INTERNS PROGRAMME: MARCH 2013 INTERNS’ REPORT

Background Note

The purpose of this paper is to ask Members of the Branch Executive Committee to note the reports submitted by Hanna Majahanda and Francis Machado, officials from the National Assembly of Malawi who participated in the CPA Scotland Branch Interns Programme 2013. Copies of the reports are attached at Annex A.

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REPORT ON THE INTERNSHIP PROGRAMME

AT THE

SCOTTISH PARLIAMENT

4th – 29th March 2013
INTRODUCTION

Most Parliaments under the Commonwealth do allow exchange of visits between their Members of Parliament and officials. The Malawi National Assembly, therefore, has an agreement with the Scottish Parliament whereby such exchange visits are carried out. This helps both Members and officials to exchange knowledge in carrying out their parliamentary duties.

It is under this programme that the Malawi National Assembly nominated two officials to proceed to the Scottish Parliament for an internship programme. The programme ran from 4th to 28th March, 2013.

At the commencement of the internship, we were introduced to officials in the UK and International Relations Office; Presiding Officer’s Private Office and Clerk/Chief Executive’s Office.

PRESIDING OFFICER’S OFFICE AND UK AND INTERNATIONAL RELATIONS OFFICE JOINT TEAM MEETING

During a Joint Meeting of Presiding Officer’s Office and UKO in the Presiding Officer’s Office, it was interesting to observe that the two sections do have joint meetings as in that way they get to get transparent in their work. In such a set up, they share knowledge and experience amongst their offices while reflecting on the work they do.

The meeting touched on quite a number of areas, including the Presiding Officer’s diary for 4 weeks, which was read out in the meeting to all members present. It was observed that the meeting was very general that it touched on all areas in a parliamentary or office set up, from catering, which in some areas may be perceived to be, not important, to the Presiding Officer’s diary. The meeting also noted that the Malawi National Assembly is establishing a “Parliament Office” in every constituency through the use of volunteers and that perhaps the Scottish Parliament could adopt a similar approach or find “local champions” for the Scottish Parliament.

This kind of interaction between sections is very useful in that no section keeps to itself and makes easy follow up on the part of Presiding Officers.

The practice of interaction among staff from different sections lacks in the Malawi National Assembly. In most circumstances, parliamentary work among sections or units overlaps at some point or the other. This practice, therefore, improves communication and work relations among staff from the different sections and leads to improved parliamentary work. The Malawi National Assembly needs to emulate this practice to reflect on their work. It can be on weekly basis or fortnightly.

MEETING WITH THE PRIVATE SECRETARY TO THE PRESIDING OFFICER
It should be mentioned that the Presiding Officer’s Office houses up to 4 officials, including the Principal Private Secretary to the Presiding Officer. It was noticed that their working environment at the Scottish Parliament is very transparent. This was later confirmed by our Tour Guide when she was explaining the meaning of some parts of the Scottish Parliament building plan where it is mostly glass, no curtains, open space, in order to allow for a transparent working environment.

The Private Secretary explained his general role in the Presiding Officer’s Office. He generally explained the role of the Presiding Officer and his duties as Private Secretary. We noted that the Scottish Parliament meets on Tuesday, Wednesday and Thursday afternoon and that the mornings are set up for Committee meetings.

The Scottish Parliament has two Deputy Presiding Officers, whose responsibilities are similar to those of the Presiding Officer, except for those relating to the Corporate Body (Scottish Parliament Corporate Body), which is an equivalent of the Parliamentary Service Commission (PSC) in the National Assembly of Malawi.

The Private Secretary to the Presiding Officer stated that the Presiding Officer selects questions for Question Time.

MEETING WITH STEPHEN HERBERT – HEAD OF UK & INTERNATIONAL RELATIONS OFFICE (UKIRO)

Our meeting with Stephen Herbert was purely an overview of the internship programme which included the programme and administrative arrangements put in place. In the absence of Steven Bell, who was out with a parliamentary delegation, the Head of UKIRO had to meet and guide us during the first week of our internship.

It was noted that there are no gaps in their work and this was attributed to the practice of interaction and sharing of information that is in place at the Scottish Parliament.

The Malawi National Assembly needs to emulate this culture of information sharing to avoid work gaps.

MEETING WITH THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICERS

Together with my colleague, we paid a courtesy call on the Presiding Officer of the Scottish Parliament, the Rt. Hon. Tricia Marwick, MSP. Later, we paid similar calls on the Deputy Presiding Officers, John Scott, MSP and Elaine Smith, MSP.

