

#### **Conveners Group**

# **Annual Report of the Conveners Group** 2024-25



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### **Conveners Group Membership**



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#### Introduction

- 1. This second annual report of the Conveners Group details examples of the work undertaken by committees in the Parliamentary year 2024/25, demonstrating ways in which they strive to achieve the Group's strategic priorities, as well as highlighting their scrutiny activity during the reporting period.
- 2. The Conveners Group is made up of Conveners from each of the Parliament's committees and is chaired by one of the Deputy Presiding Officers. The Group has six primary functions set out in <u>Standing Orders</u>. These are to:
  - consider and make recommendations in connection with the operation of committees;
  - report to and be consulted by the Parliamentary Bureau on questions regarding competence under Rule 6.13;
  - report to and be consulted by the Parliamentary Bureau on any decision on joint consideration by committees under Rule 6.14;
  - decide with the Parliamentary Bureau on the approval of the place in Scotland of a committee meeting in accordance with Rule 12.3.2;
  - decide with the Parliamentary Bureau on the approval of travel by a committee member outwith the United Kingdom in accordance with Rule 12.10; and
  - refer matters to the Parliamentary Bureau, a committee or the Parliamentary corporation where it considers it appropriate to do so.
- 3. At the start of session 6, the Group agreed to take a more proactive role when it comes to scrutiny of systematic issues, including championing innovative forms of scrutiny. As such, it agreed to progress the following four strategic priorities:
  - Cross committee working, with an initial focus on net zero and post-EU scrutiny
  - Participation, diversity and inclusion
  - Post-legislative scrutiny
  - Supporting Members as parliamentarians: continuous professional development for Members
- 4. These priorities and actions to achieving them are set out in more detail in the following sections.

#### **The Strategic Priorities**

#### **Strategic priority: Cross Committee Working**

5. The Group agreed to prioritise cross-committee working on net zero and post-EU scrutiny because these subject areas impact almost all of the committee remits. A collaborative approach across committee teams ensures that issues in policy areas that may fall within the remit of several committees can be discussed and examined by all. While net zero and post-EU scrutiny continue to be a focus, with the Group having received regular updates on progress in these areas in the last year, committees have also worked collaboratively in other subject areas.

#### **Net zero scrutiny**

- 6. The Net Zero, Energy and Transport Committee (NZET) Committee has a lead role in delivering the Conveners Group's strategic priority to strengthen crosscutting scrutiny of climate change, including supporting and encouraging other committees to effectively embed climate scrutiny in their own work. Under this priority, bespoke support is provided to MSPs, their staff and SPS staff to support scrutiny of climate change across committee portfolios.
- 7. This has included partnering with the UK Research and Innovation Economic and Social Research Council (UKRI-ESRC) and the Universities of Edinburgh, Glasgow, Strathclyde and Stirling, to fund a dedicated post to develop diverse networks with academics across Scotland, the UK and globally. This has enhanced institutional support to Members to access diverse research evidence and expertise to support scrutiny of climate change. Specific outcomes to June 2025 include:
  - Enhanced awareness of the relevance of climate change and engagement
    with it across parliamentary work, through bespoke on-demand tailored
    support across committees from SPICe researchers and the NZET
    Committee's shared Adviser on Net Zero, published research on the
    relevance of climate change to the policy areas of a further five subject
    committees (following the seven blogs produced against the remits of five
    different committees the previous year), continued roll out of the Scottish
    Parliament's innovative Sustainable Development Impact Assessment (SDIA)
    Tool in scrutiny, and activities to integrate climate change and net zero to
    cross-cutting work by SPICe.
  - Strengthened connections between the Scottish Parliament and strategic partners on climate change, including the UK Climate Change Committee, Audit Scotland, Scottish Fiscal Commission and Environmental Standards Scotland providing regular evidence to the NZET Committee - supporting cross-committee consideration of what 'good' looks like ahead of the draft Climate Change Plan - and participation in SPICe Seminars.
  - Innovated processes to enhance Members' access to the best available diverse research evidence and expertise on climate change, including building academic capacity on policy engagement through presentations to over 175

academics and knowledge exchange professionals, trialling adaptations to existing knowledge exchange processes and piloting new tools, including Areas of Research Interest (ARIs). Through this work, the Parliament has engaged with over 75 academics with expertise on climate change, many of whom have never engaged with the Parliament before. Outputs from this have already begun to support the work of the NZET Committee and we expect other committees to benefit from work done within ARIs over the coming months (especially during scrutiny of the Climate Change Plan) and into the next session.

