



The Scottish Parliament
Pàrlamaid na h-Alba

Conveners Group

Agenda

5th Meeting, 2022 (Session 6) Wednesday 25 May 2022

The group will meet at 12.30pm in Committee Room 2.

1. Minutes
2. Overview of the new hybrid working system for committee rooms
3. Standards, Procedures and Public Appointments Committee – inquiry on future Parliamentary procedures and practices
4. Scotland’s Futures Forum – introduction and opportunities
5. Post EU Scrutiny Session 6 Strategic Priority for CG: update from Constitution, External Affairs, Europe and Culture Committee - Parliamentary Partnership Assembly first meeting
6. Participation, Diversity and Inclusion Session 6 Strategic Priority for CG: update from Citizen Participation and Public Petitions Committee – inquiry on citizen participation

Next meeting – Wednesday 22 June

The papers for this meeting are as follows –

- | | | |
|----|---|--------------|
| 1. | Minutes of last meeting | CG/S6/22/3/M |
| 2. | Future Parliamentary procedures and practices | CG/S6/22/4/1 |
| 3. | Scotland's Futures Forum | CG/S6/22/4/2 |
| 4. | Parliamentary Partnership Assembly | CG/S6/22/4/3 |

Contact details for the clerk

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The Scottish Parliament
Pàrlamaid na h-Alba

Conveners group

Minutes

4th Meeting, 2022 (Session 6) Wednesday 27 April 2022

Present:

Liam McArthur MSP, Convener

Clare Adamson MSP, Constitution, Europe, External Affairs and Culture Committee

Claire Baker MSP, Economy and Fair Work Committee

Siobhian Brown MSP, COVID-19 Recovery Committee

Ariane Burgess MSP, Local Government, Housing & Planning Committee

Jackson Carlaw MSP, Citizen Participation and Public Petitions Committee (virtual)

Finlay Carson MSP, Rural Affairs, Islands & Natural Environment Committee

Joe FitzPatrick MSP, Equalities, Human Rights & Civil Justice Committee (virtual)

Kenneth Gibson MSP, Finance & Public Administration Committee

Richard Leonard MSP, Public Audit Committee

Dean Lockhart MSP, Net Zero, Energy & Transport Committee

Gillian Martin MSP, Health, Social Care and Sport Committee (Virtual)

Stuart McMillan MSP, Delegated Powers & Law Reform Committee

Martin Whitfield MSP, Standards and Procedures and Public Appointments Committee

Elena Whitham MSP, Social Justice and Social Security Committee

Apologies were received from:

Stephen Kerr MSP and Audrey Nicoll MSP

1. **Minutes:** The Conveners Group agreed the minutes of the last meeting. The Group also noted the Delegated Powers & Law Reform Committee recommendation not to continue the SSI protocol. And noted the constrained timetabling of Stage 1 of the Fireworks and Pyrotechnic Articles (Scotland) Bill.
2. **Climate change and net zero issues:** The Group considered the cross-committee scrutiny challenges in relation to climate change and net zero issues. It agreed to consider a potential package of approaches and measures at a future meeting.
3. **Business continuity:** The Group received a briefing on operation London Bridge and the arrangements that would be put in place when it is invoked.

4. **Committee travel requests:** The Group considered and approved the Constitution, Europe, External Affairs and Culture Committee's request to visit Brussels.
5. **Gender balance on committees:** The Group noted a letter from the Parliamentary Bureau on gender balance on committees and noted that the Bureau would be considering this issue at a future meeting. The Group agreed to monitor progress being made in achieving gender balance by receiving regular updates on the impact committee membership changes have on gender balance.

Date of Next Meeting: 25 May 2022

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Conveners Group

5th Meeting, 2022 (Session 6), Wednesday 25 May 2022

Standards, Procedures and Public Appointments Committee – Inquiry into Future Practices and Procedures

Introduction

1. Members will be aware of the ongoing inquiry into future parliamentary practices and procedures which is being carried out by the Standards, Procedures and Public Appointments Committee (SPPAC).
2. The Convener of the SPPAC has written to the Chair seeking the views of the Conveners Group on issues arising from the inquiry. The letter, which is attached in the annex, sets out particular issues where the Committee would welcome the views of the Group.
3. Conveners will be invited to contribute their views on the issues set out in the letter at this meeting.

**Conveners Group clerking team
May 2022**



The Scottish Parliament
Pàrlamaid na h-Alba

Standards, Procedures and Public Appointments Committee

Liam McArthur MSP
Chair, Conveners Group

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18 May 2022

Dear Liam,

SPPA Committee inquiry into Future Practices and Procedures

I am writing to you on behalf of the SPPA Committee to seek the views of the Conveners Group views on the future practices and procedures of committees.