MEETING WITH THE PRINCIPAL PRIVATE SECRETARY TO THE PRESIDING OFFICER, BILLY MC LAREN

The meeting with Billy McLaren was an overview of the work in the Presiding Officer’s Office and how he assists her with parliamentary work.
MEETING WITH MARGARET NEAL, SECRETARY OF THE CPA SCOTLAND BRANCH

Our meeting with Margaret Neal was quite informal. Throughout the internship programme, there was interaction with the Secretary of the CPA Scotland Branch and it was noted that there is a strong link between the CPA Malawi Branch and Scotland Branch. This link is strengthened by exchange visits between Members of Parliament and during the internship period, it was observed that two Members of Parliament from Malawi visited the Scottish Parliament while at the same time two Members of the Scottish Parliament were in Malawi whereby both parties visited constituencies of their partners, under the pairing initiative.

OBSERVING TOPICAL QUESTION TIME

Topical Questions are taken on Tuesdays. It was observed that proceedings in the Chamber are carried out very fast noted that this was due to modern equipment in the Chamber. It was also observed that there isn’t much formality in the Scottish Parliament as the Members address the Presiding Officer as “Presiding Officer” and in the same way, the Presiding Officer calls a Member by name, (e.g. Peter Scott). The Presiding Officer and Clerks do not put on formal attire and they do not enter in a procession. Clerks at the Table move around, that is a Clerk can come and take over from a colleague while the meeting is in session.

It was noted that Members do not have specific seats in the Chamber. Parties do have blocks but Members sit anyhow. There is even a time when the Presiding Officer gives time for members to move around/change seats. This, we understand allows for consultation among Members and in the case of Ministers, to allow those that have issues to answer to occupy the front row. It is, however, mostly Ministers who sit on the front row and this is when they are answering questions or moving motions.

MEETING WITH THE HEAD OF CHAMBER AND REPORTING, DAVID Mc GILL

David McGill stated that he has been to the Malawi National Assembly in his official capacity. It was observed that there are quite a number of staff in the Chamber and Reporting Section, about 60 in total.

The Head of Chamber and Reporting also sits in the Chamber as Principal Clerk and he also advises the Presiding Officer. He also seats in the Parliamentary Business Team; Clerking the Bureau and organizes business in the Chamber. His office has a team which drafts Members’ Bills and they have external people who assist them in the drafting as they do not have lawyers among their staff.
Parliamentary Bureau

The Parliamentary Bureau, an equivalent of the Business Committee in the Malawi National Assembly is chaired by the presiding Officer and its members are called Business Managers, Whips in case of the Malawi National Assembly. These Business Managers come from all parties that have more than 5 Members in Parliament. It was noted that so far, all parties have representation as one who was independent, 2 from the Green Party and 2 who resigned from the Scottish National Party, formed a group and have a representative in the Bureau.

The Bureau meets every Tuesday morning as Parliament meets on Tuesday, Wednesday and Thursday afternoons.

In the case of the Scottish Parliament, it is documented as to when the Business Managers meet. This would be useful for the Malawi National Assembly to note, where Whips are summoned to a meeting without set dates/days on which to be meeting.

PRIVATE TOUR OF PARLIAMENT BUILDINGS

On Wednesday 6 March 2013, we were taken on a tour of the Parliament Buildings.

PORTFOLIO QUESTIONS

Wednesday being Portfolio Question Time, we observed as Ministers responded to questions from MSPs. After question time, Parliament proceeded with debate.

MEETING WITH THE CHIEF EXECUTIVE/CLERK, PAUL GRICE

We paid a courtesy call on the Clerk/Chief Executive, Paul Grice.

COFFEE WITH SENIOR ASSISTANT CLERK TO THE FINANCE COMMITTEE, FERGUS COCHRANE

We had an informal meeting with Fergus Cochrane, Senior Assistant Clerk to the Finance Committee. Fergus is one of the staff who has visited the Malawi National Assembly and our meeting centred mostly on his experience at the Malawi National Assembly. We noted that the following week, he was to proceed to Malawi with Members of Parliament from the Scottish Parliament.

FINANCE COMMITTEE MEETING

The role of the Finance Committee in the Scottish Parliament is to consider the Scottish Government’s spending plans. This is done through the budget process and
cost implications on bills. The Finance Committee was on this day taking evidence from a stakeholder on the UK Budget.

It was observed that everyone around the table had their names on table tents placed before them and this included the Members, Clerks, Official Report staff and stakeholders called in to give evidence.

It was also noted that all papers on the meeting are posted on the website of the Scottish Parliament.