- Informed consideration of how parliamentary processes and procedures
  enable improved scrutiny coherence on climate change. This includes the
  NZET Committee's response to the Standards, Procedures and Public
  Appointments Committee's inquiry on Committee Effectiveness, in relation to
  strengthening the net zero scrutiny of Bills and increasing Members' access to
  diverse research evidence and expertise. It also includes the NZET
  Committee's response to the Finance and Public Administration Committee's
  inquiry into the Scottish budget process in practice, in relation to how net zero
  ambitions are considered in the Scottish budget process and how this could
  be developed.
- Improved coordination of cross-cutting scrutiny of climate change. Supporting
  cross-parliament communication on climate change and net zero issues and
  scrutiny approaches in relation to changes to climate change primary
  legislation and preparatory scrutiny work on forthcoming secondary legislation
  to set Scotland's carbon budgets and the statutory Climate Change Plan.
- Increased awareness of the model for parliamentary scrutiny of climate change. Through activities to reciprocally share learnings and best practice, via parliamentary delegations (including the National Assembly of Zambia), conferences (including the United Nations Economic and Social Commission for Western Asia meeting on Public Policy Making and Evaluation for Sustainable Development), and delivering a workshop on climate and environment scrutiny for officials from the UK Parliament and other devolved legislatures.

#### **Post-EU scrutiny**

- 8. Following the departure from the EU, the devolved landscape is complex and requires clear leadership in order to navigate these complexities. Post-EU issues are also core to the Parliament as a whole, particularly in relation to its scrutiny role and how it can properly hold government decision-making to account.
- 9. The Constitution, European, External Affairs and Culture Committee (CEEAC Committee) has a lead role in delivering the Group's objectives to enable committees to carry out effective scrutiny of post-EU issues. This has been informed by an action plan in relation to the development and implementation of new scrutiny arrangements to support post-EU scrutiny, key priorities being enhanced scrutiny of the Scottish Government's policy to align with EU law, use of the powers within the Retained EU Law (Revocation and Reform) Act 2023 (REUL Act 2023), and Inter-governmental relations (IGR). The Group considered

- updates on progress and implementation of new scrutiny arrangements which are relevant to its strategic priority on post-EU scrutiny at its meetings on 26 June 2024 and 26 February 2025.
- 10. Significant progress has been made in delivering new scrutiny arrangements in a number of post-EU areas. For example, agreement has been reached with Scottish Ministers on the level of information to be provided on the impact of the Scottish Government's commitment to align with EU law when introducing legislation. This applies to primary legislation, Scottish Statutory Instruments (SSIs), and Legislative Consent Memorandums (LCMs). The same agreement also sets out that information on the UK Internal Market Act 2020 should be provided for Bills, SSIs and LCMs. Agreement has also been reached with regards to Ministerial reporting on the use of the REUL Act 2023 powers and the Scottish Government's role in the UK-EU Trade and Co-operation Agreement Partnership Council and Specialised Committees.
- 11. The Delegated Powers and Law Reform Committee has continued to raise the issue of the scrutiny of secondary legislation made by UK Ministers including provisions within devolved competence. It wrote to the <a href="Scottish Government">Scottish Government</a> and <a href="UK Government">UK Government</a> in December 2024, with responses received from both the <a href="Cabinet Secretary for Constitution, External Affairs and Culture">Cabinet Secretary for Constitution</a>, External Affairs and Culture and the <a href="Chancellor of the Duchy of Lancaster">Chancellor of the Duchy of Lancaster</a>. The Committee also continues to consider such issues regularly in the course of its scrutiny of delegated powers in LCMs.
- 12. Reporting on Common Frameworks and the operation of the process to consider exclusions to the market access principles in the UK Internal Market Act 2020 (UKIMA) remains outstanding. The CEEAC Committee provided a submission to the UK Government's UK Internal Market Act 2020: review and consultation relating to Parts 1, 2, 3 and 4 and has invited the relevant UKG Minister to a meeting when the results of the review and consultation are published. External research has also been commissioned by the Committee jointly with the Scottish Government on the operation of the IGR Written Agreement prior to a wider review of the Parliament's scrutiny of IGR; and work continues between officials in relation to the review of that Agreement, including the UKIMA exclusions process and common framework reporting.
- 13. During the timeframe of this annual report the CEEAC Committee has also led on the following actions:
  - Reached agreement with the Scottish Government on the level of information to be provided in relation to working arrangements in relation to both the scrutiny of the UK EU Trade and Cooperation Agreement and bi-annual updates in relation to the REUL Act 2023 (as noted above);
  - Considered the <u>third EU law Tracker report</u> and <u>the fourth EU law tracker report</u> and shared a number of case studies with the relevant subject committees;
  - Considered and shared a number of new case studies with relevant subject committees;

