are able to send PQs and Motions on behalf of the Member)—

- Registration form;
- update to MSP membership;
- update to office bearers;
- Annual return form
- Changes to the Non-MSP membership of the Group;
- Agendas;
- Meeting notifications
- Draft minutes; and
- Final minutes.

The following changes/information can be provided by the secretariat of the Group or a member of staff of the Convener who has been formally delegated authority—

- Changes to the non-MSP membership of the CPG;
- Agendas;
- Meeting notifications
- Draft minutes; and
- Final minutes.

Question:

What services do the standards clerks provide to support CPG activities?

Advice:

Standards clerks provide the following services in relation to CPG activities—

- Guidance on general issues relating to the regulation of CPGs under the Code;
- Maintaining and updating individual CPG webpages;
- Clerks will contact Groups to remind them of their responsibilities to adhere to the Code if clerks are made aware that CPGs are not complying to the Rules i.e. if CPGs meet but have not sent a meeting notification, if CPGs do not send minutes/annual return forms etc.; and
- Reporting all CPG activities to the SPPA Committee annually.

Question:

Does a CPG have to hold a meeting in order to carry out the election of office bearers?

Advice:

CPGs must hold an AGM annually to re-elect officer bearers. If a Group requires to hold an election of office bearers outwith the normal AGM, for example because an existing office bearer has to step down, this election is not required to be held at a meeting and can be carried out electronically. Guidance on the Code Section 6, paragraphs 10-14 has further information on this process. The exact manner in which such elections are conducted is for each CPG to determine in light of the guidance.