*Because Committee meetings at the Scottish Parliament are open to the public, the names around the table ease the work of all interested people, including the Press. This is a good practice.*

*Having open meetings saves time as well. Even though the Malawi National Assembly has open meetings, documentation is not made available to the public and are only given when a request is made. It would be easier to provide all relevant documents on time to all stakeholders.*

**MEETING WITH THE SECRETARY TO THE SCOTTISH PARLIAMENTARY CORPORATE BODY (SPCB), JUDITH PROUDFOOT**

The Scottish Parliamentary Corporate Body (SPCB) is equivalent to the Parliamentary Service Commission in the Malawi National Assembly and is also chaired by the Presiding Officer. The Corporate Body consists of 4 MSPs. The Presiding Officer and Parliamentary Bureau determines the MSPs to be in the SPCB. This body deals with administrative and support services in the Scottish Parliament and is not political, hence their decisions also not political. The SPCB meets in private due to the nature of decisions taken there such as employment contracts, terms and conditions of service, etc.

When MSPs come into the SPCB, they come in non-partisan and this is one of the reasons why they meet in private to avoid MSPs meeting colleagues from individual parties. The SPCB meets every fortnight and delegates most of its work to the Chief Executive.

All documentation relating to the SPCB are published on the parliament website, and these include the Agenda and Minutes of previous meetings. Such documents are published every fortnight to coincide with their meeting.

The business in the SPCB is split amongst Members according to portfolios and this excludes the Presiding Officer. The portfolios range from:

*Finance* – where they monitor the role of office bearers, to ensure smooth and efficient operation of their offices.

*Human Resources and Technology* – which deals with regional offices, budget and management among others.
Facilities – that is catering, cleaning, events and other similar activities.

Business Support – dealing with Committee and Chamber; Information Centre; Research – how they engage with and provide information to the public.

The splitting of portfolios assists Members to focus on individual aspects so that they get opportunity to discuss issues with individual Members before it comes to SPCB. Any Member can approach a member of the SPCB directly with issues or provide written questions for the Presiding Officer to put into appropriate question.

It was noted that the SPCB has its own Question Time in the Chamber and it is given 15 minutes. This is another way the SPCB is accountable to Parliament.

The SPCB is also responsible for the running of Parliament. It oversees the provision of accommodation for parliament and staff to support services such as catering, cleaning, which includes local (constituency) offices.

All Members vote on the membership of the Corporate Body and when Parliament is dissolved, members of the SPCB remain as they are the legal entity of the institution.

Meetings/agenda items for the SPBC

The Secretary to the SPCB is responsible for putting together agenda items for discussion by the SPCB as a central focal point. The items come as requests which are diarised and presented to Management at their meeting before being brought onto the agenda. The agenda is also presented to the Presiding Officer before it is published. The agenda, together with any other papers meant for the meeting are given to members a week in advance of a meeting. These papers are also put on a site for Management. Minutes of the meetings are very brief but to the point.

The Chief Executive/Clerk, Assistant Clerks and the Media Relations Office sit in the meetings of the SPCB throughout. Other officials are called in to speak on specific items. Staff is informed on action to be taken on items which are directly connected to them while the Clerk issues a monthly report. Quarterly, the Chief Executive reports to the SPBC on key performances.

There are reports that are also produced for the Corporate Body and an Annual Report is one of them. The other report is called Legacy Report which highlights issues that are either on going or due to come up, for example, increase of allowances, dues not paid due to financial constraints, etc. This report assists mainly new Members coming on to the SPCB as it acts like some handover notes. It outlines or highlights some reports from researches made, with examples from other Assemblies and recommends some areas to be looked into by the incoming Corporate Body.

When there are issues concerning staff members, these are directed through the Office of the Chief Executive who, after scrutinizing them, ensures that they are discussed at the Corporate Body’s meeting.
After our meeting with the Secretary to the SPCB, we observed SPCB Question Time in the Chamber. This was very interesting as we observed and related what was discussed as MSPs asked the Corporate Body Members issues to do with and related to the Corporate Body’s mandate.

The Parliamentary Service Commission of the Malawi National Assembly must have scheduled meetings just like the Scottish Parliament Corporate Body which meets every fortnight.

The PSC must emulate the system at the Scottish Parliament where all documentation relating to the Corporate Body are published on the Parliament website, including agenda and minutes of previous meetings.

The splitting of portfolios among Members is again something to consider because Members or staff would not have problems as to whom they should direct issues. It also eases the work in the case of Members of the Corporate Body as they concentrate on their individual portfolios.

The PSC, in consultation with the Business Committee must consider having question time in Parliament to address corporate issues.

Like in the case of the Scottish Parliament, staff in the Malawi National Assembly must be free to approach the Clerk of Parliament with issues to go onto the agenda of the PSC. This can only happen if staff is aware of what happens in meetings, that is, when they have access to reports on proceedings of the PSC.

The culture of producing reports, both Annual and Legacy Reports, is very helpful as noted from the Scottish Parliament where the Legacy Report through which new Members get very much assisted.

It would assist the PSC if they could have exchange visits with the SPCB.

