

**Letter from the Convener of the Standards, Procedures and Public Appointments Committee to the Convener of the Net Zero, Energy and Transport Committee**

**6 February 2023**

I am writing to you to seek your Committee's views on a matter raised in correspondence by the Conveners Group with the SPPA Committee.

At its meeting on 2 February, the SPPA Committee considered the attached letter from the Conveners Group. The Conveners Group has agreed that there may be merit in exploring possible procedural options which could be used to require the Scottish Government to make available information necessary to inform the scrutiny process, particularly to support commitments to deliver against net zero targets. In addition to attaching the letter from the Conveners Group, I also attach the correspondence referred to in that letter between the Conveners Group and the Scottish Government.

As you will be aware, Standing Orders currently require the Policy Memorandum for a Bill to include an assessment of a Bill's impact on sustainable development. I would be grateful if your Committee could give consideration to whether the level and type of information provided to the Parliament is currently inhibiting the scrutiny of legislation with regards to net zero commitments and, if so, what type of information should be made available in the Policy Memorandum in order to support parliamentary scrutiny of legislation with reference to net zero. This would assist the SPPA Committee in better understanding the need for any procedural change and the form that any such change should take.

**Letter from Liam McArthur MSP Chair of the Conveners Group**  
**15 December 2022**

You will recall that earlier this year, Conveners Group discussed how the Parliament can strengthen net zero scrutiny arrangements in session 6.

The Group examined ways to facilitate and support the work of individual committees, as well as achieving a consistency of approach and support across committees. Following discussion, CG agreed to take forward a series of measures intended to make it easier for committees to prioritise climate change and net zero scrutiny.

To inform scrutiny in all policy areas this included the provision of information required to support effective scrutiny. For this reason, these measures include receiving expert advice, such as from the UK Committee on Climate Change, in order to embed net zero scrutiny into inquiry work.

The Group noted that it was important that the Scottish Government was able to provide essential data to facilitate this scrutiny work. With this in mind, you will have seen the correspondence that I have had with the Cabinet Secretary for Net Zero requesting better information on this; the Group will return to this at our meeting later this month.

On a related topic, the Group previously agreed that there may be merit in exploring possible procedural options which could be used to require the Scottish Government to make available information necessary to inform the scrutiny process, particularly to support commitments to deliver against net zero targets.

The current standing orders requires that the policy memorandum includes an assessment of the effects, if any, of the Bill on equal opportunities, human rights, island communities, local government, sustainable development and any other matter which the Scottish Ministers consider relevant.

Clearly public policy has moved on since our standing orders were drafted particularly in terms of net zero targets. In order to support bill scrutiny work the rules governing the provision of information on the introduction of legislation may merit further investigation to examine whether the level and type of information provided to the Parliament has kept pace with public policy commitments and societal expectations. Equally, as well as looking at the type and nature of information that Government should be expected to provide as part of the legislative process, there may also be scope for parliamentary officials, to consider how they can best provide analysis to support the work of committees.

This is something that your committee may wish to consider. Though of course it is for you and your committee to decide whether to take forward, including whether this is something that could be explored jointly with the NZET Committee.

Whatever you decide to do, I hope that we can work productively together with you and your committee colleagues to find ways in which we can best take forward this important scrutiny work.