

Chief Executive's Report to the SPCB December 2022

Introduction

This Report looks at activities across the organisation from end of November up to Christmas recess.

Items highlighted include:

- An update on Officeholders activities
- An overview of committee visits and events

David McGill

Clerk/Chief Executive

Overview of Parliamentary Activities

Officeholders

I thought it would be helpful to update the SPCB on various proposals relating to new SPCB supported officeholders or other possible implications for the SPCB.

The Patient Safety Commissioner for Scotland Bill was introduced in the Parliament on 6 October. This would provide for a Commissioner who would support a system-wide improvement in the safety of health care and promote the importance of the views of patients and members of the public in relation to the safety of health care. The financial memorandum accompanying the Bill estimates the costs as about £644k per annum (excluding set up costs which we would expect the Scottish Government to meet).

We also expect a Victim's Commissioner Bill to be introduced shortly. Among other things, the role would likely raise awareness of and promoting victims' interests and rights; and promoting best practice by the criminal justice agencies and organisations that provide services to victims, including championing a trauma-informed approach. We understand the financial memorandum is still being prepared and we expect the costs to be similar to the Patient Safety Commissioner.

Members might have seen the answer to a GIQ on 1 December regarding the Police Investigations and Review Commissioner (PIRC). This provided an update on the recent public consultation on changes to the existing structure. Most respondents considered PIRC should be redesignated as a Commission and that the appointment of the Commissioner should be a matter for the Parliament and that accountability arrangements should also transfer to the Parliament. If the funding of the body was also to transfer this could be significant.

SPCB Members will also have noted the contribution from Jeremy Balfour MSP to FMQs on 1 December where he announced that he will shortly lodge his final proposal for a Bill to establish a Disability Commissioner for Scotland—an individual who will act as a champion for the disabled community and for all disabled people.

I continue to monitor the progress of the National Care Services Bill. The SPCB will be aware that our concern regarding the Bill is about the proposed powers of Ministers in relation to a possible complaint handling function. I consider that this could impact directly on the budgetary control of the SPCB regarding its own funds. I would expect such a change to be made by way of primary legislation or the super affirmative route provided by the Public Services Reform Act. While it is unclear what any future proposal might be, I

would also have concerns if it duplicated the functions of the Scottish Public Services Ombudsman which the SPCB funds.

I will, of course, continue to keep the SPCB updated.

Scrutiny

Conveners Group

At its November meeting, Conveners Group agreed a number of actions in relation to post-legislative scrutiny (PLS) work. PLS was identified as one of its strategic priorities at the beginning of the session and the Group has been considering actions to support committees in carrying out this work. This include ways in which ongoing PLS work can be highlighted and how activity can be recorded and measured. At the meeting, the Group also received further updates on post-EU scrutiny work. Officials have been tasked with developing a toolkit to support committees in their scrutiny role on these issues.

At its meeting in December the Group will meet with the Minister for Parliamentary Business to discuss issues around the management of parliamentary business. It will also consider a proposed written agreement between the SPCB and the Conveners Group on committee scrutiny of SPCB-supported officeholders.

Committees

Finance and Public Administration Committee

In its report on the Financial Memorandum (FM) for the National Care Service (Scotland) Bill, published on 1 December, the Committee expressed significant concerns at the lack of cost estimates provided and concluded it was difficult to assess whether the NCS is either affordable or sustainable. It calls on the Scottish Government to bring forward fully costed plans in a revised FM before the Stage 1 debate in March 2023.

On 6 December, the Committee launched an inquiry to better understand the Scottish Government's decision-making process and, at the same time, to develop key principles and identify best practice which would best support effective government decision-making.

Public Audit Committee

The Committee took evidence from the Auditor General for Scotland on his briefing, Scotland's public finances: challenges and risks on 1 December 2022. During the session, the Committee heard serious concerns about the

increased costs the Scottish Government is facing and that for the first time since devolution, there is a risk that it could overspend on the 2022/23 budget. The Committee intends to write to the Permanent Secretary on the serious issues raised during the meeting.