MEETING WITH CPA SCOTLAND BRANCH EXECUTIVE COMMITTEE MEMBERS

We met two Executive Committee Members of the CPA Scotland Branch who briefed us on their activities. It was noted that one of the Members, Patricia Ferguson, has been paired with a Member of the CPA Malawi Branch, Hon. George Nnensa, under the CPA/MalawiPairing Initiative.

MEETING WITH PARLIAMENT EVENTS OFFICER, EVENTS AND EXHIBITIONS TEAM

The Scottish Parliament has an Events and Exhibitions Section which takes care of all events, including visits and exhibitions. It was learnt that the Parliament Chamber and foyer are used for public functions and this section oversees such functions, together with the organizers. In a year, the Scottish Parliament holds about 450
events, among them Receptions, Conferences, State Visits and Briefings. The section has, among its staff, the following:

- 2 Managers;
- 4 Events Officers;
- 1 Exhibitions Officer
- 1 Administrator

It was noted that there are events called Policy Events, which are sponsored by Members of Parliament and external organizations.

Apart from the officials mentioned above, the section engages Events Assistants who are paid by Parliament. The events organizers do pay for cleaning services and staff who are involved in the events, especially when the event is outside working hours and when they use Events Assistants. During that week, the International Women’s Day function was also held at Parliament Buildings.

*The Malawi National Assembly should consider having this Section, either under Protocol or Administration as we have noticed that outside organizations have of late been asking and have used our premises for functions. The hiring of Events Assistants can also be considered, even during the Official Opening of Parliament and when other such events.*

**MEETING WITH FACILITIES MANAGER**

It was noted that cleaning services at Parliament are outsourced through a procurement process where the Administration Unit indicates their requirements before advertising for the service. After identifying a service provider, a contract is drawn whereby set rules are outlined. It was noted that in order to ensure that the rules are adhered to, they do have Service Level Agreements, which cover availability of cleaners/cleaning services as per contract. The Facilities team does secret audits on their own to check whether they are going by the contract or not and twice a week with the cleaning service to ensure they are going by contract. Should there be any changes on their provision of service, the same is indicated by way of changing the contract.

The cleaners are given all relevant information to enable them go about their cleaning, such as when meetings are supposed to take place and when Parliament will be on recess so that they do thorough cleaning of the Chamber and other areas that get busy during sitting of Parliament.

The cleaning service has 22 cleaners. These cleaners are given passes to move around Parliament Buildings and for security reasons. The Administration is able to identify all cleaners as they are given forms to complete before they start work. Once with a pass, the cleaners are treated like any other staff member of Parliament in terms of movement without the Parliament Buildings. They are given uniforms that are inscribed with the Parliament Logo as well.
As for some offices such as that of the Presiding Officer, these are cleaned after or before working hours in agreement with the owners of the offices. However, in some cases, the cleaners have access to keys of such offices through Security.

The Service Provider, who was present at the meeting, informed that the cleaners get training on use of different cleaning products and equipment, how to use cleaning products, e.g. measurements and also to understand the industry. They are also drilled on their health and safety at work, including fire drills, etc.

It was noted that during events, the cost of cleaning is borne by the organizers of such events, if not organized by Parliament.

It was observed that the cleaners are rarely seen roaming around as they are always at their working places and according to the contract or agreement with the office, they observe working hours and work-points at particular times.

The Malawi National Assembly must emulate the steps being taken by the Scottish Parliament on doing snap checks or audits to ensure the contract is being followed.

Security passes with individual names of cleaners to be given and worn throughout the time they are in the building.

The issue of training on use of other facilities is also very essential to avoid cleaners learning to operate other facilities by trial and error.

MEETING WITH OFFICIAL REPORTER, OFFICIAL REPORT

The Official Report works with the Events team and Committee Section since they are supposed to cover and produce verbatim reports for all meetings and events at Parliament.

There are 20 Reporters in the Scottish Parliament. The Official Report (Hansard) is published everyday by 8 p.m. In the case of Committee Meetings, it takes them about 6 to 7 days to have the Report published.

It was observed that the Reporters’ Roster is posted on line and Reporters go into the Chamber in 5 minute takes. They use a software called “Editor” and this eases their work in consultation with sub-Editors and Editors.

It was noted that sub-Editors act as Managers to the Reporters as they are involved in their job evaluations. It was also noted that a lot of responsibility is on the Reporters as they have to make sure that they get everything right because the sub-Editors go through to make sure the argument or debate is accurate. They rely mostly on the Reporters. After editing, any sub-Editor can send the Official Report, by a click of a button, for publishing. For Plenary meeting, the Official Report is published overnight whereas for Committees, they make sure the report is published before the following week.
MEETING WITH THE PERSONAL SECRETARY TO THE HEAD OF CHAMBER AND REPORTING, ALISON MC CABE AND OFFICE MANAGER TO COMMITTEE OFFICE, PHILLIPA BOOTH

The work of the two ladies is quite similar to our Secretarial work in the Malawi National Assembly. Among their duties, they perform the following:

- Managing Committees and Outreach;
- Reporting in Committees;
- Managing bookings of Committee Rooms and reporting back different facilities and arrangements in rooms to enable Committee Clerks decide on which rooms to use, depending on the size of their Committees and activities to take place at their meetings;
- Handling Parliamentary Questions;
- Managing the Parliamentary Business Bureau and taking minutes of meetings of the Parliamentary Bureau;
- Handling phone calls to management; and
- Dealing with travel and accommodation of MSPs.

