



The Scottish Parliament
Pàrlamaid na h-Alba

Standards, Procedures and Public Appointments Committee

Rt Hon Alison Johnston MSP
Presiding Officer
Chair, Parliamentary Bureau

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Dear Presiding Officer,

SPPA Committee inquiry into Future Practices and Procedures

I am writing to you on behalf of the SPPA Committee to seek the Parliamentary Bureau's views on the future practices and procedures of the Parliament.

The Committee has held four focus group sessions with Members, received 24 responses to its survey of Members and held four evidence sessions with academics and other legislatures. An additional evidence session is being organised with stakeholders who engage regularly with the Parliament on 26 May to hear their views on engaging virtually with the Parliament. A summary of key points to emerge from the evidence is annexed to this letter.

Following an initial discussion of this evidence, the Committee has agreed to write to the SPCB, the Bureau, the Conveners Group and the political parties to seek their views. Given the Bureau's role in relation to parliamentary business, it would be particularly helpful if you could contribute your views on the issues relating to virtual participation in the Chamber.

The evidence collected by the Committee reflects a spectrum of views among Members. A majority, but not all, of the Members who responded to the Committee's consultation were in favour of continuing to allow for virtual participation in Chamber and Committee business to provide more flexibility for Members in balancing constituency, parliamentary and personal commitments. A number of Members believed that greater flexibility would

help make the Parliament more accessible, thus providing for people from a wider range of backgrounds to stand for election in the future.

While some Members considered it essential to be in the Chamber to participate in debates, there was less concern expressed about participating in question times virtually. The area in which there was most agreement was on continuing to vote virtually, albeit Members considered that improvements could be made to the voting system to streamline the voting process and the reliability of the system.

As well as any wider reflections on the evidence gathered, the Committee would welcome your views on the following issues in relation to participating virtually in chamber proceedings:

- Whether there should be criteria for participating virtually in Chamber business or whether it should be a matter for a Member to decide upon themselves? If there were criteria, whose role should it be to approve virtual participation? Should there be time limits for a Member indicating that they wish to participate virtually?
- Should there be different expectations or requirements in relation to Ministers appearing physically in the Chamber than Members more generally?
- Does the Bureau share the concerns expressed by some about the impact on debate of Members participating virtually or the potential for a diminution of opportunities for Members who attend the Parliament less as they are able to participate virtually?
- Should there be different types of approaches for different types of Chamber business? For example, many Members stressed the importance of being in the Chamber to participate in debates but there appeared to be less concern about question times.
- Is there the potential for meetings to be completely virtual in certain circumstances? For example, in the event of a potentially severe weather event or a recall of the Parliament during a recess, would the Bureau consider agreeing that a meeting of the Parliament should take place completely virtually?
- Whether the Bureau would support the use of pilots in order that changes to procedures could be tried and evaluated before being adopted?
- The extent to which the voting system has changed the pattern of voting in the Parliament and whether the Bureau supports the continuing use of the virtual voting system in the future?
- Whether the introduction of a proxy voting system would provide a further route for members to ensure that they could exercise their vote, for example in relation to parental leave or in cases of ill-health?

The Committee is cognisant that since late April the Chamber has returned to full capacity. It would be grateful for the Bureau's early views on the changes in patterns of participation in parliamentary business since that point.

It would be appreciated if you could respond to the Committee by 6 June in order to allow the Committee to report by the summer recess.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Whitfield', written in a cursive style.

Martin Whitfield MSP
Convener
Standards, Procedures and Public Appointments Committee

Annexe – summary of key issues to emerge from evidence

Key views emerging from evidence on Chamber business

There was a spectrum of views from Members on the extent to which virtual participation should be a feature of future parliamentary business.

- Many Members felt that it was important that as many MSPs as possible should participate in Chamber business, particularly debates. They considered that the Chamber was central to parliamentary business as well as being fundamental to scrutiny of the Government. Participating in person also provided valuable opportunities for cross-party and informal contact at the margins of the Chamber.
- The views from witnesses on the format of Chamber business also varied. Some considered that participating virtually diminished debate and thus undermined the effectiveness and purpose of a legislature. Others considered that the Scottish Parliament had made significant progress in facilitating virtual participation during the pandemic and that as a new and innovative Parliament there was an opportunity for it to continue to build on what had been achieved.
- Some considered that the pandemic had accelerated changes in approaches to work in many different areas of employment. Notably, the ability to work from home made the lives of many more sustainable and this was also the case for MSPs. Some were of the view that the Parliament should be a model for the rest of Scotland in allowing for flexible working and that this might encourage candidates who are more representative of the population to stand.
- The ways in which hybrid participation should be managed emerged as a key issue. Should it be an option available to all Members and a matter of choice for them how they participated, or should there be prescribed circumstances or Guidance on when Members could participate virtually? Who would be responsible for allowing Members to participate virtually (PO, parties, own choice?)
- While concerns were expressed with the time that it took to vote and occasional issues with voting, there was a widespread recognition that being able to vote virtually had been very important during the pandemic (and the voting times have since been reduced). The witnesses that the Committee heard from provided evidence on the scale of proxy votes in the hands of the whips in the House of Commons which was in marked contrast to what had been achieved via the use of the voting app in the Scottish Parliament.
- The majority of Members recognised that there was value in providing alternatives means to recording the votes of those unable to attend the Chamber in person. In addition to the voting app, there was an acknowledgement that proxy voting could provide an additional route for MSPs in certain circumstances – for example, in relation to parental leave or

illness – to vote. There was also a recognition that the informal pairing system had functioned effectively over a number of sessions.

- Concerns were raised about potential unintended consequences of Members participating in a hybrid format on a regular basis. Notably, it was thought that this could result in a diminution of opportunities for those that participated remotely as they were less present in the Parliament and would have fewer opportunities to build relationships both within their own parties and across the political divide.
- Reference was made to bad weather conditions that could impact on parliamentary business or the ability of individual MSPs to travel to the Parliament. The capacity to hold a completely virtual meeting would allow the Parliament to still meet during a significant weather event such as the “Beast from the East”.
- The challenges of being an MSP from a remote constituency or region were universally recognised and many thought that greater flexibility could support the sustainability of combining parliamentary and constituency work, as well as personal commitments for those MSPs.
- Whether any changes should apply universally to all MSPs including Ministers, or whether there should be different requirements for Ministers?

Key issues emerging from evidence on Committee business

In general, the evidence collected indicated support for more flexibility in regards to Committee business than Chamber business.

- The value of hybrid meetings in supporting the participation of witnesses emerged strongly from the evidence. In particular, it was highlighted that it was easier to secure witnesses. Notably, witnesses outside the central belt were more likely to participate and it was possible for witnesses from other parts of the UK, Europe or globally to participate easily in committee business.
- Hybrid meetings were seen as reducing the Parliament’s carbon footprint, thereby contributing to sustainable development.
- Being able to participate virtually allowed Members to better balance parliamentary, constituency and personal commitments.
- It could be more challenging to convene hybrid meetings and proceedings could appear more stilted.
- Managing a Stage 2 in a hybrid format, particularly in big committees, was considered to be more complicated. Roll-call votes were time-consuming.

Being able to address this through a voting system in committees was perceived as a means of facilitating Stage 2s.

- If Members could participate virtually in a hybrid meeting, it would be hard to justify a different approach to witnesses (i.e. that they would have to appear in person).
- For certain types of committee business or for certain types of witnesses, it was considered important that they should be present in the committee room. In particular, many were of the view that ministers should appear in person and that stakeholders that were under scrutiny should be present.