The Committee has held four focus group sessions with Members, received 24 responses to its survey of Members and held four evidence sessions with academics and other legislatures. An additional evidence session is being organised with stakeholders who engage regularly with the Parliament for the meeting on 26 May to hear their views on engaging virtually with the Parliament. A summary of key points to emerge from the evidence is annexed to this letter.

Following an initial discussion of this evidence, the Committee has agreed to write to the SPCB, the Bureau, the Conveners Group and the political parties to seek their views. Given the role of the Conveners Group in relation to committees, it would be particularly helpful if you could contribute your views on the future operation of committees.

The evidence collected by the Committee reflects a spectrum of views among Members. A majority, but not all, of the Members who responded to the Committee's consultation were in favour of continuing to allow for virtual participation in Chamber and Committee business to provide more flexibility for Members in balancing constituency, parliamentary and personal commitments. A number of Members

believed that greater flexibility in participating virtually in parliamentary business would make the Parliament more accessible, thus providing more opportunity for people from a wider range of backgrounds to stand for election in the future.

The evidence that emerged in relation to committees indicated that there could be strong benefits of continuing to provide for the virtual participation of witnesses in certain circumstances and of ensuring that the public had the means to engage with committees. Notably, committees had found that they could secure a more diverse range of witnesses from all parts of Scotland, as well as witnesses from further afield including international locations. In addition, it was recognised that some witnesses felt more comfortable participating virtually as it was less intimidating than appearing in front of a committee in the Parliament.

However, there was also evidence which stressed the importance of those who were being scrutinised attending the committee in person, for example Ministers or representatives of public bodies being scrutinised.

The Committee would particularly welcome the views of the Conveners Group on the following questions:

- In general, the responses from Members indicated an openness to more flexibility in relation to virtual participation in committee meetings than in Chamber business. Should there be more flexibility in relation to participating virtually in committees or should arrangements mirror the Chamber?
- Should there be any criteria for virtual participation by Members in committee business? If so, should Members inform the Convener in the same way they would if they were sending a substitute?
- Is there a need for a uniform approach across committees or should there be discretion for committees to take different approaches to virtual participation?
- Are there certain types of committee proceedings that should ideally take place in person, for example Stage 2 proceedings?

It would be appreciated if you could respond to the Committee by 6 June in order that the Committee is able to report before the summer recess.

Yours sincerely



Martin Whitfield MSP
Convener
Standards, Procedures and Public Appointments Committee

Annexe – summary of key issues to emerge from evidence

Key views emerging from evidence on Chamber business

There was a spectrum of views from Members on the extent to which virtual participation should be a feature of future parliamentary business.

- Many Members felt that it was important that as many MSPs as possible should participate in Chamber business, particularly debates. They considered that the Chamber was central to parliamentary business as well as being fundamental to scrutiny of the Government. Participating in person also provided valuable opportunities for cross-party and informal contact at the margins of the Chamber.
- The views from witnesses on the format of Chamber business also varied. Some considered that participating virtually diminished debate and thus undermined the effectiveness and purpose of a legislature. Others considered that the Scottish Parliament had made significant progress in facilitating virtual participation during the pandemic and that as a new and innovative Parliament there was an opportunity for it to continue to build on what had been achieved.
- Some considered that the pandemic had accelerated changes in approaches to work in many different areas of employment. Notably, the ability to work from home made the lives of many more sustainable and this was also the case for MSPs. Some were of the view that the Parliament should be a model for the rest of Scotland in allowing for flexible working and that this might encourage candidates who are more representative of the population to stand.
- The ways in which hybrid participation should be managed emerged as a key issue. Should it be an option available to all Members and a matter of choice for them how they participated, or should there be prescribed circumstances or Guidance on when Members could participate virtually? Who would be responsible for allowing Members to participate virtually (PO, parties, own choice?)
- While concerns were expressed with the time that it took to vote and occasional issues with voting, there was a widespread recognition that being able to vote virtually had been very important during the pandemic (and the voting times have since been reduced). The witnesses that the Committee heard from provided evidence on the scale of proxy votes in the hands of the whips in the House of Commons which was in marked contrast to what had been achieved via the use of the voting app in the Scottish Parliament.
- The majority of Members recognised that there was value in providing alternatives means to recording the votes of those unable to attend the Chamber in person. In addition to the voting app, there was an acknowledgement that proxy voting could provide an additional route for MSPs in certain circumstances – for example, in relation to parental leave or illness – to vote. There was also a recognition that the informal pairing system had functioned effectively over a number of sessions.
- Concerns were raised about potential unintended consequences of Members participating in a hybrid format on a regular basis. Notably, it was thought that this

could result in a diminution of opportunities for those that participated remotely as they were less present in the Parliament and would have fewer opportunities to build relationships both within their own parties and across the political divide.