It was noted that the Head of Committee arranges what they call Convenors’ Group Meeting where among their discussion, they talk about how they are managing Committees. It was noted that although this meeting is chaired by the Deputy Presiding Officer, the Personal Secretary to the Head of Chamber and Reporting and Office Manager to Committee Office get involved.

WORK SHADOWING: WELFARE REFORM COMMITTEE

It was noted that the Clerking team for the Welfare Reform Committee meets weekly, whether the Committee meets or not. The staff meets to reflect on the Committee’s activities, previously and upcoming. During this meeting, it was noted that the meeting of the Committee the following day was expecting eleven witnesses. It was also noted that staff shared and discussed meeting papers to ensure everything was in place for that meeting.

It was noted that the Welfare Reform Committee clerking team comprises of staff from different sections such as the SPICE (Library), Media Liaison and the Chamber Office. This has also been noted in most Committees of the Scottish Parliament, including Chamber work.

In the case of the Malawi National Assembly, staff from other sections are incorporated or seconded into the various Committees during Committee meetings. However, it is noted that key sections like the Library, Public Relations, Hansard, just to mention a few, are not included when most Committees meet. The Malawi National Assembly needs to move into the practice of involving staff from these key sections, despite it having limited numbers of staff. It is also noted that the Chamber Office is not involved as Chamber Office, but they assist as Committee Clerks.
OBSERVING MEETING OF THE WELFARE REFORM COMMITTEE

It was observed that Members were hearing evidence from stakeholders who had given written submissions. The meeting then went into a private session where Members considered the wording of the Motion for the Member’s debate will take place next month.

It was noted that just like in any other Committee, the Convenor had notes prepared against each agenda item.

MEETING WITH THE CONVENOR OF THE COMMITTEE ON EUROPEAN AND EXTERNAL RELATIONS, CHRISTINA MC KELVIE

The Convenor informed us that previously, her constituency included Blantyre as well. She took her time, briefing us on what her Committee is all about and stated, among other things, that the Committee looks into how they teach children foreign languages in Scotland. It was noted that at the age of 8, children must learn two foreign languages.

OBSERVE THE PUBLIC AUDIT COMMITTEE MEETING

As stated above, during all Committee meetings, apart from the Committee Clerks, there is always an Official Reporter.

The Public Audit Committee can be compared to the Public Accounts Committee in Malawi. It was, however, noted that this Committee is different from subject Committees as it is tasked with looking where money has not been spent effectively. There are 9 Members on the Public Audit Committee, 5 from the Scottish National Party; 2 from the Labour Party; 1 Conservative Party and 1 from the Liberal Democrats and the Convenor does not come from the Government.

Members heard evidence from stakeholders on the National Health Service (NHS) on issues surrounding prolonged waiting lists by patients for treatment and wanted to establish whether there was a policy regarding the waiting list.

It was noted that most of the issues that come before the Public Audit Committee come through an organization called Audit Scotland. This organization produces independent reports, often criticizing the Government, about ways in which they spend money. The reports could be on Transport, Education or Health as it was in this case. All their reports are considered by the Public Audit Committee of Parliament and having considered them, they decide to call for submissions from relevant stakeholders before making recommendations to Parliament.

It was noted that the Committee does not have power to prosecute should they find evidence of fraud. However, there is a public trial by media making things transparent, resulting into some heads of organisations resigning, depending on pressure.
It was further noted that the Audit Scotland is likened to the National Audit in Malawi. The difference is that the National Audit Office only looks into monetary issues.

Same as in other Committees observed at the Scottish Parliament, there were agenda briefs for the Convenor. This also assist in cases where a Convenor is not available in that whosoever is asked to chair the meeting does not have much problems steering the meeting.

It was observed that during sessions with stakeholders, every MSP gets an opportunity to either ask a question or make an observation.

*Here, it must be noted that there are very few Parliamentary Reporters in the Malawi National Assembly and because of that, they may be unable to cover all Committee meetings.*

**OBSERVE STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE MEETING**

The Clerking system was same as in any other Committee we observed. And welcoming us to the meeting, the Convenor advised that the Committee sometimes gets very technical and that Members depend much on the Clerks for clarifications.