- Considered and agreed the recommendations of the independent research on the review of the IGR <u>Written Agreement between the Scottish</u> Government and the Scottish Parliament;
- Invited the new UK Government to respond to the findings of its report on <u>How Devolution is Changing Post-EU</u>.
- 14. The CEEAC Committee noted at its meeting on 12 December 2024 that until further information is available from the UK Government regarding the resetting of relations with the devolved governments, the work which Scottish Parliament officials and Scottish Government officials have been progressing in relation is on hold. Work does continue, however, between officials in relation to the review of the IGR Written Agreement including, the UKIMA exclusions process and common framework reporting.

## Scrutiny of the efforts in Scotland to reduce the number of deaths from the misuse of drugs

- 15. Scotland has one of the highest rates of drug-induced deaths in Europe. The Scottish Government has established a National Mission to reduce deaths and improve the lives of people impacted by drugs. The Criminal Justice Committee, the Health, Social Care and Sport Committee and the Social Justice and Social Security Committee have been meeting collectively to scrutinise the efforts to tackle this problem and reduce deaths. In their joint meetings, these committees have held ministers and other public bodies to account for their efforts and for monitoring the progress made with delivering the recommendations from the Scottish Drugs Deaths Taskforce.
- 16. As part of this ongoing work, on 14 November 2024, the 3 committees held a joint evidence session to consider the progress made on the implementation of the recommendations of the Scottish Drug Deaths Taskforce.
- 17. On 8 January 2025, the Lord Advocate <u>wrote</u> to the Members of the three committees, enclosing a statement of prosecution policy relating to the safer drug consumption facility in Glasgow for the duration of its pilot. This letter was a follow-up to two previous letters from the Lord Advocate on this matter. In January, some of the Members of the three committees visited the safer drug consumption facility, The Thistle, prior to its opening.
- 18. On 20 February 2025, Members of the Health, Social Care and Sport Committee and the Social Justice and Social Security Committee held a joint evidence session to consider the recommendations contained in the People's Panel report on reducing drug harm and drug deaths in Scotland. The panel consisted of 23 randomly selected participants from across Scotland On 6 March 2025, the three committees held a debate in the Chamber on the recommendations made by the People's Panel.
- 19. The People's Panel has provided valuable insights and actionable recommendations that have influenced policy and practice in Scotland. The collaborative approach and commitment to implementing these recommendations

demonstrate how public participation in scrutiny can contribute towards tackling a public health emergency.

#### **Aarhus Convention**

20. The Aarhus Convention (the Convention) is a UN treaty from 1998 with a focus on environmental rights from a governance or procedural perspective. It is aimed at improving 'environmental democracy', i.e. the ability of the public to assert their rights, including in the courts. Access to justice has been a key concern for the Equalities, Human Rights and Civil Justice Committee and the NZET Committee throughout the session. The committees held sessions on Scotland's lack of compliance with the Convention in November 2024. On the basis of this shared interest, the committees agreed to hold a joint chamber debate to explore the issue from their different perspectives on 3 April 2025. This has subsequently informed the Equalities, Human Rights and Civil Justice Committee's ongoing work on civil legal aid.

