



The Scottish Parliament  
Pàrlamaid na h-Alba

# Conveners Group

## Agenda

4th Meeting, 2023 (Session 6) Wednesday 26 April 2023

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

1. **Minutes**
2. **Conveners Group work programme and strategic priorities:** update on Conveners Group strategic priorities
3. **Cross-committee scrutiny:** approach to scrutiny of National Performance Framework
4. **Cross-committee scrutiny:** update on Post-EU Scrutiny

**Next meeting – Wednesday 17 May**

The papers for this meeting are as follows –

- |  |              |
|--|--------------|
| 1. Minutes of last meeting                                 | CG/S6/23/1/M |
| 2. Work programme and strategic priorities                 | CG/S6/23/4/1 |
| 3. Cross-committee working: National Performance Framework | CG/S6/23/4/2 |
| 4. Post-EU scrutiny: update on strategic priority          | CG/S6/23/4/3 |

### Committee debates this Parliamentary year

1	22/09/2022	Standards, Procedures & Public Appointments Committee	Debate its report on future procedures and practices
2	01/11/2022	Social Justice and Social Security Committee	Robbing Peter to pay Paul: Low income and the debt trap
3	10/11/2022	Health, Social Care & Sport Committee	Inquiry into alternative pathways to primary care
4	17/11/2022	Constitution, Europe, External Affairs & Culture Committee	The impact of Brexit on devolution
5	14/12/2022	Health, Social Care & Sport Committee	Debate on its health inequalities inquiry
6	17/01/2022	Citizen Participation & Public Petitions Committee	petition PE:1865 Suspend all surgical mesh and fixation devices
7	28/02/2023	Economy & Fair Work Committee	Debate on its inquiry report on Retail and Town Centres in Scotland
8	14/03/2023	Net Zero, Energy & Transport Committee	The role of local government and its cross-sectoral partners in financing and delivering a net-zero Scotland
9			
10			
11			
12			

## Contact details for the clerk

Irene Fleming  
 Clerk to the Conveners Group  
 Room T3.40  
 The Scottish Parliament  
 Tel: 0131 348 5256  
 Email: [Irene.Fleming@parliament.scot](mailto:Irene.Fleming@parliament.scot)



The Scottish Parliament  
Pàrlamaid na h-Alba

# Conveners group

## Minutes

3rd Meeting, 2023 (Session 6) Wednesday 1 March 2023

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 & Public Petitions Committee  
Natalie Don MSP, Social Justice and Social Security Committee (virtual)  
Joe Fitzpatrick MSP, Equalities, Human Rights & Civil Justice Committee  
Kenneth Gibson MSP, Finance & Public Administration Committee  
Richard Leonard MSP, Public Audit Committee  
Gillian Martin MSP, Health, Social Care and Sport Committee (virtual)  
Stuart McMillan MSP, Delegated Powers & Law Reform Committee  
Edward Mountain MSP, Net Zero, Energy & Transport Committee  
Audrey Nicoll MSP, Criminal Justice Committee  
Sue Webber MSP, Education, Children and Young People Committee  
Martin Whitfield MSP, Standards, Procedures & Public Appointments Committee

Apologies were received from:

Finlay Carson MSP

- 1. Minutes:** The Conveners Group agreed the minutes of the last meeting.
- 2. Minister for Parliamentary Business:** The Group discussed issues around programming of parliamentary business, legislative consent memorandums, retained EU law and other matters relating to the operation of committees with:
  - George Adam MSP, Minister for Parliamentary Business
  - Al Gibson, Policy advisor, Parliament and Legislation Unit

Date of Next Meeting: 26 April 2023

## Contact details for the clerk

Irene Fleming  
Clerk to the Conveners Group  
Room T3.40  
The Scottish Parliament  
Tel: 0131 348 5256  
Email: [Irene.Fleming@parliament.scot](mailto:Irene.Fleming@parliament.scot)