Economy and Fair Work Committee

The Committee published its report on Retail and Town Centres following an inquiry earlier this year. The report was picked up and received wide coverage across multi-media channels. The inquiry and its findings lend themselves particularly well to a wider Chamber debate and the Committee has submitted a bid for chamber time. The Committee recognises that embedding climate change and net zero scrutiny are strategic priorities for the Conveners Group this session. The Committee is keen to play its part and is now turning its attention to scrutiny in the area of Just Transition. As part of its preparatory work, it recently received a briefing from and held a discussion with Chris Stark, CEO of the UK Climate Change Committee.

The **Constitution, Europe, External Affairs and Culture Committee** had an away day/engagement event at St Andrews University on Monday 5 December. Members met with academics and students to discuss the Committee's report on the Scottish Government's International Work (published in April this year) and more specifically: the Scottish Council on Global Affairs (a multi-university think tank supported by both the UK and Scottish governments), Scotland's place in the world (the subtitle of a book by Stephen Gethins, Professor of Practice in International Relations, and the broad topic of the Committee inquiry, covering as it did: our relationship with Europe, wider international relations, and international development) and the war in Ukraine (the Committee having looked at Scotland's humanitarian response to displaced Ukrainian people. The Convener and Deputy Convener recorded an episode of the University's 'Scotland's Future Series' podcast.

The **Education, Children and Young People Committee** has been scrutinising the National Care Service (Scotland) Bill and will report by the Christmas recess. The Committee has also undertaken pre-budget scrutiny on universities, colleges and the Scottish Government's early learning and childcare policy.

On 20 December, the **Net Zero Energy and Transport Committee** will be hearing from the Climate Change Committee (CCC) on its 2022 Scotland progress report, in which it expressed concerns that Scotland was "losing its lead" on meeting net zero targets. CCC Chair Lord Deben will attend in person: it's likely to be last appearance before the Committee in this capacity before he retires in 2023 after 11 years in the role.

The **Citizen Participation and Public Petitions Committee's** public participation inquiry is examining why some people are currently under-represented in our work and what practical steps we can take to make the Scottish Parliament more accessible and inclusive.

The first phase of that work looking at barriers experienced by people and communities, including by disabled people, people from minority ethnic groups and people living on a low income, is now complete. The evidence heard has been published on the Scottish Parliament's website.

That was followed by a deliberative democracy event, over two weekends and three evenings, in October and November. The Citizens Panel were considering the question: "How can the Scottish Parliament ensure that diverse voices and communities from all parts of Scotland influence our work?"

The report of the Citizens Panel has now been finalised and it sets out several recommendations for consideration by the Parliament. This was published as a part of a committee paper on 14 December. The Committee also heard from Panel members on that date, providing an initial opportunity for members to discuss the recommendations with the Panel.

The Committee plans to publish its interim report, sharing the evidence we have received and the report of the Citizens Panel, on 16 December. The Committee plans to engage externally, via Your Priorities, and across the Parliament, in January and February 2023. The Committee will be asking which recommendations the Parliament should prioritise and what action we need to take.

Following that period of reflection, the Committee anticipates reporting its recommendations to Parliament in May 2023 and has bid to hold a committee debate on its report ahead of the summer recess.

SPICe

SPICe published a blog on the UK Autumn Statement on 18 November and will, as usual, publish material to support scrutiny of the Budget throughout week beginning 12 December.

It continues to publish blogs on topical subjects – recent examples include dampness in Scottish social housing and the introduction of the proxy voting scheme. They have published a briefing on gambling as a public health issue and a seminar on the topic took place on 14 December.

There was some [press attention](#) for a recent piece of commissioned research undertaken by Dr Lisa Claire Whitten for the Constitution, Europe, External Affairs and Culture Committee on alignment with EU law.

SPICe is also working with Legal Services to produce committee papers on the Retained EU Law (Revocation and Reform) Bill for the Delegated Powers and Law Reform Committee.

Parliamentary Services

Engagement and Communications

Promotion of Committee Work

As well as promoting weekly meetings, reports and calls for views, over the past few months, the number of committees undertaking external visits, meetings and engagement events has increased and the Parliamentary Communication Office (PCO) has been working with these committees to publicise this work and amplify the key messages of the committee.