It was noted that Members had Private Papers which were prepared by the Clerks. Members made their contributions and changes, which were effectively included onto the Papers right there in the meeting room in the presence of all Members.

**MEETING WITH THE HEAD OF COMMITTEES AND OUTREACH, SUSAN DUFFY**

It was noted that there are 16 parliamentary committees in the Scottish Parliament. There are two types of committees, namely- Mandatory such as Public Audit, Finance, Legislative, etc., and Subject which are portfolio committees. Among the 16 Parliamentary Committees, there are some that are set up for a short period to look at issues that come out of parliamentary debates. Examples of such Committees are Referendum and Welfare Reform Committees.

It was noted that since membership into Committees is proportional, Government has majority seats on the Committees. As indicated earlier, the Parliamentary Bureau decides on membership and all Parties are represented in the Parliamentary Bureau.

It was noted that the Convenors Group (equivalent of the PDCC in the Malawi National Assembly) meets once a month and is chaired by the Deputy Presiding Officer. Committees in the Scottish Parliament do meet when Parliament is in session, that is, Tuesdays, Wednesdays and Thursdays and some once a week, others
fortnightly. All Committees scrutinize the budget on their particular subjects. Such scrutiny involves taking of evidence from witnesses and producing reports thereon.

WORK SHADOWING: PARLIAMENTARY BUREAU TEAM

The Parliamentary Bureau Team has two main functions: organizing business that takes place in the Chamber and Scheduling all debates, questions, motions and amendments on a weekly basis. They have a plan for two weeks and most of their work comes from Government officials, hence, most of the time in the Chamber is allocated to the Government.

The team’s work also entails having a schedule of speakers each sitting. The team contacts political parties in Parliament to establish how many Members are speaking on a particular debate, motion, amendment, etc and thereafter do some statistics as to how many minutes each Party must be given, down to how many minutes a Member is going to speak and who starts speaking. The List of Speakers is then given to the Presiding Officer who is finally responsible to decide on who will be speaking. The decision from the Presiding Officer guides the Parliamentary Bureau Team when doing the Presiding Officer’s Script.

The Presiding Officer’s Script is a detailed set of notes for the Presiding Officer. Items of the script are read out, that is business for the day. It was noted that the Presiding Officer’s Script is given to the Presiding Officer 30 minutes before the sitting, with a brief.

It was also noted that the Head Clerk in the Parliamentary Business Team sits in the Chamber, giving advice and making sure procedures are followed. The information from the Bureau Team is also compiled into the Business Bulletin (Order Paper). The Business Bulletin is more detailed in that at the top, it sets out a schedule of Committee meetings on a particular day, including interviews with Stakeholders, if any are appearing before a Committee. Just like the Order Paper, it also includes Motions, Bills and what stages they are on.

The Presiding Officer chairs meetings of the Parliamentary Bureau and meets in private. Each of the large parties is represented in the Bureau and the members are called Business Managers. At the moment, the Parliamentary Bureau has 5 Members and the Presiding Officer as Chair. Their discussions mainly centre on Chamber business.

After receiving bills from Government, the Parliamentary Business Team decides as to which Committees to look at what bills. Another responsibility is that of ensuring change of membership into Committees are effected accordingly. This is in instances when one is appointed Minister, or one resigns from his or her party in Parliament. The Business Team is responsible for clerking the Parliamentary Bureau, taking down minutes and decisions in the Chamber and producing and publishing its report.

As earlier stated, the Scottish Parliament agrees on business for two weeks, Tuesdays, Wednesdays and Thursdays. The first item on the Business Bulletin is Time for Reflection, then Topical Questions, usually two selected by the Presiding Officer.
from amongst questions submitted by Members. Thereafter, there are Questions to the First Minister.

**Time for Reflection**

It was noted that the first motion in the Scottish Parliament in 1999 was “The Parliament should have prayers”. However, after exhaustive discussions on how to conduct such prayers, it was resolved to have Time for Reflection hence the item was given four minutes at the beginning of a sitting.

It was observed that this is in form of an inspirational talk to the Members before they start their daily business. It was further observed that this is not in the Standing Orders and Members nominate people to come into the Chamber as guests of the Presiding Officer. The nominees range from religious, that is Christians, Muslims, etc and non-religious. Before coming for the talk, the nominees are requested to send their 4-minute script to the Parliament Business Team. This is not for vetting, but just for information and advice. The Business Team prepares a Rota for the Time for Reflection and this takes into account denomination, gender of the people giving the talks and geographically, ensuring that people do not fail to come due to weather.

All items and/or information for debate in the Chamber go through the Clerking Team and is sent electronically by Members. This information is in form of motions, questions, amendments. In the case of amendments, this is sent out to Members the previous day in the morning and any amendment is supposed to be sent to the Business Team by 4.30 p.m. on the same day so that it is posted on the Business Bulletin for the following day. Debate in the Scottish Parliament is tightly controlled. As stated earlier, the Business Team gives the Presiding Officer an idea as to how many MSP will speak, taking into account the time given for each item.