## **Conveners Group**

### **4th Meeting, 2023 (Session 6), Wednesday 26 April 2023**

## **Strategic priorities and work programme**

### **Introduction**

1. This paper sets out the Group's work programme based on the Group's agreed strategic objectives.

### **Background**

2. Members will recall that the Group agreed at the start of the session what its priorities should be in developing its strategic function. This included consideration of the promotion of effective scrutiny by committees as well as the Group's role in championing the work of committees.
3. The Group has agreed the following strategic priorities—
  - i. Cross-committee working
  - ii. Participation, diversity and inclusion
  - iii. Post-legislative scrutiny
  - iv. Supporting members as parliamentarians
4. In addition to making progress with these strategic priorities the Group also schedules some additional recurring items of business. These include meetings with the First Minister, the UK Committee on Climate Change, as well as with the Minister for Parliamentary Business.
5. This paper sets out where the Group has reached in terms of these strategic priorities. It invites the Group to consider its work programme and the scheduling of this business over the remainder of the year, including the scheduling of these additional items.

### **Meetings with the First Minister**

6. The Group has agreed to schedule two meetings per year with the First Minister. These meetings have generally taken place in September to coincide with the Programme for Government, and in March roughly six months later. The meetings take place in public.
7. These meetings allow the Group to explore with the First Minister issues arising from within Committees' remits. In particular, the September meeting provides the opportunity to raise issues in relation to the Programme for Government.
8. It is proposed to follow these arrangements with the new First Minister with two meetings per year between CG and the FM.

9. The Group has previously structured these meetings around themes to allow the Group to focus questions on particular current issues. Previous themes have included Covid recovery, net zero and cost of living. This approach does not preclude other issues being raised.
10. Conveners may wish to consider following this thematic approach at future meetings.

### **Scheduling of future meetings with First Minister**

11. The next meeting of these meetings was due to take place with the previous First Minister on Wednesday 29 March.
12. Officials have been working to secure the attendance of the new First Minister at an early meeting of the Group. The First Minister is available to attend a meeting on 17 May. This would involve scheduling an additional meeting. However, there is clear benefit in the Group meeting with the First Minister at an early point in his time in the role. It is therefore proposed to go ahead with this meeting on 17 May.
13. As with all meetings with the First Minister, in order to support the management of this meeting Conveners are asked to provide an indication of the themes that they wish to raise with the First Minister. This will help the flow of the meeting and also help achieve sustained questioning in particular areas wherever possible.
14. **Conveners are invited to note the scheduling of this meeting on 17 May and to provide an indication in advance of themes that they wish to raise with the First Minister.**

### **Strategic priority 1: Cross-committee working**

15. When considering its strategic priorities, the Group acknowledged the increasingly complex policy areas over last 20 years and that the cross-cutting nature of public policy means that there are many areas of scrutiny which would benefit from a cross-committee perspective.
16. The Group agreed it had a role in supporting cooperation and coordination of this scrutiny work. It also acknowledged the need for proactivity when it comes to innovating to find alternative and complementary ways to support parliamentary scrutiny which in turn should bring about more integrated public policy.
17. Cross-cutting scrutiny has arisen in various ways in relation to ongoing work. This includes the ongoing inquiry into drugs deaths, scrutiny of NPF4 and Stage 1 scrutiny of the National Care Service (Scotland) Bill. A current issue on the agenda for this meeting is scrutiny of the National Performance Framework which has relevance across committee remits.
18. The Group will be kept updated on areas of cross-committee working and will be invited to consider ways in which to support this type of scrutiny.
19. The Group also identified two specific policy areas of net zero and post-EU scrutiny which would benefit from the strategic overview of the Group.