#### Framework legislation and Henry VIII powers inquiry

21. The Delegated Powers and Law Reform Committee engaged with parliamentarians from many jurisdictions in the course of its <u>inquiry into</u> <u>framework legislation and Henry VIII powers</u>. The Committee received written responses from many Commonwealth Parliamentary Association colleagues, including Cyprus, New South Wales, the Senedd, New Zealand, and Alberta, as well as from the Flemish and Estonian Parliaments. The Committee also met with Members of the House of Lords, including its counterpart Delegated Powers and Regulatory Reform Committee, and had an online meeting with the Chair of the New South Wales Regulation Review Committee. The Committee also heard from MSPs from other Scottish Parliament committees, including the NZET; Health, Social Care and Sport; Rural Affairs and Islands; Finance and Public Administration; and Local Government, Housing and Planning Committees.

#### Decarbonising heat in homes

22. In February 2024, the Public Audit Committee heard evidence from the Auditor General for Scotland (AGS) on his report on Decarbonising heat in homes. The Committee heard further evidence on the report from the Scottish Government at its meeting in March 2024. The AGS's report considers the actions that relate to housing in the Scottish Government's "Heat in Buildings Strategy: Achieving Net Zero Emissions in Scotland's Buildings". It also looks at the scale of the challenge that the Scottish Government faces in reducing emissions from heating homes, what steps it has taken so far and what is still to be done. Following conclusion of its scrutiny in April 2024, the Committee wrote to both NZET and the Local Government, Housing and Planning Committees to highlight issues which had arisen and were of relevance to their work.

#### **National Outcomes**

23. The Finance and Public Administration Committee (FPA Committee) co-ordinated the Scottish Parliament's scrutiny of the proposed National Outcomes as part of the Scottish Government's statutory review. The Committee launched a joint call for views in autumn/winter 2024. This enabled subject committees to consider the evidence received on the proposed National Outcomes within their respective remits. The FPA Committee focused its scrutiny on the overarching National Performance Framework, the Government's approach to the statutory review and implementation of the National Outcomes. It reported its views in November 2024. The Committee liaised with the Scottish Government to provide more time than is specified in legislation for committee scrutiny. The Parliament's scrutiny led to the Deputy First Minister announcing a fundamental review of the National Performance Framework, which is currently underway.

#### **Inquiry into Committee effectiveness**

24. The Standards, Procedures and Public Appointments Committee launched an inquiry into committee effectiveness in the reporting period for this annual report. It invited all other parliamentary committees to share their views on issues relating to the operation of committees and whether any changes could be made to either procedures or practices to improve the operation of committee and the scrutiny they carry out. The Committee also welcomed the opportunity to discuss matters relating to committee effectiveness with the Conveners Group.

#### Strategic priority: Participation, Diversity and Inclusion

- 25. The aim of the participation, diversity and inclusion strategic priority is to enhance committee scrutiny by hearing from a wider range of voices in committee work. In 2024/25, the Participation and Communities Team (PACT) supported in-person engagement with around 1,500 people from a wide range of groups and backgrounds, supported by almost 300 partner organisations. Over 22,000 individuals and organisations responded on Citizen Space to committee calls for views. Evaluation of participation showed that most participants were likely to get involved in future in the work of the Parliament (average rating: 4.6/5) and most agreed that their views would be valued (average rating: 3.9/5). This included people taking part in highly sensitive evidence on Bills, such as the Assisted Dying for Terminally III Adults (Scotland) Bill and the Right to Addiction Recovery (Scotland) Bill.
- 26. The Conveners Group sets several specific actions for removing barriers to participation. Progress made this year has included developing experience of participation without Members being present; learning from the Presiding Officer's communities programme about getting local community input to help shape the Parliament's work; and the Parliament's first report under the United Nations Convention on the Rights of a Child (Incorporation) (Scotland) Act 2024 on involving children and young people. The development of a blueprint for embedding People's Panels in the work of the Parliament in session 7 is covered in the following section.

#### **Citizen Participation and Public Petitions Committee**

- 27. The Citizen Participation and Public Petitions Committee (CPPP Committee) reported in September 2023 on its inquiry on how to embed public participation in the work of the Scottish Parliament.
- 28. The CPPP Committee continued its work on participation through the development of a blueprint for embedding deliberative democracy in the Scottish Parliament. The Committee agreed a draft blueprint which was then consulted on, notably through a workshop with experts and practitioners in the area of participation and deliberative democracy. An updated version of the blueprint together with a short report were agreed by the Committee and a committee debate was held in the Chamber on Tuesday, 3 June 2025. Motion S6M-17733 welcoming the report and blueprint and endorsing the principles set out in the blueprint was agreed by the Parliament following this debate.
- 29. The Parliament's petitions system also continues to be a powerful way for people to participate in the work of the Parliament. Over the course of the year, the Committee considered 160 petitions, 62 of which were first considered in this parliamentary year.