- Reference was made to bad weather conditions that could impact on parliamentary business or the ability of individual MSPs to travel to the Parliament. The capacity to hold a completely virtual meeting would allow the Parliament to still meet during a significant weather event such as the “Beast from the East”.
- The challenges of being an MSP from a remote constituency or region were universally recognised and many thought that greater flexibility could support the sustainability of combining parliamentary and constituency work, as well as personal commitments for those MSPs.
- Whether any changes should apply universally to all MSPs including Ministers, or whether there should be different requirements for Ministers?

Key issues emerging from evidence on Committee business

In general, the evidence collected indicated support for more flexibility in regards to Committee business than Chamber business.

- The value of hybrid meetings in supporting the participation of witnesses emerged strongly from the evidence. In particular, it was highlighted that it was easier to secure witnesses. Notably, witnesses outside the central belt were more likely to participate and it was possible for witnesses from other parts of the UK, Europe or globally to participate easily in committee business.
- Hybrid meetings were seen as reducing the Parliament’s carbon footprint, thereby contributing to sustainable development.
- Being able to participate virtually allowed Members to better balance parliamentary, constituency and personal commitments.
- It could be more challenging to convene hybrid meetings and proceedings could appear more stilted.
- Managing a Stage 2 in a hybrid format, particularly in big committees, was considered to be more complicated. Roll-call votes were time-consuming. Being able to address this through a voting system in committees was perceived as a means of facilitating Stage 2s.
- If Members could participate virtually in a hybrid meeting, it would be hard to justify a different approach to witnesses (i.e. that they would have to appear in person).
- For certain types of committee business or for certain types of witnesses, it was considered important that they should be present in the committee room. In

particular, many were of the view that ministers should appear in person and that stakeholders that were under scrutiny should be present.

Conveners Group

5th Meeting, 2022 (Session 6), Wednesday 25 May 2022

Scotland's Futures Forum - Working with Committees

Introduction

1. This note provides a brief overview of the work of Scotland's Futures Forum and the opportunities for collaboration with Committees.
2. It also seeks Conveners' feedback on the Futures Forum's wider work on the future of democracy.

Remit

3. The Futures Forum is the Scottish Parliament's futures think-tank. It was set up to develop the Parliament's capacity for longer-term strategic thinking about Scotland's futures, through engagement with Parliament and the broad community of Scotland.
4. In fulfilling this remit, the Futures Forum works both with the Parliament and partners outside to support longer-term thinking. It therefore hosts events that are open to the general public as well as smaller seminars and debates with invited guests from within and outwith the Parliament.
5. The Futures Forum's focus in this parliamentary session is creating spaces where MSPs and those who support them can look to Scotland's long-term future. Our intention is to complement the daily work of the Parliament, offering new perspectives and covering relevant subjects not covered elsewhere.

Futures Forum status

6. It is worth noting that the Futures Forum sits separately from the rest of the Parliament as a company limited by guarantee that is wholly owned by the SPCB. It does not fit into the Parliament's management structure.
7. This arm's-length status gives the Futures Forum flexibility to bring in external expertise, including on the board of directors and through partnership working with other organisations.

Board of directors

8. The work of the Futures Forum is overseen by a board of directors, chaired by the Presiding Officer. The board meets quarterly and comprises MSPs and non-MSPs. The current directors are:
 - [Maggie Chapman MSP](#)
 - [Diarmaid Lawlor](#)
 - [Kirsten Hogg](#)
 - [Stuart McMillan MSP](#)

- [Sarah Munro](#)
- [Esther Robertson](#)
- [Alex Rowley MSP](#)
- [Brian Whittle MSP](#)

Resources

9. The Futures Forum employs two members of staff on secondment from the SPCB:

- As head of business, Rob Littlejohn supports the board, plans and delivers projects, and ensures the Futures Forum meets its legal responsibilities.
- As business co-ordinator, Audrey Gray provides administrative support.

10. They are supported by Susan Duffy (Parliament's group head for engagement and communications), who as Company Secretary oversees their work and links into the Parliament's senior management.

11. We also have a small annual budget to support events.

Opportunities for collaboration

12. The Futures Forum is a resource for the Parliament as a whole and Committees in particular. Our position enables us to support discussions in either a different format from normal or on topics that cross different Committee portfolios. Our work may also help Committees to explore an issue that they then go on to examine in an inquiry, cover a topic not otherwise explored or give Members an opportunity to look more strategically at an issue of immediate importance.