## Cross-committee working: Net zero scrutiny

### Current developments and next steps

20. Net zero scrutiny impacts on all committee remits. The Group has agreed that its role is to support effective scrutiny in this area by encouraging and facilitating cooperative working. This is intended to enable committees to carry out scrutiny in their policy areas through the lens of net zero, and to consider ways in which committees can bring about change in policy areas.
21. The Conveners Group has agreed seven initial actions. These actions were agreed in the context that the Net Zero, Energy and Transport Committee (NZET) Committee plays a leading role, but also supports other committees in effectively embedding climate scrutiny in their own work.
22. This is being taken forward by a number of committees using Conveners Group work to inform their own approaches and work programme development.
23. **It is proposed that the Group considers a progress report at its June meeting.**
24. This meeting will include more detailed update on progress with net zero scrutiny being carried out by committees other than the NZET Committee. While this will be mainly focused on those committees with a more obvious focus on net zero scrutiny within their remits, this will also provide the opportunity for the Group to consider ways in which net zero scrutiny work can be embedded across all committees.

### UK Committee on Climate Change

25. As part of the seven agreed actions, the Group agreed to invite the UK Committee on Climate Change (UKCCC) to provide an annual update to the Group. The issues raised in this meeting are intended to inform the scrutiny work of individual committees.
26. The first of these meetings took place at the Group's meeting on 26 October 2022.
27. Around one hour was allocated to this session which took place in private. This meeting was extended by around 30 minutes to include time for the Group to deal with its ongoing work programme, including updates on its strategic priorities. This avoided the need to schedule an additional meeting.
28. It is proposed that the next of these meetings takes place at the Group's October meeting with a similar extension to the meeting time to around 90 minutes.
29. Assuming the Group is content with the scheduling of this meeting, an invitation will be issued to the UKCCC to attend the Group's meeting in October.
30. **Conveners are invited to note the proposed scheduling of this meeting with the UKCCC in October and the extension to the meeting time to accommodate this.**

## Cross-committee working: Post-EU scrutiny

31. Post-EU scrutiny is a particularly complex area of work which impacts on the remits of most committees as the new devolved landscape develops. The Group has agreed to provide a leadership role to enable committees to carry out effective scrutiny of post-EU issues.

### Current developments and next steps

32. Work has been taken forward with the Scottish Government on behalf of the CEEAC Committee to establish a scrutiny framework for post-EU issues to be considered. The Group agreed that it would maintain a watching brief on these issues and has received regular updates on progress from the CEEAC Convener.

33. It is proposed that the Group be invited to give further consideration to its strategic approach to this scrutiny area issue including proposed measures to support committees' scrutiny of these complex issues.

34. The intention is to create an 'action plan' (on a similar basis to the approach to taken to support net zero scrutiny).

35. This action plan will include arrangement to support scrutiny of retained EU Law (REUL), which is the subject of legislation currently progressing through Westminster. The Group will be briefed on the expected impact on committees and support that will be provided for committees in carrying out this scrutiny work.

**36. It is intended for this substantive discussion to take place at the Group's meeting on 31 May. There will be a brief update interim update, including on REUL, at the meeting on 26 April.**

## Strategic priority 2: Participation, Diversity & Inclusion

37. The Group also identified participation, diversity, inclusion (PDI) as one of its strategic priorities this session. It recognised the benefit of committees hearing from a greater range of voices and that the quality of scrutiny can be enhanced by hearing from a wider range of voices when carrying out inquiry work.

38. The Group has received updates from officials in the Participation and Communities Team (PACT) on how participation work can enhance the quality of scrutiny.

39. The Group has agreed to examine ways in which it can support initiatives in this area. This includes improving the diversity of witnesses appearing before committees.

40. In order to support this scrutiny work in a strategic way, it is proposed that the Group also be invited to give initial consideration to a PDI strategy before summer recess. This approach will allow proposals to be worked up over the summer with a view to inviting the group to agree its PDI strategy following the summer recess.

41. This will include information gathered on witness diversity and how this can inform the Group's approach to hearing from hard-to-reach voices.

**42. It is intended for this to be considered at the Group's meeting on 21 June.**

### **CPPPC inquiry on citizen participation**

43. Conveners will be aware that the Citizen Participation and Public Petitions Committee (CPPPC) is carrying out an inquiry into citizens participation. The Committee's report is expected to be published in September.