**Clerking Rota**

A Clerk may not sit in the Chamber for more than an hour at a time. There is, therefore movement on the part of Clerks getting in and out of the Chamber while it’s in motion.

At the end of each sitting, 5 minutes is given for decision making, thereafter, there is what is called Members’ Business session.

**WORK SHADOWING: SUPPORT MANAGER TO THE STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE, SAM CURRIE**

The Support Manager to the Standards, Procedures and Public Appointments Committee’s work, among others, is to look at Committee papers prepared by Clerks and drafting agenda for the Committee. The Committee meets once a fortnight. She is like an administrator on the Clerking Team where she also looks into the arrangements in the Committee Room such as checking on table tents, catering (teas and refreshments) and also ushering in witnesses/stakeholders invited into the meeting.
It was noted that the Support Manager also prepares brief minutes of the meeting. Brief because the minutes do not have much detail as they is also the Official Reporter at the end. It was further observed that she is also responsible for maintaining the Code of Conduct and Standing Orders. Whenever there are amendments to any of the documents, she ensures that they are updated accordingly and forwarded to various stakeholders. The Support Manager is given rights to update such information on the internet as well.

On Cross Party Groups, it was stated that these do issue Annual Reports which inform MSPs on whether the groups are carrying out their responsibilities as stipulated by the Committees/Parliament.

**OBSERVE JUSTICE COMMITTEE MEETING**

It was briefly observed that Members were meeting stakeholders on the Law Commission Bill, amendment to some sections.

**Observed Address to Members of the Scottish Parliament by the President of the Republic of Malawi, Her Excellency Dr Joyce Banda**

**OBSERVING RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE MEETING**

The Rural Affairs, Climate Change and Environment Committee looked at the Aquaculture and Fisheries (Scotland) Bill to consider the Bill at Stage 2 where Members had submitted amendments. It was noted that most of the amendments were not agreed to.

Later, Members also reviewed the Agricultural Rent Review Procedures in Scotland where the Committee heard evidence on the Rent Review Working Group’s Report on the group’s recommendations to the Tenant Farmers Forum and the Scottish Government. The stakeholders were from the National Farmers Union of Scotland; Moray Estates.

**WORK SHADOWING: NON-GOVERNMENT BILLS UNIT (NGBU)**

The Non-Government Bills Unit is responsible for the provision of support to Members of the Scottish Parliament who would wish to introduce a bill to Parliament. The NGBU meets Members so wishing to get ideas of what they would like to do and thereafter check Laws in the United Kingdom and other countries to ascertain whether
such a law is already in existence, check if there is nothing preventing such a law and find out whether United Kingdom or Scotland are not planning to introduce the same.

The Unit then contacts relevant Ministries to find out if there is something on the same. They then speak with the Legal Office at the Scottish Parliament in order to get as much information as they can. The Legal Office has a mandate to contact external partners to assist in drafting the Bills. The Bills, having been drafted are sent to relevant Committees for scrutiny.

As can be observed, this process takes quite some time. After such exhaustive process, the Unit gets responses from all types of citizens, including the general public from which they produce a summary document which is sent to the Members with recommendations. After agreeing with the individual Members, the Bill is published in the Business Bulletin for 28 days. The Bill is supposed to be supported by 18 MSPs from all parties in Parliament.

**OBSERVE THE CONVENORS’ GROUP**

This is a meeting of Convenors (Chairpersons of Committee) which is held once a month.

It was noted that the Clerking team advised Convenors on the need to upgrade forms of interaction and communication technologies due to the increase in usage of Parliament information services, to which the Convenors agreed.

**WORK SHADOWING: CHAMBER DESK**

It was observed that one of the responsibilities of the Chamber Desk is handling all Parliamentary Questions, Motions from Members of Parliament for debate in the Chamber. After getting questions and motions from Members, the Chamber Desk edits them, following guides to parliamentary questions and motions by Members of Parliament.

There are two kinds of questions, namely, written and oral. For written questions, Ministries are given 10 days to send a response to the Chamber Desk for publishing on the Parliament Website. The responses are published after an oral reply is given in the Chamber. Oral questions are asked directly in the Chamber. The Chamber Desk recommends to the Presiding Officer as to which questions to come in to the Chamber, however, the Presiding Officer makes the final decision on the six questions to appear on the Business Bulletin.

Since the Chamber sits on the afternoon of Tuesdays, Wednesdays and Thursdays, questions are taken on these days. On Tuesday, Topical Questions are put up in the Chamber and these are selected by the Presiding Officer. Topical Questions are allotted 15 minutes in the Chamber.

