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Standards, Procedures and Public Appointments Committee

Gender balance on the Parliamentary Bureau and SPCB



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Standards, Procedures and Public Appointments Committee

1. The remit of the Standards, Procedures and Public Appointments Committee is to consider and report on—
 - (a) the practice and procedures of the Parliament in relation to its business;
 - (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
 - (c) the adoption, amendment and application of any Code of Conduct for members;
 - (d) matters relating to public appointments in Scotland; and
 - (e) matters relating to the regulation of lobbying.



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Introduction

1. Following the Scottish Parliament elections in 2016, an all-male Parliamentary Bureau was appointed and an all-male SPCB was elected.
2. The Presiding Officer subsequently wrote to the Standards, Procedures and Public Appointments Committee on 16 June 2016, on behalf of the SPCB and Parliamentary Bureau, about the gender balance on these bodies. The Presiding Officer commented that the lack of gender balance reflected poorly on the Parliament given its strong commitment to equal opportunities.
3. The Presiding Officer asked the Committee to consider a change to Standing Orders to provide that “specific regard is given to gender balance” when both bodies are established. The correspondence between the Presiding Officer and the Committee can be found at Annexe B.
4. In this report the Committee proposes some changes to Standing Orders to address this issue.

Consideration by the Committee

5. The Committee discussed the issue of gender balance at a committee meeting on 6 October 2016. The Committee shared the Presiding Officer’s concerns about the current lack of gender balance on the Parliamentary Bureau and the SPCB.
6. The Committee looked at the reasons why this position had arisen. In the case of the Parliamentary Bureau, the parties each nominated a member of the Bureau, but it was only when the nominations were revealed that the lack of gender balance became apparent. Similarly, in the case of the SPCB, it was only when the list of nominated members was announced that it became clear that the nominees were all male.
7. The Committee considered carefully how this situation might be addressed.
8. In doing so, the Committee was clear that it did not wish to fundamentally change the procedures for selecting members of the Parliamentary Bureau and SPCB, which have generally worked well. Similarly, the Committee did not wish to restrict the right of members to decide who best to represent them on these bodies. Nevertheless, gender balance is an important consideration which should be taken into account.
9. The Committee has proposed some changes to Standing Orders which are attached at Annexe A.
10. These proposed rules would place a new requirement on party leaders to consult each other and have regard to gender balance before nominating members of the

Parliamentary Bureau. The rules would also require members intending to make a nomination to the SPCB to have regard to gender balance before making such a nomination.

11. The Committee's view is that these new rules would promote gender balance on both the Parliamentary Bureau and the SPCB. However they are not prescriptive in nature and would not, for example, require there to be a gender balance on these bodies. The Committee is aware that, for a variety of reasons, gender balance might not be possible to achieve.
12. The Committee believes that the proposed changes to the rules strike a good balance between encouraging gender balance whilst ensuring the rules for selecting members of the Parliamentary Bureau and SPCB remain effective and workable.
13. The Committee has shared the proposed draft rules with the SPCB and Parliamentary Bureau and both bodies are content with the approach being proposed.

Recommendation

14. The Committee recommends to the Parliament the Standing Order rule changes at Annexe A of this report.

Annexe A: Standing Order rule changes

GENDER BALANCE ON SPCB AND PARLIAMENTARY BUREAU

STANDING ORDER CHANGES

Parliamentary Bureau

Rule 5.2 Members of the Parliamentary Bureau

After Rule 5.2.2 insert -

“2A. Prior to nominations being made to the Presiding Officer under paragraph 3, the leaders of each party as described in paragraph 1(b) and also any groups formed under paragraph 2 must consult each other and have regard to gender balance in the membership of the Parliamentary Bureau in making those nominations.”

After Rule 5.2.6 insert –

“6A. In nominating another representative to the Parliamentary Bureau under paragraph 6, the leader of the party or the group which nominated the representative ceasing to hold office as a member of it must have regard to gender balance in the membership of the Parliamentary Bureau.”

SPCB

Rule 3.7 Election of members of the Parliamentary corporation

Before Rule 3.7.1 insert –

“A1. Prior to nominations being made for elections held under paragraphs 1 to 4, members intending to make such a nomination must have regard to gender balance in the nominations of individuals for elections for membership of the Parliamentary corporation.”

Rule 3.8 Appointment of members of the Parliamentary corporation

After Rule 3.8.1 insert-

“1A. In making an appointment under paragraph 1, the Presiding Officer must have regard to gender balance in the membership of the Parliamentary corporation.”

Annexe B: Correspondence

Letter from Presiding Officer to SPPA Committee – 16 June 2016

As you will be aware an all-male SPCB has been appointed at the start of the session. This lack of gender balance on the new Corporate Body reflects poorly on the Parliament given our strong commitment to equal opportunities. In addition we are acutely aware of the Parliament's leadership role in Scottish public life, its need to be representative of the people of Scotland and how its decisions and actions reflect and influence wider societal aspirations.

The SPCB's strong view is that there is more that can and should be done to achieve the most effective input from the wide range of talent available across genders. Following discussion at the SPCB we wish to ask the Standards Procedures and Public Appointments Committee to consider how we can better reflect gender balance in the membership of the SPCB in future.

The SPCB would like to ask the committee as part of its deliberations to consider a change to Parliament's Standing Orders to provide that specific regard is given to gender balance. We also think there is merit in a role for the Presiding Officer in promoting gender balance as part of the nominations process from across the political spectrum.

We recognise that there needs to be flexibility within the process given that nominations and membership of the SPCS must come from the membership of Parliament, which in itself is subject to the political parties own approach to selecting candidates and the outcome of the general election. We are mindful also that there is a wide range of other appointments across government and shadow spokesperson roles as well as other parliamentary bodies, which can result in high profile roles for women in Parliament but conversely can constrain membership of SPCB.

I have also discussed the matter with the Parliamentary Bureau which has asked whether your committee will consider the overall question of balance, including gender balance, in relation to its composition.

I'm very happy to discuss this further with you and I look forward to your report and recommendations in due course.

Letter from SPPA Committee to Presiding Officer – 4 November 2016

I am writing in response to your letter of 16 June on the subject of gender balance on the SPCB and the Parliamentary Bureau.

The Committee has considered this issue carefully. The Committee shares your concern about the fact that these two bodies are currently all-male and that this lack of gender balance may reflect poorly on the Parliament.

Our view is that it would be desirable to propose some changes to Standing Orders in order to address this issue. The Committee has prepared some draft changes which are attached to this letter.

These proposed rules would place a new requirement on party leaders to consult each other and have regard to gender balance before nominating members of the Parliamentary Bureau. The rules would also require members intending to make a nomination to the SPCB to have regard to gender balance before making such a nomination.

Our view is that these new rules would promote gender balance on both the Parliamentary Bureau and the SPCB. However they are not prescriptive in nature and would not, for example, require there to be a gender balance on these bodies. The Committee is aware that, for a variety of reasons, gender balance might not be possible to achieve.

The Committee has agreed that it wished to share these draft rules with you, in order to establish whether the SPCB and the Parliamentary Bureau are content with the approach being proposed. I look forward to hearing from you.

Letter from Presiding Officer to SPPA Committee – 29 November 2016

Thank you for your letter of 4 November on rule changes relating to gender balance on the SPCB and the Parliamentary Bureau.

I am grateful to you and your Committee for considering this matter and providing an opportunity to comment on the proposed changes to Standing Orders.

I have consulted both the SPCB and the Parliamentary Bureau and can confirm that Members are content with the proposals.