13. The following examples from recent years show the range of opportunities for Committees:

- [Scotland 2030: Fitter or fatter?](#) Half-day conference with the Health Committee on long-term approaches to tackling obesity in Scotland.
- [Social Care for Older People](#). Half-day conference with the Health and Sport Committee, which helped scope a committee inquiry on the subject.
- [A wellbeing economy?](#) Early evening seminar with Economy Committee on concept of a wellbeing economy and the Scottish Government's role in a global wellbeing economy network.
- [Sustainable Public Finances](#). Half-day conference with Finance Committee on medium and long-term view on Scotland's public finances. This also brought in members of other Committees and contributed to the budget process.
- [Education Futures](#). Two seminars with the Education, Children and Young People Committee looking to the long-term future of Scottish education.

14. In producing these events, the Futures Forum works closely with members and clerks to make them as useful as possible.

15. Conveners are invited to consider the opportunities for their Committees to work with the Futures Forum during this parliamentary session.

Wider work: democracy

16. As the Parliament's think-tank, the Futures Forum has a continuing interest in how democracy is developing and the challenges and opportunities that these changes present to MSPs and the Parliament more widely.
17. One recent focus for the Futures Forum has been the implications for representative democracy of the climate emergency and technological innovation. Also covered have been innovations such as Citizens Assemblies and the Welsh Future Generations Commissioner, and their effect on traditional processes and structures.
- 18. In considering the opportunities for their Committees, Conveners are also invited to comment on the major challenges and opportunities they see for elected representatives and Parliaments more generally over the coming years.**
19. All feedback will inform the Futures Forum's work programme on the theme of democracy over the coming parliamentary session.

Conveners Group

5th Meeting, 2022 (Session 6), Wednesday 25 May 2022

Parliamentary Partnership Assembly

Introduction

1. Members will recall that the Convener of the Constitution, Europe, External Affairs and Culture Committee (CEEAC) undertook to update the Conveners Group on issues arising from meetings of the Parliamentary Partnership Assembly (PPA).

Background

2. The first meeting of the PPA took place on 12-13 May. A note of this meeting is attached in the annex.
3. The Convener of CEEAC will provide the Group with an update at this meeting.

**Conveners Group clerking team
May 2022**

Note of the First Meeting of the Parliamentary Partnership Assembly (PPA)

Brussels 12-13 May

1. The Convener and Deputy Convener attended the first meeting of the PPA as observers.

UK Government

2. Michael Ellis, Minister for the Cabinet Office addressed the Assembly on the state of play within the Partnership Council on behalf of the UK Government.¹

Ukraine

3. The Minister emphasised the close working relationship between the UK Government and the EU in taking action in support of Ukraine and in agreeing punitive sanctions against Moscow. This includes –
 - six waves of punitive sanctions against the Russian economy, cutting off funding for its war effort;
 - military, humanitarian and economic assistance for Ukraine; and
 - measures to reduce our reliance on Russian hydrocarbons.
4. The Minister noted that while these are significant steps, the UK and EU must be prepared to go further.

Trade and Co-operation Agreement (TCA)

5. The Minister noted that the governance of the TCA is running smoothly and that through the Partnership Council and the Specialised Committees the EU and the UKG have ensured effective implementation of the agreement including technical discussions on matters ranging from intellectual property to road transport.
6. However, the Minister also stated that the UK Government is deeply disappointed that the EU countries continue to delay formalising the UK's participation in Horizon Europe (and Copernicus, Euratom Research and Training). The UK Government's view is that there is no practical reason for the delay and the EU is not fulfilling its commitments in this regard that they made when the TCA was agreed. They continue to press the EU to resolve this issue.

Withdrawal Agreement

¹ [Address to the Inaugural UK-EU Parliamentary Partnership Assembly - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/speeches/address-to-the-inaugural-uk-eu-parliamentary-partnership-assembly)

7. The Minister noted that while the UK and EU have worked closely together on implementing the Withdrawal Agreement and while there have been positive examples of good cooperation he also identified concerns in relation to both citizens rights and the Ireland/Northern Ireland protocol.
8. On citizens' rights the Minister stated that while cooperation with the EU has been constructive, the UK continues to hold some concerns. Outstanding issues include ongoing reports of UK nationals facing difficulties accessing their rights in declaratory Member States, non-compliant resident processes, insufficient safeguards and a lack of detail on appeals processes. The UK Government has called on the EU to take proactive and immediate action to resolve those issues.
9. On the Protocol, the Minister stated that it is not working and has created a two tier system where people in Northern Ireland are not treated the same way as everyone else in the UK. He told the PPA that the UK Government has never actually proposed scrapping the Protocol and they do not intend to but they do need to see significant changes to it.
10. He also told the PPA that the UK Government's clear view is that the EU proposals would take us backwards and that it is hugely disappointing that the EU have confirmed that they will never change their mandate, and because of that, the situation is now very serious.

