



The Scottish Parliament
Pàrlamaid na h-Alba

Finance and Public Administration Committee

John-Paul Marks
Permanent Secretary
Scottish Government

By email:

All correspondence c/o
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26 June 2024

Dear John-Paul

Thank you for your letter dated 18 June in which you set out further information arising from your discussions with the Committee at its meeting on 21 May 2024.

The Committee considered your letter at its meeting on 24 June and noted its content. We are, however, disappointed that it did not specifically respond to the question asked by Michelle Thomson. At [column 19 of the Official Report](#) you committed to responding to Michelle's question in relation to addressing the financial risks which could arise when the co-design process takes place during (or after) a Bill's passage through Parliament.

We therefore request a response on how the Scottish Government assesses, manages and mitigates the risks that could additionally arise as a result of the FPAC (and Parliament) being unable to scrutinise the full estimated costs and savings of such co-designed Bills during their passage through Parliament.

By way of further explanation, as you will be aware, the Finance and Public Administration Committee (FPAC) specifically considers the Financial Memorandum (FM) laid alongside a Bill upon introduction. FPAC provides an important function in scrutinising (and testing) the robustness of a Bill's estimated costs and savings, such as on Scotland's public finances, should the Bill be enacted. As the Committee has highlighted to the Scottish Government on a number of occasions, we are concerned that the Committee's FM scrutiny role cannot be fully undertaken for those Bills which are subject co-design at the same time as, or after, the Parliament's Bill scrutiny process. This is because the detail of the Bill (and therefore its FM) is not fully developed. The Committee has responded to the Minister for Parliamentary Business on this issue on 25 June setting out its views in more detail.

We look forward to a receiving a response from you by the end of July but please do not hesitate to contact the Clerks to the Committee should you wish to discuss this further.

Kind Regards

Kenneth Gibson MSP
Convener
Finance and Public Administration Committee