



The Scottish Parliament
Pàrlamaid na h-Alba

Conveners Group

Agenda

4th Meeting, 2024 (Session 6) Wednesday 29 May 2024

The group will meet at 12.45pm in Committee Room 3.

1. **Minutes**
2. **Strategic Priority: Cross Committee working - Net zero scrutiny:** Update on climate change plan and proposed Climate Change Bill.
3. **Strategic Priority: Participation, Diversity and Inclusion**
 - a) Report on participation, diversity and inclusion activity 2023/24
 - b) Topic selection for next People's Panel

The papers for this meeting are as follows –

1. Minutes of last meeting CG/S6/24/3/M(P)
2. CG Session 6 Strategic Priority on net zero scrutiny: update on Climate Change Plan and proposed Climate Change Bill CG/S6/24/4/1
3. Participation, Diversity and Inclusion: Annual Report 2023/24 CG/S6/24/4/2
4. Topic selection for next People’s Panel CG/S6/24/4/3(P)

Committee debates this Parliamentary year

Debate no.	Date of debate	Committee leading the debate	Title of debate
1	21/09/2023	Criminal Justice Committee	Tackling online child abuse, grooming and exploitation
2	26/10/2023	Citizen Participation & Public Petitions Committee	Embedding Public Participation in the work of the Parliament
3	7/11/2023	Net Zero, Energy & Transport Committee	A Modern and Sustainable Ferry Service for Scotland
4	16/11/2023	Constitution, Europe, External Affairs & Culture Committee	Culture in Communities: The challenges and opportunities in delivering a place based approach
5	28/11/2023	Health, Social Care & Sport Committee	Female participation in sport and physical activity
6	12/12/2023	Equalities, Human Rights & Civil Justice Committee	Asylum Seekers in Scotland
7	09/01/2023	Constitution, Europe, External Affairs & Culture Committee	How is Devolution Changing Post-EU
8	14/03/2024	Social Justice and Social Security Committee	Addressing Child Poverty through parental employment
9	02/05/2024	Citizen Participation & Public Petitions Committee	Petition: create an Unborn Victims of Violence Act
10	23/05/2024	Public Audit Committee	Audit Scotland report, Adult mental health
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12	Intentionally blank	Intentionally blank	Intentionally blank

Contact details for the clerk

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Conveners Group
Wednesday 29 May 2024
4th Meeting, 2024 (Session 6)

CG Session 6 Strategic Priority on net zero scrutiny: update on Climate Change Plan and proposed Climate Change Bill

Introduction

1. On 18 April 2024, the Scottish Government announced its intention to bring forward expedited climate legislation to change Scotland's interim climate targets (whilst retaining the commitment to net zero by 2045) and to replace Scotland's current system of annual carbon targets with a target approach that is based on five-yearly carbon budgets.
2. A brief background on the Climate Change Plan, Scottish Government announcement and Climate Change Committee advice is provided below.
3. In this meeting, the Convener of the Net Zero, Energy and Transport (NZET) Committee will provide a brief oral update from that Committee's 28 May meeting with the Cabinet Secretary for Net Zero and Energy to discuss the Scottish Government programme of work on climate change.
4. The Conveners Group will then hear from two NZET Advisers, [Dr Kirsten Jenkins](#), University of Edinburgh and [Professor Colin Reid](#), University of Dundee, alongside Niall Kerr from SPICe.
5. The Advisers will provide a brief overview of key developments and their reflections on key areas for scrutiny. This will cover carbon budgets, including key considerations about legislating for carbon budgeting set out at the SPICe seminar on 22 May with the Climate Change Committee, chaired by Ariane Burgess MSP. It will also include recent court cases on national climate change plans, including the [European Court of Human Rights judgement on in the Verein KlimaSeniorinnen Schweiz and Others v. Switzerland case](#) and the [High Court judgement on the UK government's Net Zero Strategy](#). This will be followed by time for questions and discussion.
6. An update on the work to deliver the Strategic Priority on net zero scrutiny will be provided at CG's next meeting in June.