European Commission

11. Vice President Sefcovic addressed the Assembly on the state of play within the Partnership Council on behalf of the European Commission.² He began by emphasising the EU and the UK are partners with shared values and must continue working together to tackle global challenges, not least Russia's aggression against Ukraine. He stated that the EU's objective is to have a stable relationship with the UK based on international agreements.

Ireland/Northern Ireland Protocol

12. The Vice President stated that given the current position of the UK government on the Protocol, this is not where he would like relations to be. He pointed out that agreement was first reached on the UK's withdrawal from the EU including the Protocol and then agreement was reached on the future partnership between the EU and the UK (Trade and Co-operation Agreement).
13. He emphasised there could be no future partnership without an orderly withdrawal and that the two agreements were ratified by both the European and UK Parliaments. He also stated that the Protocol is the only solution that "squares the circle" between Brexit and the situation on the

² [Remarks by Vice President Šefčovič \(europa.eu\)](#)

island of Ireland, and its implementation is a priority and precondition for a constructive bilateral relationship.

14. To move forward he told the PPA that the EU and UK must work together to address practical problems, recognising that the Protocol has not been without challenges. He added that the EU has always sought practical and durable solutions. For example, it has proposed an express lane for good moving from GB to NI for goods that will be consumed there.
15. The Vice President also stated that to move forward there needed to be political will to make the Protocol work. He told the PPA that the UK has simply not taken the opportunity to explore fully with the EU the potential of the flexibilities the Commission has presented.
16. The EU's position is that it will not renegotiate the Protocol and unilateral action to disapply it is not the way forward. The Vice President stated that only joint durable solutions will answer the needs of people and businesses in NI, and the Commission is committed to working in this vein.

Trade and Co-Operation Agreement

17. The Vice President highlighted the EU's Domestic Advisory Group, which consists of NGOs, business and employers' organisations, and trade unions from across the EU which has already met three times to discuss the implementation of the agreement.
18. He also noted that the Partnership Council has now adopted the operational guidelines for the Civil Society Forum and that its first meeting is due to take place in June or early July, bringing together different civil society actors from across the EU and UK.
19. With regards to the substance of the TCA he stated that fisheries and more generally the level playing field provisions have required particular attention.

Statement by the PPA Co-Chairs

20. The PPA co-chairs, Ms Nathalie Loiseau and Sir Oliver Heald published a joint statement following the plenary session.³ They stated that the PPA had an opportunity to exchange views with the European Commission and the UK Government on the state of play within the Partnership Council.
21. The PPA also considered the importance of building a new multi-dimensional EU-UK relationship, as well as how to strengthen our cooperation on energy, in the context of high energy prices and the war in Ukraine.

³ [1st EU-UK Joint Statement - 13 May 2022.pdf \(europa.eu\)](#)

22. EU-UK cooperation in relation to the war in Ukraine was also discussed and the joint statement expressed complete support and solidarity with the people and government of Ukraine and condemned in the strongest possible terms the unprovoked and unjustifiable Russian assault. The joint statement also included support for the strong sanctions imposed against Putin's regime and welcomed the decisive action undertaken by the EU and the United Kingdom, together with our allies, in support of Ukraine and its people.

Rules of Procedure

23. The PPA agreed its rules of procedure. This includes Rule 8 which allows that elected representatives from other national and regional Parliaments and assemblies may be invited to attend the meetings of the PPA in an observer capacity. Rule 5 states that there shall be a presumption that the meetings of the PPA shall be held in public and papers will be shared with all those attending.

Future Work

24. PPA members discussed priorities for future work. Issues raised included

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- More frequent and thematic meetings, including the establishment of working groups prior to the next plenary;
- Members of the Northern Ireland Assembly should be involved in any working group on the Protocol;
- The role of the PPA should include seeking to influence decisions of the PPA;
- The PPA should prioritise consideration of 5 to 10 actionable proposals.

25. Potential areas of work included -

- Horizon Europe;
- Defence co-operation;
- Energy policy;
- Co-operation on policing;
- Foreign affairs;

- Culture/musicians;
- Citizens' rights.

**Committee clerks
May 2022**