



The Scottish Parliament
Pàrlamaid na h-Alba

Standards, Procedures and Public Appointments Committee

Alison Johnstone MSP
Presiding Officer

20 February 2026

Dear Presiding Officer,

Miscellaneous and minor Standing Order rule changes

At yesterday's meeting of the Standards, Procedures and Public Appointments Committee it considered in private session a paper with miscellaneous and minor Standing Order rule changes.

This included consideration of the issue you raised in your letter from the SPCB in November 2024 (see Annexe) following the meeting of the SPCB on 12 September 2024 regarding changing the current requirement in Standing Orders for all Draft Members' Bill consultation responses to be provided to accompany the final proposal.

We discussed the SPCBs suggestion that an alternative approach could be considered where responses that only provide answers to the multiple-choice questions with little or no comment could be collated and the views within them detailed in the published summary of responses.

We recognise the important step in the process this consultation stage of a draft members bill plays. We are keen to seek clarification from the SPCB that this change in approach would not introduce scope for a more subjective assessment by a member of the treatment and value of a submission to their draft members bill consultation and potentially result in some evidence not being available for others to scrutinise.

We note that these types of consultations can generate a high volume of responses and given the changing landscape for public engagement there is a need to ensure approaches taken to manage the evidence gathered are proportionate. We are keen to understand further the saving in time and effort this proposed change would deliver for Members and their staff processing these responses.

Following the Committee's discussion, our Clerks have engaged with officials in the Parliament's Non-Government Bill Unit about the information described above being

Contact: Standards, Procedures and Public Appointments Committee, The Scottish Parliament, Edinburgh, EH99 1SP. Email sppa.committee@parliament.scot. We welcome calls through Relay UK and in BSL through Contact Scotland BSL.

provided and we aim to continue our consideration of this issue further at our meeting on 5 March.

Should the SPCB wish to provide any further information directly, we would be happy to receive this by close on Monday 2 March.

Yours sincerely,

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

Martin Whitfield MSP
Convener

Annexe A: Letter from the Presiding Officer – 21 November 2024

Thank you for attending the meeting of the SPCB on 12 September in your capacity as Convener of the Standards, Procedures and Public Appointments Committee, for the discussion on the Members' Bill process. As detailed in the [minutes](#), the SPCB took decisions on producing Session 7 guidance for MSPs on the use of parliamentary resources on Members' Bills. It also discussed the consultation process and the scope for making that process more efficient. As agreed at the meeting, I am writing to set out the detail relating to consultations, with a view to it being considered further by your Committee.

As you will recall, the SPCB discussed a range of issues around the management of Members' Bills, including a focus on how each of the phases of the process should operate in as efficient a way as possible, both in terms of the effective use of resources and in terms of ensuring each Bill can progress in a timely way.

One of the resulting actions that the SPCB agreed was to invite the SPPA Committee to consider the consultation stage of the process, with a view to potentially making a minor change to the Standing Orders.

The Chapter of Standing Orders on Public Bill procedures includes Rule 9.14.9 which states (emphasis added):

9. A final proposal shall be accompanied by either—
 - a. a summary of the consultation responses (including any conclusions the member draws from those responses), together with copies of **all** those responses; or
 - b. the statement of reasons lodged with the draft proposal (or a revised version of that statement).

Most consultations for Members' Bills are run using a format which enables those responding to go into great detail in their submission if they wish, or to simply answer a series of tick box multiple choice questions. This means that many responses received to these consultations only include tick box answers to all the multi-choice questions on the proposal for a Bill, and very little or no specific comments beyond that. At present under the above Rule all responses, where the author consents to publication, need to be processed by the Member's team and then submitted to the Parliament. In practice this involves providing all processed responses in an electronic format to the Scottish Parliament Information Centre (SPICe). Although not required by Standing Orders, these responses are also published by Members as a matter of course. This is to ensure the consultation process, and the insight gleaned from it, is accessible to anyone interested in the Bill, including those giving evidence to a committee on the Bill later in the process.

The current requirement for all responses to be submitted to SPICe can mean a disproportionate amount of work for Members and their staff processing responses that contain no comment, or very little comment, in them beyond multi-choice answers. Where a Member's proposal for a Bill receives thousands of responses, as

has been the case for numerous Bill proposals this session, this processing can take an extended period of time and can potentially delay the proposal progressing on to the next stage of the process. For all proposals, even where there are only a couple of hundred responses, the processing required would appear to be disproportionate to the information gleaned from processing and publication. An alternative approach could be to move to a format where the views of those answering multi-choice questions and providing no other, or very little comment, are collated and the views within them detailed in the published summary of responses. On that basis only responses which provide qualitative information would then be required to be processed, submitted to the Parliament, and published. It is hoped that this approach would mean the views expressed in all responses could still be published and scrutinised, meaning the transparency of the process would be maintained, but that the workload for Members and their teams could be notably reduced.

The Corporate Body would be very grateful if your Committee could give this matter further consideration. Should you require any further information on how the Members' Bill process operates in practice to inform your deliberations, please contact the Head of the Non-Government Bills Unit, Roz Thomson.

Yours sincerely

Rt Hon Alison Johnstone MSP

Presiding Officer