The **COVID-19 Recovery Committee** undertook a visit to Airdrie as part of its work on the impact of the pandemic on Scotland's labour market. Coverage was secured on BBC Scotland Breakfast News, Lunchtime Bulletins, Reporting Scotland and The Nine. In addition to this the Convener took part in a live BBC Radio Scotland interview on the lunchtime live show on the issue. This was supplemented by two local media stories in the Airdrie and Coatbridge Advertiser which also carried on-line on the Daily Record website.

The **Public Audit Committee** embarked on a fact-finding visit to the Ferguson Marine shipyard in Port Glasgow as part of its scrutiny of the Auditor General for Scotland's report, New Vessels for the Clyde and Hebrides.

PCO facilitated restricted media access to the shipyard allowed for extensive BBC (Radio and TV) and STV coverage both as a precursor to the visit and in the aftermath, which included Convener interview content, on both 1pm and 6pm news bulletins. A video of the visit was issued via social media attracting 5687 impressions, 1133 views of the video and 246 interactions with the tweet.

The timing of the visit immediately preceded the First Minister's appearance in front of the committee a few days later – and minutes taken during the workforce meeting have since been shared with media appearing as the front-page Scotsman story to name one just outlet.

Lobbying

On Monday 28 November, our Lobbying Register Team provided oral evidence to the Standards of Conduct Committee meeting of the Senedd, looking into lobbying in Wales. The UK Public Administration and Constitutional Affairs Committee, also continues taking evidence in its enquiry into the existing Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014 (“the UK Lobbying Act”), following matters raised because of the Greensill collapse – oral evidence was provided by the UK Registrar of Consultant Lobbyists on 15 November.

Events

The **National Gaelic Schools Debate Final** returned to the Scottish Parliament on Wednesday 30 November hosted by the Deputy Presiding Officer, Annabelle Ewing MSP. The topic debated was ‘*The generation our parents grew up in is far better than the world we are growing up in nowadays*’ with Portree High School winning the final.

The 2022 **Scottish Public Service Awards** were co-hosted by the Presiding Officer and the Deputy First Minister and Cabinet Secretary for Covid Recovery on Wednesday 7 December.

The Chanukiah (or Menorah) will be on display in the Main Hall for **Hanukkah**. A Lighting ceremony will take place on Tuesday 20 December with representatives of the Jewish community, Rabbi Rose and the Presiding Officer. The Chanukiah was specially designed for the Scottish Parliament and gifted by members of the Jewish community in Scotland.

The Scottish Parliament’s annual **Christmas Carol Service** will make a welcome return on Wednesday 21 December. Hosted by the Presiding Officer, the event included readings from the local community and Members plus contributions from the Edinburgh Signing Choir, Newtongrange Silver Band, Calton Consort and the Ukrainian choir Oberig accompanied by Ukrainian children from MS Victoria.

Forward Look

The annual **Consular Corps’ Burns Supper** hosted by the Presiding Officer takes place on Wednesday 25 January 2023. Members along with members of the Scottish Consular Corps come together to celebrate Scotland’s National Bard in an evening that will feature traditional Scottish music, poetry and song performed by artists from across Scotland.

Visitor Services (VS) & Parliament Communications Office (PCO)

The Parliament Shop enjoyed a busy period through our new online shop and Christmas discount shopping promotion generating sales. VS and PCO has planned a series of campaigns to capitalise on the shop's provenance of Scottish suppliers and sustainable approach. The first of these was to use Scottish Book Week as an opportunity to showcase the shop using creative approaches via our digital channels resulting in overall shop sales up 49% by volume and 10% by value. The Christmas campaign has also featured a number of marketing approaches including digital and marketing material throughout the campus.

International Relations

The International Relations Office supported the:

- Presiding Officer at a meeting with the Ambassador of Lithuania
- Presiding Officer at a meeting with the Ambassador of the Czech Republic
- Deputy Presiding Officer Annabelle Ewing MSP at a British-Irish Parliamentary Assembly Steering Committee Meeting
- Presiding Officer at a meeting with the Ambassador of Germany
- Deputy Presiding Officer Annabelle Ewing MSP, Members and officials at meetings with the John Smith Centre Parliamentary Interns.

People and Culture

Work continues to develop the MSP training calendar for 2023/24. People and Culture colleagues have been reviewing opportunities with providers and look forward to sharing dates for a variety of programmes in the New Year.