The Scottish Parliament
Pàrlamaid na h-Alba

Standards, Procedures and Public Appointments Committee

Rt Hon Alison Johnston MSP
Presiding Officer
Chair, SPCB

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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 SPCB'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 SPCB's budgetary and resource responsibilities, it would be particularly helpful if you could contribute your views on the resource implications of continuing to provide for virtual participation in Chamber and Committee meetings and providing the infrastructure and platforms to ensure that the experience of virtual participation is as satisfactory as possible for Members.

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 in participating virtually in parliamentary business would help balance commitments and make the Parliament more accessible, thus providing more opportunity 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.

The evidence that emerged in relation to Committees indicated that there could be strong benefits of continuing to provide for the virtual participation of witnesses in certain circumstances and of ensuring that the public had the means to engage with Committees. Notably, Committees found that they could secure a more diverse range of witnesses from all parts of Scotland, as well as witnesses from further afield including international locations. In addition, it was considered that some witnesses felt more comfortable participating virtually as it was less intimidating than appearing in front of a Committee in the Parliament.

As well as any wider reflections on the evidence gathered, the Committee would welcome you views on the resource requirements of continuing to provide for and improve virtual participation, including the following:

- The resource required in terms of infrastructure, equipment and personnel within the Parliament for continuing to provide for and improve the virtual participation by Members in Chamber and Committee business, as well as that required by MSPs in their own offices or homes to ensure that the experience of participating virtually in parliamentary business can be as similar as possible to the experience of participating in person.
- Whether there should be any constraints on the circumstances in which Members should be able to participate virtually in parliamentary proceedings and any time frames for notifying of the intention to participate virtually in light of the resource currently required to support hybrid meetings?
- The extent to which it is possible to move towards a position in which the systems to support virtual participation require as little additional resource as possible.
- The improvement of the voting system to ensure that it is as robust and efficient as possible and that it can become an integrated system so that Members can vote using the infrastructure provided in the Chamber.
- The extent to which providing for the virtual participation of members promotes the resilience of the Parliament in circumstances where

there is a severe weather event or the Parliament building cannot be accessed for any reason.

- The ways in which virtual participation contributes to the Parliament meeting its sustainable development targets.
- The support for public engagement so that those invited to be witnesses for Committees or participate in a Committee engagement activity (or for Time for Reflection in the Chamber) are not excluded from doing so due to the inability to access the equipment to participate virtually.

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 recesss.

Yours sincerely

Martin Whitfield MSP
Convener
Standards, Procedures and Public Appointments Committee

Annexe – summary of key issues to emerge from evidence

<u>Key views emerging from evidence on Chamber business</u>

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.