**44. It is proposed that the outcome of this inquiry be considered by the Group at its September meeting.**

45. The timing of this will allow the conclusions and recommendations of the inquiry and how they impact on committee scrutiny to form part of the Group's consideration of its PDI strategy.

### **Gender Sensitive Audit**

46. Members will be aware that the Presiding Officer commissioned a Gender Sensitive Parliament Audit (GSA) last year to look at how the Parliament's structures, operations and policies can help promote women's equality in representation and participation in the Parliament. The Audit has now been completed and the [report](#) was published in March.

47. A number of recommendations relate to parliamentary scrutiny, and some are directed to the Conveners Group.

48. These recommendations will tie in with the Group's approach to diversity and inclusion and so it would make sense for these to be included as another strand of the PDI strategy.

**49. It is proposed that the GSA be included on the Group's agenda at the meeting on 31 May, with a view to it informing the approach to the proposed diversity and inclusion strategy at the meeting in June.**

### **Strategic priority 3: Post-legislative scrutiny**

50. The Group has identified post-legislative scrutiny as an important aspect of parliamentary scrutiny and agreed this as another of its strategic priorities this session.

51. The Group has agreed an action plan to underpin its approach to post-legislative scrutiny and has considered a number of actions in order to encourage and increase the amount of PLS being carried out by committees.

**52. The Group will receive a progress report on this priority at its meeting in June.**

## **Strategic priority 4: Supporting Members as Parliamentarians**

53. The Group recognises the need to support Members in their scrutiny roles. With that in mind it agreed as its fourth strategic priority the provision of CPD for Members. A number of programmes have been developed and rolled out so far this session.
54. It is proposed that the Group be invited to consider its approach to existing CPD provision and also examine what would be helpful to support Members in their scrutiny role, particularly in relation to the issues drawn out through the Group's strategic priorities. It would make sense for this discussion to take place once the Group has agreed its strategic approach to its other priorities. This would allow the Group to consider how best CPD can support this work.
- 55. It is proposed that an update be provided for the Group at a meeting following the summer recess.**

## **Meeting with Minister for Parliamentary Business**

56. The Group has agreed previously to invite the Minister for Parliamentary Business to attend a Conveners Group meeting on an annual basis. The purpose of this meeting is to provide the opportunity for Conveners to raise any issues in relation to parliamentary business with the Minister.
57. The Minister has attended the Group's meeting in November 2021 and again in March 2023 (postponed from December 2022).
58. Scheduling these meetings to take place in November appear to work well as it provides Conveners with the opportunity to raise any issues arising from the scheduling of business following the Programme for Government. It is proposed that the next discussion with the Minister takes place at the November 2023 meeting.
- 59. The Group is invited to note the proposal to schedule the next meeting with the Minister for Parliamentary Business in November.**

## **Schedule of meetings and committee debates**

60. The schedule of meetings for the remainder of the year is set out below. The dates for the meetings post-summer recess have still to be agreed, but the Group generally meets on the final Wednesday of the month. Dates will be confirmed as soon as possible.
61. Also included are details of committee debates for the Group to note. Conveners will be provided with any updates on the scheduling of these debates.
62. The intention is that once the Group has agreed action plans for its strategic priorities, there should be twice-yearly progress reports.
- 63. The Group is invited to note this information.**