On Wednesday, Portfolio Questions are put up in the Chamber. Questions are put in such a way that each Wednesday, they take questions to one portfolio, e.g. Health, Transport, Justice, etc.
On Thursday, first are questions to the First Minister. The First Minister’s questions come in on Monday for answering on Tuesday in the Chamber. Of the six questions, the first question comes from the Leader of the largest opposition party, the second from the 2nd largest opposition party and so on. After their first questions, the leaders are allowed four questions more. The time given to the First Minister’s question time is 30 minutes.

After the First Minister’s question time, General Questions are now put by Members. These questions can be on any subject, provided they are in the interest and responsibility of the Scottish Government.

It was noted that time is strictly adhered to in the Scottish Parliament and that should an answer not be provided in the Chamber, the Minister provides a written response to the Member.

The Chamber Desk advises Members, using the Guide on Parliamentary Questions, what types of questions they can or cannot ask. Members are also advised on how they put down Motions for debate in the Chamber. A motion can be debated if a Member gets support from Members from two other parties. After drafting the motions, they are listed and sent to the Parliamentary Bureau where eligible ones are picked and put onto the Business Bulletin for debating during Members’ Business.

Government motions do not need support, however, other parties may make amendments for debate. Depending on the subject matter of a Government motion, all Members may support it in the Chamber.

**Firstly, the Malawi National Assembly needs to come up with Guidelines to Parliamentary Questions and Motions. It has been noted that Members do not take corrections from staff, however, coming from a background of the Guide, it would not be a problem advising Members on such amendments.**

**OBSERVE MEMBERS’ BUSINESS – DEBATE ON BICENTENARY CELEBRATIONS OF DR DAVID LIVINGSTONE’S BIRTH**

The debate was opened by James Kelly, MSP from the Blantyre area, the birth place of David Livingstone. MSPs acknowledged the presence of special envoy Annie Lennox, Ambassador for the CPA on issues relating to Africa.

It was noted that MSPs wholly supported the motion. It was noted that the debate was the culmination of a number of successful events over the past fortnight, including the special service at Blantyre Livingstone memorial church which was attended by President Joyce Banda and the First Minister.

It was also noted that two Members of the Scottish Parliament recently undertook a visit to Malawi and there was a reciprocal visit by MPs from Malawi to Scotland who also visited Blantyre and talked about common parliamentary traditions. It was
further noted that each Parliament can learn a lot from the other good lessons and good practices that can assist not only the Parliaments, but also the communities in the two countries on issues such as poverty, human rights and AIDS awareness, which the CPA and its envoys are very effective in championing.

GENERAL OBSERVATIONS AND RECOMMENDATIONS

Generally, it has been noted that the number of staff in most sections in the Malawi National Assembly is so small and affects their work. Efforts have to be made to have more key staff in such cases.

It was observed that there are similarities in the way Committee meetings are handled. However, there is a lot to be done on the Clerking of Committees in form of advice Convenors and Members. Much improvement must also be taken on preparation for meetings by having relevant documentation on time to Members and stakeholders.

The Scottish Parliament may wish to assist the Malawi National Assembly in sensitizing Members and staff on Non-Government Bills. This could be by way of either joint or separate workshops for Members of Parliament and staff. As noted above, it is not a matter of having professional lawyers on the team of staff, but hiring external partners.

A lot has to be done on the scrutiny process at the Malawi National Assembly. This can be achieved, as we have observed, when Members get relevant documentation and information on time to prepare for their meetings. This gives them adequate time to suggest stakeholders and to call for submissions from the same on time before they appear before Committees.

CONCLUSION

The team would like to thank the Chief Executive, Paul Grice and the Scottish Parliament, for the wonderful accommodation arrangements made available to us. It was very convenient as we only had to walk 2 minutes down to Queensberry House. Considering that during the period of our stay, the weather was not friendly.

Mention has to be made that during the four weeks stay in Scotland, and the Scottish Parliament in particular, we were in daily contact with officials in the UKIRO office. They made our stay, both official and personal, very comfortable and we are very grateful for that.

On meetings with various Sections and Units, and as indicated earlier under such meetings, it appears work, especially to do with the Chamber, does overlap in that it is
performed by more than one Section. An example is on questions and motions, which seem to be handled at by at least three sections.

Finally, appreciation must go to the UKIRO team for the manner in which they handled our programme. Every meeting that we attended, it was very clear that they had received full information on time as we could see from the welcome by Convenors and even from the Security personnel outside meeting rooms. To Margaret Neal, Stephen Herbert, Steven Bell, Andrew Degnan, Judith Proudfoot, and others with whom I shared office space, I say thank you for making me feel at home. Steven and Andrew never tired of going up and down the stairs of the Scottish Parliament buildings, showing us Committee Rooms and offices.