Question 1: What do you understand the role of CPGs in the Scottish Parliament to be?

Cross-Party Groups (CPGs) primarily have an information and educational role in the Scottish Parliament. The main purpose of the CPG on Epilepsy is to address the needs of people with epilepsy in Scotland by bringing together those with an interest in the health and wellbeing of persons living with this condition. MSP members, and their researchers, discuss epilepsy issues; this raises awareness and increases an understanding of epilepsy across a range of services and within the Parliament. This can lead to issues being considered, debated, addressed and taken forward. Sometimes it causes a review and re-thinking of current and potential policies and procedures affecting the subject group/area.

Question 2: What benefits does the existence of CPGs bring to non-MSPs in terms of engagement with MSPs and the work of the Scottish Parliament?

External organisations and interested members of the public offer a personal or professional expertise in the subject matter which politicians may use, or not, as they wish. The existence of CPGs affords a convenient and time-limited way for MSPs to access leading expert opinion on particular issues they wish to know more about.

Registration of Cross-Party Groups

Question 3: Do you consider that the Code could be clearer on the process for establishing and registering a Cross-Party Group? If so, please provide comments as to any specific elements of the process that, in your experience, could be improved.

The process is clear for establishing and registering a Cross-Party Group.

Question 4: The Code of Conduct requires that a Group’s overall membership profile must be “parliamentary in character”. What do you understand the term “parliamentary in character” to mean in the context of Cross-Party Groups and is the minimum requirement of 5 MSP members sufficient to meet this requirement?

MSPs should find CPGs are beneficial for their work and their understanding of a particular subject/area. Members expect to be informed by this interaction with outside agencies and individuals attending meetings. The CPG on Epilepsy office bearers select the topics they wish to consider in each
parliamentary session. MSPs propose their own ideas and invite suggestions from non-MSPs through the secretariat. However, the final choice belongs to the office bearers. It is also MSP members who agree on any actions they wish to take which arise from any points highlighted in a CPG meeting.

The minimum requirement of 5 MSP members is probably sufficient to meet the requirement particularly where these 5 MSPs represent different political parties.

**Question 5:** When applying for recognition, CPG conveners must submit two forms, one of which must be submitted in hard copy. Would it benefit CPGs if the forms were combined and electronic submission was accepted for this single form?

Yes.

**Question 6:** CPGs are required to register any financial or material support received from a single source in a calendar year which has a total value of more than £500. This £500 threshold is close to the threshold above which individual MSPs are required to register gifts in their Register of Interests. Do you consider that the £500 threshold is appropriate and should be retained?

Yes. It is important that CPGs are transparent in how they operate. Most of the material support received by the Cross-Party Group on Epilepsy is for the cost of lunchtime catering available to MSPs and non-MSPs.

**Question 7:** The Rules on All-Party Groups at Westminster require that, where secretariat services are provided by a consultancy or by a charity/not-for-profit organisation, the relevant organisation must agree to make certain information available on request. The information for a consultancy firm is its full client list and for a charity/not-for-profit organisation is a list of any commercial company which has made a donation or donations of more than £5,000 in the twelve months prior to the request being made. Should a similar requirement be introduced for CPGs?

Yes, this echoes the point made above about CPGs being transparent financially.

**Question 8:** Following a general election, CPGs have 90 days within which they can re-register, provided that there is no significant change to the information registered in the previous Session. Due to the changes in MSPs that arise following an election, the process that must be followed for reregistration is largely similar to that for the initial registration of a Group. The Parliamentary timetable also means that the re-registration period carries into the summer recess, during which the election of office bearers cannot be carried out, meaning that CPGs wishing to re-register must arrange and hold their first meetings before the start of the recess.

What are your views on whether—

☒ the re-registration provision should be retained, and if so
the re-registration period should exclude days when the Parliament is in recess?

Yes, the 90 day re-registration provision should be retained. After a Scottish general election, the re-registration period should be extended to exclude days when the Parliament is in recess to aid the election of office bearers. It can be a very tight timetable otherwise as MSPs may not yet know if they will be in (Government) office or what other duties they may have within their own party. This can restrict their availability to offer support to CPGs within the existing time period.

Operation of Cross-Party Groups

Question 9: The Code states that “to maintain and guarantee the Parliamentary nature of CPG meetings, at least 2 MSP members of a Group must be present at every meeting”. Is the 2 MSP quorum sufficient to ensure the Parliamentary nature of CPG meetings? Should there be a requirement that the MSPs present should represent more than one of the political parties represented on the Group?