## Work programme

<b>Date and main items of business</b>
<p><b>26 April</b></p> <ul style="list-style-type: none"> <li>• Work programme update</li> <li>• Priority 1: Cross-committee working: National Performance Framework</li> <li>• Priority 1: Cross-committee working: Post-EU scrutiny</li> </ul>
<p><b>17 May (90-120 minutes)</b></p> <ul style="list-style-type: none"> <li>• Meeting with First Minister (in public)</li> </ul>
<p><b>31 May</b></p> <ul style="list-style-type: none"> <li>• Priority 1: Cross-committee working: Post-EU scrutiny</li> <li>• Participation, Diversity and Inclusion: Gender sensitive audit</li> </ul>
<p><b>21 June</b></p> <ul style="list-style-type: none"> <li>• Priority 2: Participation, Diversity and Inclusion: PDI Strategy (first consideration)</li> <li>• Priority 3: Post-legislative scrutiny: Progress Report</li> <li>• Priority 1: Cross-committee working (Net Zero): Progress Report</li> </ul>
<b>SUMMER RECESS</b>
<p><b>September</b></p> <ul style="list-style-type: none"> <li>• Priority 2: Participation, Diversity and Inclusion: PDI Strategy (second consideration, including update from CPPPC inquiry)</li> </ul>
<p><b>September</b></p> <ul style="list-style-type: none"> <li>• Meeting with First Minister (in public) <u>(to be confirmed)</u></li> </ul>
<p><b>October (extended meeting)</b></p> <ul style="list-style-type: none"> <li>• Priority 1: Cross-committee working: Net zero scrutiny: UKCCC <u>(to be confirmed)</u></li> <li>• Priority 4: Supporting Members as Parliamentarians: CPD for Members (provisional)</li> </ul>
<p><b>November</b></p> <ul style="list-style-type: none"> <li>• Minister for Parliamentary Business <u>(to be confirmed)</u></li> </ul>
<p><b>December</b></p> <ul style="list-style-type: none"> <li>• Agenda to be confirmed</li> </ul>

## Schedule of committee debates

22/09/2022	Standards, Procedures & Public Appointments Committee	Debate its report on future procedures and practices
01/11/2022	Social Justice and Social Security Committee	Robbing Peter to pay Paul: Low income and the debt trap
10/11/2022	Health, Social Care & Sport Committee	Inquiry into alternative pathways to primary care
17/11/2022	Constitution, Europe, External Affairs & Culture Committee	The impact of Brexit on devolution
14/12/2022	Health, Social Care & Sport Committee	Debate on the health inequalities inquiry
17/01/2022	Citizen Participation & Public Petitions Committee	Petition PE:1865 Suspend all surgical mesh and fixation devices
28/02/2023	Economy & Fair Work Committee	Debate on its inquiry report on Retail and Town Centres in Scotland
14/03/2023	Net Zero, Energy & Transport Committee	The role of local government and its cross-sectoral partners in financing and delivering a net-zero Scotland

## Recommendation

**64. The Group is invited to consider this paper and agree its work programme for 2023.**

**Conveners Group Clerking Team  
April 2023**

## Conveners Group

### 4th Meeting, 2023 (Session 6), Wednesday 26 April 2023

## National Performance Framework

### Introduction and purpose of discussion

1. The [National Performance Framework](#) (NPF) was launched more than 15 years ago, in November 2007. It has undergone various changes since then, most significantly in 2015, when Part 1 of the Community Empowerment (Scotland) Act 2015 put the concept of 'National Outcomes' into law. The Act also provided for these Outcomes to be reviewed every five years. The first such review took place in 2018. On 14 March 2023, the Scottish Government [launched a consultation](#) on its second review of the National Outcomes, which closes on 5 June 2023. The Scottish Government explains that the consultation is only one part of the Review. It will also be "reviewing previous consultation exercises to understand more about what matters most to communities in Scotland and meeting with stakeholders".
2. The Government must then consult the Parliament on any proposed changes to the National Outcomes arising from its review.
3. This parliamentary process is expected to be led by the Finance and Public Administration Committee (FPAC), which has responsibility within its remit for the NPF. However, the national outcomes will engage most committees' remits.
4. The purpose of this Conveners Group discussion, which will be led by the Convener of the FPAC, Kenneth Gibson MSP, is to raise awareness of this Review with Conveners and seek initial feedback on how this cross-committee scrutiny could best be approached. FPAC Clerks will also liaise with Clerks of other committees and SPICe researchers on how best to support committees in their scrutiny.

