

PARLIAMENTARY BUREAU – BUSINESS IN THE CHAMBER

Introduction

1. This paper sets out various items of business that require to be scheduled in the business programme over the next parliamentary year, which ends on 12 May 2021.

Non-Government Business

2. Under Rule 5.6.1(b) of Standing Orders, the Bureau is required to set aside 16 half sitting days in each parliamentary year to consider business chosen by parties that are not represented in the Government. It has been the practice of the Bureau to use proportionality to allocate those half sitting days amongst the non-Government parties. This convention would provide the following results for Session 6:

Party	Proportion of non-Government seats	Share of non-Government business
Conservative	47.69%	7.63 (8)
Labour	33.85%	5.42 (5)
Green	12.31%	1.99 (2)
Liberal Democrat	6.15%	0.98 (1)

3. Direct proportionality would therefore allocate eight half sitting days to the Scottish Conservative and Unionist Party, five to the Scottish Labour Party, two to the Scottish Greens and one to the Liberal Democrats.
4. The allocation of sixteen half days to opposition business is a minimum requirement set out in Standing Orders. There is, however, nothing to prevent the Bureau from agreeing to additional allocations from the time not set aside by the Rules.

The Bureau is invited to consider and agree the allocation of non-Government business to the end of the Parliamentary year on 12 May 2022.

Committee Business

5. Rule 5.6.1(a) requires the Bureau to give priority to committee business on 12 half sitting days in the parliamentary year. In Session 5, the Committee Office, on behalf of the Conveners Group, co-ordinated requests for committee business with the Scottish Government with suggested debate slots then agreed by the Bureau via the business programme.

Members' Business

Criteria for selection

6. Guidance in relation to the timing and content of motions for Members' business was mostly recently reviewed and agreed by the Bureau in March 2015. The guidance contains the following criteria at paragraph 4.2, which is used by the Bureau to select motions for Members' business—

Motions (a) must be explicitly of only local or regional relevance; **or** (b) must raise issues of policy in a local or regional context and have cross-party support*; **or** (c) must raise issue-commemorating anniversaries or mark national —weeks or special events and have cross-party

support; **and** (d) must not call on anyone or any organisation to do anything, which includes taking or reversing decisions. This means avoiding the use of *calls on*, *urges*, *encourages*, *asks* etc and even *should* and *hopes* in cases in which it is clear who or what organisation is expected to take action.

*For (a) and (b) above, the motion must contain an explicit local or regional reference in Scotland.

7. Members may wish to note that the Bureau may exceptionally select for debate a motion which falls outwith the above criteria as long as the motion has cross-party support.
8. Cross-party support means that Members' business motions require the support of at least half of the parties represented in the Parliamentary Bureau (currently this would be support from two parties).

The Bureau is asked to consider and endorse the criteria for selection of motions for Members' business.

Timing

9. Standing Orders require that a period of up to 45 minutes is set aside at each meeting of the Parliament for Members' Business. This requirement was suspended as part of the Parliament's response to Covid-19 and, latterly, two Members' Business debates were being scheduled each week (on Tuesday and Wednesday).
10. Previous practice has been for the Bureau to select motions for debate from those admissible motions agreed by the Monday of the week preceding the debate. This timetable would allow the Bureau to begin scheduling Members' business debates during the week beginning 7 June from relevant motions lodged by 31 May. If the Bureau wishes to schedule Members' business debates a week earlier (in the week beginning 31 May), it would need to agree a deadline of or before Thursday 27 May. This would, of course, provide Members and external stakeholders with very limited notice.

Allocation

11. In previous years, Members' business debates have been allocated using the d'Hondt formula and it has been the practice to follow 30 calculations of d'Hondt before returning to the start again. This pattern would give the following result for Session 6:

	Tuesday	Wednesday	Thursday
Week 1	SNP	SNP	CON
Week 2	LAB	SNP	SNP
Week 3	CON	SNP	LAB
Week 4	SNP	CON	SNP
Week 5	SNP	GRN	CON
Week 6	LAB	SNP	SNP
Week 7	CON	SNP	LAB
Week 8	SNP	CON	SNP
Week 9	SNP	CON	LAB
Week 10	SNP	SNP/GRN/LD	SNP/GRN/LD

12. Business Managers will note that this allocation would result in a three-way tie at the end of each cycle. Rather than managing this tie by agreeing an alternating rotation, Business Managers may instead wish to follow 33 calculations of d'Hondt which would give the following allocation:

	Tuesday	Wednesday	Thursday
Week 1	SNP	SNP	CON
Week 2	LAB	SNP	SNP
Week 3	CON	SNP	LAB
Week 4	SNP	CON	SNP
Week 5	SNP	GRN	CON
Week 6	LAB	SNP	SNP
Week 7	CON	SNP	LAB
Week 8	SNP	CON	SNP
Week 9	SNP	CON	LAB
Week 10	SNP	SNP	GRN
Week 11	LD	CON	SNP

The Bureau is invited to consider and agree which option it wishes to use for the allocation of Members' business debates. If the Bureau wishes to schedule Members' Business only on Tuesdays and Wednesdays an adapted format of the chosen option would be used.

Questions

13. Standing Orders makes provision for a number of different oral question times to be included in the business programme. These question times, and the days on which they have normally been scheduled are as follows:
- Topical Questions on Tuesdays
 - Portfolio Questions on Wednesdays and Thursday (scheduling will be subject to confirmation of a rota)
 - First Minister's Questions (FMQs) on Thursdays
 - General Questions to be held on Thursdays (during the response to Covid-19 General Questions has not been scheduled and the Bureau may wish to consider whether to continue this approach).

Scheduling of questions

14. The deadline for lodging Topical and First Minister's Questions is 12 noon on the Monday of the week in which questions are to be taken. These question time sessions can therefore be scheduled with relative ease and without a requirement for a particular lead-in time.

Portfolio and General Questions

15. The position with Portfolio and General Questions is more complex because of the lead-in times for submitting names and lodging questions. If Portfolio Questions are

held on a Wednesday and Thursday names for selection would need to be submitted by 12 noon on the Monday of the week preceding. Members drawn for selection would then have until noon on the Wednesday of that week to submit their question.

16. In addition, for a date for Portfolio Questions to be set, a rota of the ministerial portfolios would need to be approved by the Bureau and incorporated in the business programme.
17. Ministerial appointments took place on 20 May. The earliest date on which Portfolio Questions could be held is on **Wednesday 9 June**. This is because names would be lodged by 12 noon on Monday 31 May and questions by 12 noon on Wednesday 2 June.
18. If General Questions is scheduled for **Thursday 10 June**, again names would be lodged by 12 noon on Monday 31 May and questions by 12 noon on Wednesday 2 June
19. The Office of the Clerk is closed on Friday 28 May and Monday 31 May. It would therefore be necessary, in line with previous practice, for the Bureau to seek to amend the deadline for lodging names for General and Portfolio Questions to 4.30pm on Thursday 28 May.

The Bureau is asked to consider these dates in order to recommend the dates on which the first General and Portfolio Questions be held.

Parliamentary Business Team

May 2021