#### **Education, Children and Young People Committee**

- 30. The Education, Children and Young People Committee has sought to close an important feedback loop with children and young people who have inputted into the Committee's work. In November 2024, the Committee wrote to Who Cares? Scotland, following an event they had facilitated earlier in the year. This brought together 37 care-experienced young people from across Scotland with Committee Members, setting out how the young people's input at that event had made a difference. This included the Committee writing to the Minister for Children, Young People and the Promise to highlight issues raised in that session and facilitating a series of formal evidence sessions on topics including workforce recruitment and retention and whole family support.
- 31. The Committee also considered how young people's voices were contributing towards work to implement the Promise at a local level, examining whether those young people felt their voices were truly being listened to. Who Cares? Scotland used the feedback shared by the Committee to produce an online presentation, which was disseminated to their membership of over 4,000 care-experienced children, young people and adults.

#### **Rural Affairs and Island Committee**

- 32. The Rural Affairs and Islands (RAI Committee) is keen to ensure that the views of those who live and work in Scotland's rural and island communities are at the heart of its approach to policy scrutiny. As part of the RAI Committee's inquiry into salmon farming, it sought to include the views and experiences of those rural communities where salmon farms are based.
- 33. The Committee met with community representatives to discuss the impact of salmon farms on their local environment, economy and communities, as well as

some who work in salmon farms to hear their experiences. As part of its scrutiny of Part 4 of the Natural Environment (Scotland) Bill, which amends legislation relating to deer management, the Committee visited three estates which practice different forms of deer management to discuss how the legislation would impact on them. The Committee also hosted an online event with deer management practitioners to hear individuals' views on the proposals.

#### **Health, Sport and Social Care Committee**

- 34. During the Health, Sport and Social Care Committee's visit to the Isle of Skye as part of its inquiry into healthcare in remote and rural areas, it undertook informal engagement with staff and members of Skye and Lochalsh Mental Health Association (SLMHA). SLMHA are a local independent charity with 30 years' experience of providing support to local people suffering from mental illness.
- 35. During its Stage 1 scrutiny of the Assisted Dying for Terminally III Adults (Scotland) Bill, the Committee undertook informal engagement with members of the Scottish Assembly. This is an organisation that brings together people with a learning disability and autistic people across Scotland and helps them to engage with the political process and a range of support and services. In advance of the Stage 1 debate on 13 May 2025, the Committee also worked with the Parliament's Public Information office to produce the Executive Summary of the Committee's Stage 1 report on the Assisted Dying for Terminally III Adults (Scotland) Bill in accessible formats, namely British Sign Language, Easy Read and Gaelic. As part of its Stage 1 scrutiny of the Right to Addiction Recovery (Scotland) Bill, on 18 February, the Committee undertook informal engagement with people with lived experience of recovery from alcohol and/or drug addiction.

#### **Public Audit Committee**

- 36. In September 2024, the Public Audit Committee heard evidence from the Auditor General for Scotland on the joint Accounts Commission report, Tackling digital exclusion. The Committee took further evidence from the Scottish Government in October 2024.
- 37. In February 2025, the Committee wrote to the Equalities, Human Rights and Civil Justice Committee to highlight key issues of relevance arising from its scrutiny. This included that for some groups in society, digital exclusion was making it harder to access services and information, search for and apply for jobs online, engage with children's education, access products and services online and increasing social isolation.

#### Standards, Procedures and Public Appointments Committee

38. The Standard, Procedures and Public Appointments Committee has continued its consideration of the recommendations of the Gender Sensitive Audit. While its work on this has still to be concluded, the Committee has set out that it will, as a minimum, recommend to the Parliament that there should be no single sex committees from the start of Session 7.