Climate Change Plan

7. The [Climate Change \(Scotland\) Act 2009](#) requires the Scottish Government to lay a Climate Change Plan (CCP) before the Scottish Parliament every 5 years. While [the last full CCP was in 2018](#), there was a [CCP update in 2020](#) that resulted from the [Climate Change \(Emissions Reduction Targets\)\(Scotland\) Act 2019](#) which amended the 2009 Act to commit to a new target of net zero emissions by 2045.

8. The deadline for the publication of the new final CCP is March 2025. This plan will apply to the critical period of 2024-2040, and thus cover both 2030 and 2040, for which there are interim targets of at least 75% and 90% reduction (from a 1990 baseline) set in the 2019 Act.
9. [A draft CCP had been expected in November 2023](#), but in a [letter from the Cabinet Secretary to the NZET Committee on 7 November 2023](#) the Cabinet Secretary took the 'difficult decision to delay the draft'.
10. Under the terms of section 35 of the Climate Change (Scotland) Act the deadline for laying a final Plan in Parliament covering the period 2025 to 2040 is 23 March 2025. Under the terms of the Act this must allow 120 days for Parliamentary scrutiny of a draft (of which no fewer than 60 must be days on which the Parliament is not dissolved or in recess). Therefore, the legal deadline for laying a draft of the Plan is November 2024.

Scottish Government announcement

11. In a [Ministerial Statement to Parliament on 18 April](#), the Cabinet Secretary for Wellbeing Economy, Net Zero and Energy announced legislation to reflect a revised timetable for achieving net zero by 2045, based on carbon budgeting, alongside a [climate change policy package](#), of 19 actions across policy areas including transport and land use.
12. [SPICe published a blog on 19 April 2024](#), focused on the policy commitments made in the policy package, setting them in the context of previous Scottish Government actions and announcements.
13. On 10 May 2024, the [Cabinet Secretary for Net Zero and Energy wrote to the Net Zero, Energy and Transport Committee](#). The Cabinet Secretary stated that: "As I set out in Parliament on 18 April, proposed amendments to climate change legislation are being developed to address a narrow range of revisions to the legislative framework, with the purpose of realigning our target pathway with Climate Change Committee advice, alongside moving to an approach based on 5-yearly carbon budgets." She also stated that "development of the next Climate Change Plan is now continuing in the context of forthcoming proposals for legislative change. My immediate priority is to address the points raised by the CCC in their latest progress report and introduce legislation to Parliament in due course." No statement on timing has since been made.

Climate Change Committee advice

14. In an evidence session on 23 April arranged prior to the Scottish Government's 18 April announcement, the NZET Committee heard from the Climate Change Committee (CCC) to examine its [2023 Progress Report to the Scottish Parliament](#). The Committee heard from Professor Keith Bell, Scotland Champion, CCC, and Chris Stark, Chief Executive, CCC.
15. On 14 May 2024, [the CCC published a letter by the Interim Chair \(Professor Piers Forster\)](#) to the Cabinet Secretary for Net Zero and Energy, providing advice in response to a request about how to design and implement carbon budgets in

Scotland. This stated that “It is deeply disappointing that the Scottish Government has decided to withdraw its 2030 and 2040 interim targets. We are reassured that the 2045 Net Zero target will remain in place, as this remains the correct target for Scotland.” It called on the Scottish Government to “act quickly to implement a new legal framework, bringing its approach in line with the other nations of the UK” and stated that “five-year carbon budgets are most appropriate” and that “The Scottish Government should be proactive and transparent in monitoring and evaluating progress. It should also continue to ask the Committee to assess its progress in reducing emissions regularly.”

16. On 22 May 2024, SPICe hosted a breakfast seminar on “How will Scotland achieve Net Zero now? Lifting the lid on carbon budgets” with Dr Emily Nurse, Head of Net Zero at the CCC. This was chaired by Ariane Burgess MSP.