## The National Outcomes

5. The current NPF has the following [11 National Outcomes](#):
  - **Children and Young People:** We grow up loved, safe and respected so that we realise our full potential
  - **Communities:** We live in communities that are inclusive, empowered, resilient and safe
  - **Culture:** We are creative and our vibrant and diverse cultures are expressed and enjoyed widely
  - **Economy:** We have a globally competitive, entrepreneurial, inclusive and sustainable economy
  - **Education:** We are well educated, skilled and able to contribute to society
  - **Environment:** We value, enjoy, protect and enhance our environment
  - **Fair Work and Business:** We have thriving and innovative businesses, with quality jobs and fair work for everyone

- **Health:** We are healthy and active
- **Human Rights:** We respect, protect and fulfil human rights and live free from discrimination
- **International:** We are open, connected and make a positive contribution internationally
- **Poverty:** We tackle poverty by sharing opportunities, wealth and power more equally

## Current snapshot of national indicator performance

6. The NPF measures progress against the National Outcomes through [81 National Indicators](#). SPICe produces a monthly [blog](#) which provides a snapshot of performance. Below is an extract from the most recent entry (March 2023), including those where indicators have been under development since 2018 (marked as no performance data). In most cases (32) performance is maintaining, whilst improvement is seen for 17 Indicators, and for 14 Indicators the position is worsening.

### How is Scotland performing?

National Indicator performance | As at 6 March 2023



Source: Scottish Government

## Parliamentary consultation on any revised National Outcomes

7. The Act states that, where revisions are proposed, the Scottish Government "must ... consult the Scottish Parliament on the proposed revisions". **The Parliament therefore does not have a role in approving the proposed revisions (or indeed the National Outcomes or the NPF as a whole) but is consulted and may scrutinise the proposals and provide comments/feedback on them.** Following this parliamentary consultation period, the Scottish Government has the option to further revise the National Outcomes based on this scrutiny and comments provided.

8. Rule 17.5 of the Standing Orders sets out a parliamentary process for consulting the Parliament. Once a consultation document required under statute is laid, it is then referred by the Parliamentary Bureau to a lead committee, which shall consider and report to the Parliament, including any other committees' views. Once the lead committee has reported, "the Parliament shall consider the consultation document in the light of the lead committee's report".

9. Under the 2015 Act, the Scottish Parliament has 40 days in which to consider the results of the NPF review, including any proposals for revisions to the National Outcomes). In February 2022, [FPAC wrote](#) to the previous Deputy First Minister seeking an extension to this statutory 40-day consultation period, reflecting the concerns of previous Parliamentary committees regarding the impact of this short timescale on their scrutiny during the last review in 2018. [Responding](#), the DFM committed to explore this further and asked his officials to [liaise with FPAC](#) on how much additional time may be required, and how this would fit with the programme for the review overall.

10. At this stage, the results of the review of National Outcomes are not expected to be laid in the Scottish Parliament for consultation until after the summer recess. FPAC Clerks remain in discussion with Scottish Government's officials over how much additional time will be made available for scrutiny.

11. Set out below is the approach agreed for scrutiny of the draft revised National Outcomes laid in the Parliament in 2018. In practice, much of the administrative process was developed between the clerks of the relevant committees. The agreed approach was then set out in a letter from the lead committee to all other committees and responses invited by an agreed deadline.

### **Previous approach to scrutiny in the Parliament**

12. A lead committee was appointed, which then wrote to the relevant committees to seek their views on the National Outcomes that fell within their remit. To support committees in their scrutiny, SPICe provided generic briefing on the National Outcomes and the NPF, as well as some subject-specific analysis for individual committees where appropriate.

13. During the first review and, given the limited time for scrutiny, the lead committee invited relevant committees to look at the following issues and to report their views to the lead committee on:

- how the National Outcomes had changed;
- whether these changes were appropriate; and
- whether wider consultation exercise was sufficient.