For those CPGs with low MSP membership, a quorum of 2 MSPs is sufficient. Even for larger CPGs, other events in and outside the Parliament on the day of a CPG meeting can suddenly and drastically reduced potential Member attendance.

Increasing the quorum is not recommended for that very reason. It is useful that MSPs present are from various political parties. This means they can inform fellow MSPs of the issues raised. Office bearers tend to have a stronger and more consistent level of involvement with a CPG over time so perhaps this is a factor to consider for a quorum than the party an MSP represents. Sometimes MSPs cannot attend at the last minute but send a PA/researcher to the CPG to take details. These representatives could possibly be included if the quorum number is increased.

Question 10: Should CPGs be required to hold a minimum number of meetings per year? If so, what should the minimum number be?

The Epilepsy Groups holds 3-4 meetings a year. To be an active CPG at least 2 meetings a year could be required as a minimum.

Question 11: All Groups are required to hold an annual general meeting and to elect office bearers every twelve months. As Groups must elect officer bearers for the purpose of both initial registration and re-registration, do you consider that there would be any benefits to introducing a single date by which all Groups must hold their AGM? For example, if the Parliament’s first meeting of a Session was on 11 May, would the 11 May in each successive year be a suitable date by which an AGM must be held?

This depends on when the CPG is initially registered after a Scottish general election. If office bearers are elected within the current 90 days and before
recess, as has happened with the CPG on Epilepsy, the first AGM could be expected to take place, using the above example of 11 May, within 12 months. In fact, the CPG on Epilepsy presently holds its AGM in April to give MSPs as much time as possible to participate and become involved before considering the next election of office bearers.

Any CPGs initially registered after summer recess in the first Parliamentary year following a Scottish general election would have, using 11 May as an example, a shorter timescale to exist before their first AGM and election of office bearers.

There does not need to be uniformity for a single date whereby AGMs are held as this will depend largely on when the CPG is initially formed.

Question 12: The Code currently provides that there are limitations on the use of Parliamentary resources to support CPG meetings. What are your views on these limitations? (Note: this does not apply to CPG events which are subject to the same terms and conditions as any other MSP-sponsored event held under the SPCB events policy.)

CPGs are principally to aid MSPs, not non-MSPs. Given the demand on Parliamentary resources it is understandable that these are limited to MSPs.

Regulation of Cross-Party Groups

Question 13: The Convener of a Group is held primarily responsible for ensuring that the Group operates in compliance with the Code of Conduct and has to sign a declaration to that effect. Do you have any views on whether this should continue or if the provisions should be changed to extend the responsibility to all MSP office bearers of a Group?

As the Convener is usually the MSP who registers the CPG, it makes sense that s/he is responsible for the conduct of a CPG. In the absence (or ill health) of the Convener, it makes sense to ask that any office bearer present at a CPG meeting ensures that the Group operates in compliance with the Code of Conduct.

Question 14: Groups are required to provide an annual report (submitted within 30 days of their AGM) which includes current membership and membership changes, a financial statement, the number of meetings held and any additional information that the Group wishes to provide. Should Groups be required to include additional information, such as the topics discussed at each meeting, number of MSP and non-MSP attendees and details of any reports or papers published by the Group?

The CPG on Epilepsy already provides a note of every meeting and details the topics discussed, the number of MSP and non-MSP attendees and mentions information about any reports or papers published by the Group. These are sent in along with the annual report. It is important that anyone who
wishes to know about the activities of CPGs can find out what they are doing and discussing.

Question 15: At present, the SPPA Committee has not delegated to the Standards clerks any role in ensuring that CPGs are aware of and comply with the key rules relating to the administration of CPGs. What are your views on whether it would be of assistance to CPGs if the Standards clerks were to perform such a role in relation to matters such as the notification of CPG meetings, updates to registration details and deadlines for submission of documentation?

The Cross-Party Group on Epilepsy secretariat has benefitted from asking the advice of the Standards clerks regarding guidance and good practice. This is especially important when CPGs are initially registering or re-registering. It would be useful for CPG secretariats to meet with the Standards clerks, as an information/ training exercise. This would ensure a basic level of knowledge and understanding about the administration of CPGs.

Question 16: Do you have any other comments on the operation of the CPG system in the Scottish Parliament?

A spirit of openness, accountability and transparency is at the heart of how CPGs are meant to operate. The CPG on Epilepsy encourages round table discussion and its informal style runs parallel with its professionalism in acknowledging and adhering to parliamentary rules and best guidance for CPGs.

We are happy for these views to be made public.

ALLANA PARKER
SECRETARIAT
CPG ON EPILEPSY
16 APRIL 2012