Conclusion

17. The Conveners Group is invited to:

- **Note the briefing and how this informs ongoing scrutiny of net zero issues, and**
- **Note that an update on the work to deliver the Strategic Priority on net zero scrutiny will be provided at CG’s next meeting in June**

**Conveners Group Team
May 2024**

Conveners Group
Wednesday 29 May 2024
4th Meeting, 2024 (Session 6)

Participation, Diversity and Inclusion: Annual Report 2023/24

Introduction

1. In September 2023, CG agreed a number of steps to implement its participation, diversity and inclusion strategic priority, with the overall aim of enhancing scrutiny by hearing from a wider range of voices in committee work.
2. This report outlines what has been achieved in 2023/24 and actions proposed for 2024/25.
3. **The Conveners Group is invited to:**
 - **Review progress to date.**
 - **Agree or amend the actions proposed for next year.**

Summary of 2023/24 activity

4. The annex summarises committee activity supported by the Participation and Communities Team (PACT) between April 2023 and March 2024.
5. PACT supported engagement with 997 people this year compared to 707 the previous year and worked with 160 partner organisations compared to 124 the year before. This is very welcome as it shows committees are reaching more widely, as long as we recognise that very focused engagement also has great value – for example the lived experience engagement on the safe access zones bill involved a very small number of people but still made a meaningful contribution to the committee’s scrutiny. (That engagement also highlighted the real challenges of supporting witness to understand fully what is involved in giving public evidence – one individual wanted her evidence to be removed from the record afterwards, which is not a request that could be accommodated given the Parliament’s duties to maintain an accurate public record of proceedings).
6. Engagement outwith committee meetings, whether in communities or in the Parliament building, will always be a key component of our approach and the best way of engaging for many people. There have though been some powerful examples where PACT has worked with people to build confidence to give evidence to committees in formal meetings – for example, the self-directed support lived experience panels (see para 26) and the representatives of the Climate Change Act people’s panel.
7. There are also external visits supported by clerking teams without PACT involvement and we will aim to include these in next year’s report to give a full picture of external engagement by committees.

8. All participants are invited to complete a survey after they have engaged with us. From around a 15% response rate, participants' average rating out of 5 was:
 - whether they think their views will be valued - **4.1**
 - whether they would be likely to get involved in future in the work of the Parliament - **4.4**
9. Further survey results are in the annexe.
10. PACT, Committee Office & PCO supported over 16,000 individuals and organisations to respond to calls for views via Citizen Space. This is a smaller response to calls for views than the previous year but that year included the huge number of responses received on the Gender Recognition Reform Bill.
11. Nearly 1,300 people contributed via Your Priorities, a digital platform which allows people to add, comment on and rate different ideas in a more interactive way. The number of people taking part on Your Priorities tripled this year, reflecting our growing experience in using this tool.
12. We also held a Third Sector in the Parliament conference in September 2023. 63 delegates from 50 organisations came to learn about the Parliament's work with the sector, participate in workshops to encourage deeper collaboration between Parliament and the third sector, and foster networking between third sector staff, Parliament staff and MSPs.

Witness diversity survey

Progress

13. The aim of the witness diversity survey is to help us better understand who Committees are hearing from and identify any areas where it would be helpful to try and broaden the diversity of witnesses. The Group agreed the questions for the survey in March 2022.
14. The survey runs each parliamentary year. The first survey (13 May 2022 - 12 May 2023) was designed to establish a baseline so we could track how that is changing over time. The estimated response rate in the first year was only 24%. This meant the data was not robust enough to set a baseline as the results only represent a small subset of committee witnesses. Unfortunately, the results for the second survey (13 May 2023 - 12 May 2024) give an estimated response rate of 24% and therefore no improvement from last year. The average response rate to online surveys is around 30%. However, to be able to undertake analysis by committee, the response rate might need to be higher given that there is variation in the number of responses by committee.
15. This is another disappointing result for the second year of the survey. Our current approach is to send a link to the survey when a witness has confirmed they are attending committee, explaining why the information is being collected and why it is important. This is followed up by a reminder about the survey when sending a thank you email after attendance. Officials have engaged with

counterparts in UK, Wales and Northern Ireland institutions to share ideas on increasing the response rate. The approaches in other parts of the UK are:

Northern Ireland Assembly

16. A pilot survey was run by a previous committee - the Ad Hoc Committee on a Bill of Rights - whose work has now completed, and the committee dissolved. There appears little appetite for other committees to take this up, and it would be politically sensitive for some members.

