



The Scottish Parliament
Pàrlamaid na h-Alba

Scottish Parliamentary Corporate Body
Thursday 29 January 2026 (Session 6)

Independent review of complaints process – review report and next steps

Executive summary

1. This paper provides the SPCB with the final report from Rosemary Agnew on the independent review of complaints. The recommendations in the report closely follow the terms of reference provided by the SPCB, with a focus on the process for considering and agreeing sanctions, with wider observations also offered.
2. The SPCB is invited to consider the report and agree the proposed next steps, and Rosemary Agnew will be present, alongside officials, to answer any questions.
3. The paper recommends:
 - that the report and this paper be published following the SPCB meeting
 - that the SPCB agrees to actions following recommendations within its remit
 - that recommendations within the remit of the Standards, Procedures and Public Appointments (SPPA) Committee be passed to that Committee for consideration, along with an invitation to discuss recommendations which may be of joint interest
 - and that further work be undertaken to make the report available to all Members.

Issues and options

Background

4. In May 2024, the Scottish Parliament agreed two motions, [S6M-13368](#) and [S6M-13365](#), both of which related to the Parliament's processes for considering the imposition of sanctions on Members, including those of the SPPA Committee in considering recommending sanctions.

REFERENCE: SPCB (2026) - Paper 5

5. On 27 June 2024, the SPCB agreed that a response to the resolution of the Parliament was required, and that the next step was to consider a paper on how that could be done.
6. On 26 September 2024, the SPCB held an initial discussion on how to respond. At that meeting, the SPCB agreed to commission external research in the first instance, to look at practice in other jurisdictions, with a focus on the process for recommending and agreeing sanctions on elected Members.
7. On 3 April 2025, the SPCB considered the research and agreed to appoint a suitably qualified review lead to undertake the review, and that the SPCB would be involved in the selection. On 8 May 2025, the SPCB subsequently agreed the approach to procurement and communications.
8. On 11 June 2025, the SPCB agreed to appoint Rosemary Agnew to undertake this review. The report was delivered in December 2025.

The report and recommendations

9. The report is included as **Annexe A** to this paper. For reference, the report also includes the original terms of reference for the review. While the report was commissioned by the SPCB and is made to the SPCB, some recommendations are within the remit of the SPPA Committee, and some, potentially could be delivered jointly. The report helpfully sets out in its executive summary the priority recommendations which, in Rosemary Agnew's view, will improve transparency and/ or effectiveness of the standards and complaints processes.
10. The recommendations are divided into five themes. These are set out below, with high level analysis on which body's remit (SPCB or SPPAC) the recommendations fall into. In addition, a detailed action plan, covering all recommendations, is attached at **Annexe B**.
 - **Transparency and consistency** – these recommendations (including the factors-based approach, reviewing the approach to recording and explaining reasons for recommendation decisions, publication of various pieces of guidance, and consideration of a review/appeal route) are mainly within the remit of the SPPAC. It is proposed that these are highlighted to the Committee, but with an offer from the SPCB to work jointly where appropriate in particular on the recommendations regarding publishing guidance etc on the Parliament's website.
 - **Awareness, training and induction** – the recommendations on the induction programme for all MSPs align well with the plans for induction. Assuming the SPCB is supportive of these recommendations, it is therefore suggested that these be passed to the Election Programme team for action. The specific recommendation on training for new SPPAC members is for the Committee, and officials working on specific committee induction.
 - **Support and advice** – the recommendations on support and advice are mainly for the SPCB, some again linked to induction.

REFERENCE: SPCB (2026) - Paper 5

- **Confidentiality** – the recommendations here are specifically for SPPAC and its members and it is therefore proposed that these are passed to the Committee for consideration.
- **Political context** – the recommendations here are to the Parliament but are for the SPPAC in the first instance and will require further consideration.

11. The SPCB is invited to consider the report and recommendations and to agree the action plan set out in Annexe B.

Options for publication and next steps

12. Given the review arose from a resolution of the Parliament, it is expected that the SPCB would report back to the Parliament on its response to the resolution. It is therefore assumed that the report should be published and should be communicated to all MSPs. However, how this is done, and the timing, require further consideration.
13. While the report does not need to be published urgently, it is suggested that, following SPCB consideration, it should be published timeously. Assuming the SPCB is content to publish the report, it is suggested that this is done next week, with specific timing to be agreed.
14. As well as publication, the report should be communicated to all MSPs, through a letter from the Presiding Officer.
15. As there are specific recommendations for the SPPAC, a letter should also be sent to the Convener, outlining the SPCB's consideration and the proposed action plan.
16. Once it has been sent to MSPs, then the Parliament Communications Office will also make the media aware.
- 17. The SPCB is invited to agree the approach to publication and communication of the report.**

Governance

18. The key governance issue for the SPCB to consider is what to do with the report. This is considered throughout this paper.

Resource implications

19. There will likely be resource implications from the implementation of the report's recommendations. If these require further budget to be allocated, the process will follow the standard approach to project and/or contingency funding.

Publication Scheme

20. It is recommended that the review report be published following the SPCB meeting, together with this covering paper.

Next steps

21. Next steps are set out in the Decision section below. If the SPCB agrees to the action plan in **Annexe B** and to the approach to publication and communication, officials will move to implement the actions according to the timetable agreed.

Decision

22. The SPCB is invited to:

- consider the report and recommendations and to agree the action plan set out in Annexe B.
- agree the approach to publication and communication of the report.

Chief Executive Office
January 2026