14. Committees were also asked to consider wider issues, if time permitted, such as:

- whether the Sustainable Development Goals (SDGs) had been incorporated into the NPF in such a way as to ensure that they were fully implemented;
- whether the proposed revisions to the NPF would ensure policy coherence between the different National Outcomes, National Indicators and SDGs;

- the extent to which the National Outcomes were being used by the Scottish Government and other public bodies to measure their performance.
- whether the indicators selected were likely to both support and measure the achievement of the Outcomes;
- how public bodies in their scrutiny area had aligned their work with the NPF and whether the revised NPF could be readily and effectively used in outcome-based budget scrutiny.

15. Given the 40-day time constraint, it was for each individual committee to decide what form, if any, its scrutiny would take within the agreed deadline for reporting. It was up to each committee to also decide whether they wished to take evidence (and if so, from whom) or whether they wished to discuss any proposed changes to the National Outcomes within committee, by correspondence, etc. These views were then submitted to the lead committee.

16. The lead Committee then published a report detailing its own views on the draft revised National Outcomes and reporting the views of the other relevant committees. The Parliament then considered the consultation document in light of this report as part of a debate on a committee motion.

17. This approach to joint scrutiny has also been used to scrutinise other cross-cutting issues, such as regular revisions to the National Planning Framework and to the Scottish Government's Climate Change Report on Policy and Proposals. As such, it represents a familiar and potentially useful template for joint scrutiny of the forthcoming draft revised National Outcomes.

## Questions for consideration

18. The Conveners Group is invited to discuss the following key questions.
- How has the information in the NPF (including the National Outcomes) been used in committee business this session?
  - What are your views on using a joint approach to scrutiny, with Finance and Public Administration Committee fulfilling the lead committee role (subject to referral by the Parliamentary Bureau)?
  - What support would enable your committee to fulfil its scrutiny role in the upcoming review of the National Outcomes?

## Decision

**19. The Conveners Group is invited to note the Scottish Government consultation on the National Outcomes is now underway and that each relevant committee will be asked to consider, in due course, the arrangements for joint scrutiny of the draft National outcomes to be laid in Parliament.**

## **Conveners Group**

### **4th Meeting, 2023 (Session 6), Wednesday 26 April 2023**

### **Cross-committee scrutiny: Post-EU Update**

#### **Introduction**

1. The purpose of this paper is to provide an update for Conveners Group on some post-EU issues. This is to raise awareness of these issues in advance of a more detailed discussion on post-EU issues at the Group's meeting at the end of May.
2. The CEEAC Committee Convener will provide a brief update on Retained EU Law scrutiny (REUL) and EU Law Tracker at this meeting.

#### **Retained EU Law (REUL)**

3. A joint group of Scottish Parliament and Scottish Government officials has been established to develop an agreement between Ministers and relevant parliamentary committees and the Conveners' Group for effective and proportionate scrutiny of the preservation, modification and revocation of Retained EU Law (REUL).
4. Officials will aim to develop proposals for a proportionate and targeted approach to scrutiny, to enable committees to focus primarily on changes to the status quo, rather than legislation which maintains the status quo.
5. Officials will update Conveners Group at its meeting in May.

#### **EU Law Tracker**

6. The Scottish Government has a policy commitment to align, where appropriate, with EU law. To support the Parliament's scrutiny of the commitment, the CEEAC Committee asked SPICe to commission an EU law tracker. The purpose of the tracker is to allow Parliamentary Committees, stakeholders, and the public to track developments in EU law in areas of devolved competence. This will allow business and civil society in Scotland to monitor EU legislative developments which may affect them and assist the Parliament's committees in scrutinising the Scottish Government's commitment to EU alignment.
7. Following a procurement exercise, production of the EU tracker will be undertaken by Dr Whitten, Queens University Belfast, who will provide two reports a year (in January and September) which will be published. The reports will include case studies outlining areas of policy divergence

between Scotland and the EU and will be considered in the first instance by the CEEAC Committee and circulated to relevant subject committees.

8. SPICe are aiming to arrange a SPICe Breakfast Seminar in September to coincide with the publication of Dr Whitten's first report.

### **Recommendation**

9. Conveners Group is invited to note this report.

**Conveners Group clerking team  
April 2023**