Senedd

17. Now in its third year of running a witness diversity survey, following two pilots. The first pilot only achieved a response rate of 18%. This was increased to 41% in the second pilot, and for the current survey, the response rate is hovering around 35%.

18. Several administrative changes were made between Pilot 1 and 2.

- Using an automatically generated, branded, email to invite people to take part in the survey. These are personalised to refer to the specific date and time of the activity and are followed up with a reminder after 7 days.
- Many clerking teams will encourage participation by mentioning the benefits of completing the survey.

19. According to Senedd colleagues, it is difficult to be entirely sure, but they think these changes have improved the response rate.

20. Further information on their approach: [Why the Senedd values diverse evidence](#).

House of Commons

21. The response rate for their witness diversity survey in 2022-23 was 27%, which was a fall from 31% in the previous year.

22. The House of Commons also publish a breakdown of witnesses by gender, based on observation. This is something that the Scottish Parliament and Senedd has moved away from. Results are included in the [sessional returns](#) under select committee witness diversity.

23. The Chamber Engagement Team has had some success in increasing the response rate to an engagement survey by including an 'image' within the email that showed the first few questions. They found that people were more likely to click on it to enter an answer. However, this has not been tried yet for the witness survey.

Next step

24. We have been considering ways to increase the response rate. This includes providing additional ways to access the survey, such as QR codes, or as in the

example above, using an image of the survey. We will also review the text which is emailed to witnesses, and how to make sure that there is a follow-up for those who don't respond first time. As far as we can tell, the length of the survey is not a determining factor (and our survey is shorter than the Senedd/House of Commons). The challenge is encouraging people to open the survey in the first place.

Removing barriers to participation

25. CG agreed a number of steps to remove barriers to participation.

Overcoming time/place barriers

Progress

26. CG noted the challenge of matching the availability of members with the times/locations most likely to suit public participants. PACT has delivered some successful engagement without members present, for example:

- **Visitor Levy (Scotland) Bill:** PACT ran 5 community meetings to gather public input to inform questioning on the Bill. 4 were in-person meetings in Arran, Gairloch, Loch Goil and Edinburgh and there was also an online meeting with people from all over Scotland. Participants included local residents, community council members, accommodation and community tourism providers and community organisations.
- **Self-directed support:** PACT supported 5 stakeholder engagement groups to develop recommendations for the Health, Social Care and Sport Committee about what the focus should be for Phase 2 of its scrutiny, the groups covered: individuals with experience of SDS; carers; social work staff; social care staff; and social care providers. The engagement was designed and delivered by officials from PACT, SPICe and clerking, and enabled a wide range of individuals to take part with only one or two from each panel giving evidence to the Committee at the end of the process.

27. Conveners with experience of this kind of engagement may wish to comment on its impact or whether it could be further developed. PACT's experience is that it is preferable for engagement to be planned without Members present to feed into scrutiny than for Members to have to withdraw at the last minute, which can have a very detrimental effect on how valued participants feel.

Next steps

28. CG also agreed to review the potential to make more use of MSP reporters to reduce the demands on the time of the committee as a whole. Conveners may wish to comment on opportunities to test this option - we can bring further thoughts on this to CG at the next PD&I update.

Payment for participation

Progress

29. The payment for participation policy has been agreed by SPCB and came into effect on 1 April.

Next steps

30. We are currently finalising the guidance for staff and participants. An update on the use and impact of the policy will be included in next year's report.

Public involvement in agenda setting

Progress

31. This has not been widely tested but the SDS panels mentioned at paragraph 26 were a good example of public input being used to shape the focus for an inquiry.

Next steps

32. PACT and Committee Office will explore between now and September (when some committees will be holding business planning days or reviewing work programmes) further opportunities to test how public participation might help shape inquiry remits. At this stage in the session there is probably more potential for shaping inquiries than for contributing to overall work programmes. However, the Presiding Officer's programme of regional visits now underway may also provide opportunities to explore with members of the public how they might want to contribute to committee agenda setting.

Accessibility

Progress

33. To increase the accessibility of our work, Committees are able to provide materials in BSL, easy read (for adults with learning disabilities), Gaelic and other non-English languages.