#### Strategic priority: Post-legislative Scrutiny

39. A greater uptake of post-legislative scrutiny (PLS) inquiries by committees was identified as another priority by the Conveners Group. Since making PLS one of its strategic priorities, the Conveners Group has seen a rapid increase in the number of PLS inquiries from a few in any session to now some ten inquiries so far this session, which is more than all PLS carried out in previous sessions combined. The Parliament has also been able to share its PLS experience with the parliaments of Albania, Nepal, Oyo State in Nigeria, Trinidad and Tobago and Zambia. The Scottish Parliament continues to work with Dr Tom Caygill, Senior Lecturer in Politics, Nottingham Trent University and Academic Fellow in Post-Legislative Scrutiny, to review progress being made on this priority.

#### **Procurement Reform (Scotland) Act 2014**

40. The Economy and Fair Work Committee published a report in June on its post-legislative scrutiny of the Procurement Reform (Scotland) Act 2014. The Committee made recommendations to the Scottish Government on improving Scotland's public procurement processes and widening opportunities.

#### Scrutiny of delayed implementation of Scottish Acts

- 41. The Equalities, Human Rights and Civil Justice Committee took an innovative approach to its post-legislative scrutiny this year. Rather than focusing on the impact of legislation passed by this Parliament, the Committee instead looked at legislation passed by this Parliament that had yet to be implemented and questioned the Government on why it had not implemented the legislation. Specifically, the Committee explored the impact of the delay of the implementation of all, or some provisions within the following three Acts:
  - Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020
  - The Children (Scotland) Act 2020
  - Domestic Abuse Protection (Scotland) Act 2021

#### Understanding reported issues around implementation

- 42. At its meeting on 27 June 2023, the Health, Social Care and Sport Committee agreed to undertake post-legislative scrutiny of the Social Care (Self-directed Support) (Scotland) Act 2013. Since legislation that introduced the concept of self-directed support (SDS) came into force, many stakeholders have reported issues with implementation. They have argued that, as a result, the intent of the legislation has not been fully realised. The purpose of this scrutiny was to understand reported issues around implementation of SDS, examine whether practice is in line with the principles and values of the legislation and explore what future action may be required.
- 43. Having published its Phase 1 report on 3 May 2024, the Committee held oral evidence sessions as part of Phase 2 at its meetings on 4, 11 and 18 June 2024, concluding with an evidence session with the Minister for Social Care, Mental

Wellbeing and Sport at its meeting on 25 June 2024. The Committee published its Phase 2 report on 9 September 2024. The Committee received a response to the report from the Minister for Social Care, Mental Wellbeing and Sport on 4 December 2024.

## Strategic priority: Supporting Members as Parliamentarians - Continuous professional development for Members

- 44. Supporting Members as Parliamentarians is the fourth of the Conveners Group's strategic priorities agreed this Session. The purpose of this strategic priority is to consider how MSPs can be best supported in their scrutiny role, through the provision of training, support and other continuous professional development (CPD).
- 45. During this reporting year the Conveners Group discussed plans for induction and CPD for the next session. The Conveners Group provided feedback to officials to inform planning for induction as part of the 2026 Election Programme and for the development of a medium and long-term programme of CPD for Members during session 7.

## Awareness raising session on how to work in a trauma informed way

46. Members undertook an awareness raising session on taking a trauma-informed and responsive approach to the Social Justice and Social Security Committee's scrutiny work, as preparation for taking evidence during the Committee's inquiry into financial considerations when leaving an abusive relationship. The session assisted Members in taking evidence in a trauma-informed way from victims/survivors of domestic abuse. The Committee Members indicated that the awareness raising session would be useful for new MSPs at the start of the session, to enable them to work in a trauma-informed way both in Parliament and in their constituencies.

## Sessions with the First Minister and the Minister for Parliamentary Business

- 47. The Group has continued to hold is biannual meetings with the First Minister. The first meeting this parliamentary year was on 18 September 2024 and the second, on 26 March 2025. As with previous years, these meetings have provided the opportunity for Conveners to question the First Minister on the Programme for Government, the Scottish Government's budget and areas of interest to committee scrutiny.
- 48. The Group also held its annual meeting with the Minister for Parliamentary Business on 27 November 2024. It discussed matters within the Minister's remit that affect committees, including the timetabling of legislation as well as the management of referred work to committees.