34. Seven calls for views were made BSL accessible with many of the consultations receiving responses from the BSL community. A summary report on the inquiry into public participation was published in BSL (along with six other languages).

35. All of these (apart from the call for views on the Scottish Languages Bill) were also made available in easy read. The first ever call for views in Scots was produced for consultation on the Scottish Languages Bill.

36. A challenge for Committees is that preparing in other formats or languages takes about 2 weeks and this has often resulted in English versions launching ahead of the accessible versions. This is a risk Committees need to manage to ensure

that all communities we are seeking to hear from feel that their views are of equal value and that they will be given the same amount of time to respond.

37. The Disability Commissioner (Scotland) Bill call for views included a pilot of using WhatsApp as a method for BSL users to directly submit their responses in BSL without having to upload evidence through third-party file sharing websites. The effectiveness of this will be reviewed at the end of the consultation.
38. The Equalities, Human Rights and Civil Justice Committee made good use of interpretation and translation to support its inquiry into asylum seekers in Scotland, enabling participants to share their experiences in Arabic, Farsi and Tigrinya, with the notes of the meetings and feedback forms also being translated.

Next steps

39. It is anticipated that WhatsApp will continue to be trialled for future calls for views, including a public consultation on the Scottish Parliament's second BSL Plan this summer.
40. Parliament staff will continue to offer format, translation and interpretation advice to Committees for each piece of work that includes public engagement. The Parliament will review its languages and format policy by Autumn 2024 based upon the experiences of the past year.

Involving children and young people

Progress

41. As part of the working in partnership agreement with Scottish Youth Parliament, SYP has run a session for about 50 Parliament staff on embedding UNCRC principles in our work. The SPCB is required under the UNCRC Act to report annually (for the first time by July 2025) on actions taken by the Parliament and its committees to further the rights of children and actions they intend to take in the following year. PACT has built a broad network of children and young people's organisations to support this work.
42. There have been some good examples of engagement with children and young people this year – for example, the Education, Children and Young People Committee has regularly involved young people in inquiries such as Equally Safe and Additional Support for Learning.

Next steps

43. We are currently mapping the actions already underway within the Parliament and the opportunities for greater participation by children and young people across the whole work of Parliament. This will be used to continue our dialogue with partner organisations, and also directly with children and young people, on what a rights-based approach to involvement in the Parliament looks like.

44. We are also working on the first delivery plan for our working in partnership agreement with the Children's Parliament. The SYP's sitting in the Parliament in October will be a further significant opportunity for committees to engage with young people on topics of shared interest.
45. We are also supporting a new cohort of the Young Women Lead programme (which ran in the previous session) in partnership with the Young Women's Movement. The programme is focussing on democratic wellbeing and the recommendations should be helpful in considering how to improve engagement with this demographic.

Trauma-informed practice

Progress

46. Conveners Group agreed in September a statement of commitment to trauma-informed working. Committee agendas over the past year have provided significant opportunities to develop our approaches to working on highly sensitive topics, including safe access zones and the experiences of victims of sexual crime in the justice system. Participants have been very welcoming of our approach – for example:

“I appreciated the chance to ask questions before hand and having a continuous contact through the lead up to and during the event, and that questions and comments were considered and supportive. Thank you all for making it a decidedly less daunting experience than it could have been”.

(Abortion Services (Safe Access Zones) (Scotland) Bill)

“My sense is that every survivor felt they were able to say all the key things they wanted to, which is testament to the preparation for the session and how it was conducted by everyone present”. **(Victims, Witnesses and Justice Reform (Scotland) Bill)**

Next steps

47. A cross-Parliament group of officials is working with our Organisational Development team on a statement of training requirements in this area, which will incorporate the needs of SPCB staff, MSPs and MSP staff. Committee Office are developing guidance for committee clerks on trauma-informed approaches to witnesses. The officials' group is also reviewing our risk assessment processes, and the potential need for content warnings for some of our materials and activities.

Deliberative democracy

Progress

48. The CPPP Committee report on participation set out the potential value of deliberative democracy to increase the diversity of public participation and increase trust in the political process. As recommended by CPPPC and

endorsed by the whole Parliament, PACT has now run the first of two pilot people's panels for the NZET committee, on the Scottish Government's public engagement duty under the Climate Change (Scotland) Act. Panel members gave evidence to the committee which has sent their 18 recommendations to the Cabinet Secretary for a response. The panel was independently evaluated by a team from Edinburgh University.

Next steps

49. The second pilot panel will run this autumn, and CG has a separate paper for this meeting on the proposed topic. The same external evaluators will evaluate the second panel and publish a full report and recommendations from both panels in early 2025. This will help to inform the participation blueprint which CPPPC have recommended is drawn up for session 7.

Gender sensitive scrutiny

Progress

50. CG agreed that guidance should be produced for clerking teams and SPICe to ensure that, when they are approaching scrutiny of a bill or inquiry, they are able to do so in a gender sensitive way (one of the recommendations of the Gender Sensitive Audit). Officials have now drafted practical guidance on gender sensitive scrutiny. This guidance draws extensively from the research undertaken by Hannah Johnson for Inter Pares, on [Gender Sensitive Scrutiny: A guide to more effective law making and oversight](#).

Next steps

51. Officials will identify opportunities for committees to test the guidance. Training will be developed to assist clerks and SPICe to implement the guidance in their role supporting committee scrutiny.
52. Officials will also commission a piece of qualitative research, recruiting an academic fellow to examine the gender sensitivity of legislation, using examples from the last Parliamentary session, and to make recommendations on areas for improvement. The working title of the project is **An examination of how committees scrutinise the gender sensitivity of the policy that is reflected in the legislation before them**. The fellow will be asked to review the policy through a gender sensitive lens from a broad perspective (including less obviously gendered areas like rural or transport), analyse the scrutiny that did take place and explore how it would have been different if a gender sensitive approach had been adopted. It is hoped the research will assist clerks and SPICe to build case studies and further develop the draft guidance, as well as identifying lessons that can be learned across committees.

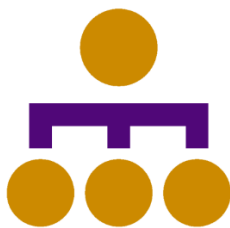
Annexe: Participation activity supported by PACT 2023-24

PACT's purpose is to create safe and welcoming spaces for individuals and communities in Scotland to contribute their views and experiences to committee work, resulting in more balanced and informed scrutiny. We aim to design engagement methods that align with people's preferences and support SPS staff and MSPs in developing their engagement capabilities.

Who has participated?

Community Engagement

Worked in partnership with:



124 organisations

And there were



314

Community/relationship building sessions and Parliamentary awareness sessions.

707

Involved in committee engagement

Digital Engagement

17,704 members of the public engaged with the Scottish Parliament this year.



Citizen Space

Call for Views has led to **16,446** written submissions received this year.

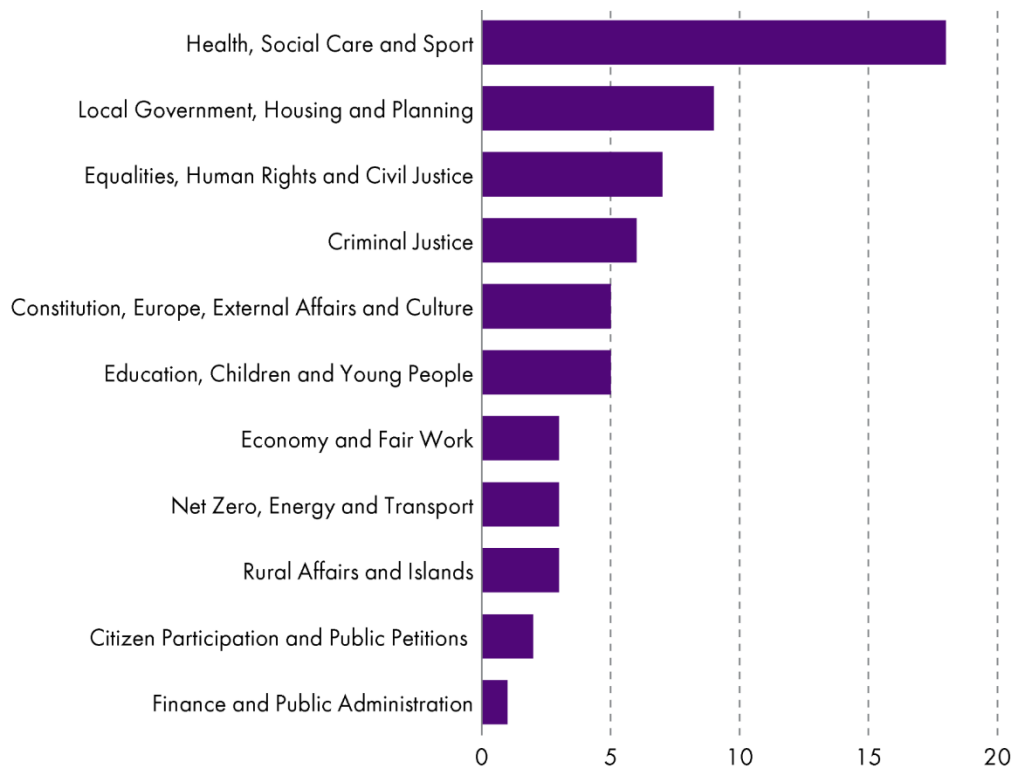


Your Priorities

Has supported engagement from **1,258** people.

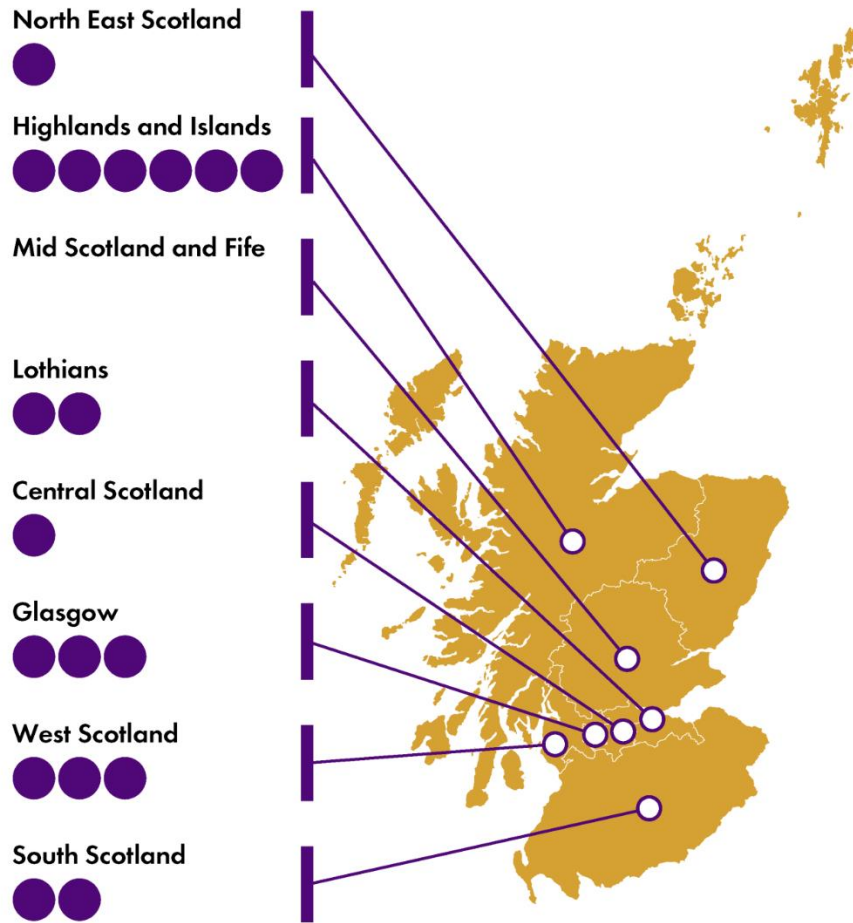


Which committees took part?



Where did engagement take place?





What did people think of the engagement?

Participant Feedback

