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Pàrlamaid na h-Alba

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# Standards, Procedures and Public Appointments Committee

## Strengthening committees' effectiveness



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# Contents

<b>Committee Membership</b>	<b>1</b>
<b>Introduction</b>	<b>2</b>
What was envisaged for Scottish Parliament Committees	2
How are committees performing?	3
Approach to inquiry	3
Key themes explored	4
<b>The culture of committees and the role of membership</b>	<b>6</b>
Relationship between party membership and committee membership	7
Role of committee composition and remit in working culture	10
Follow the evidence	11
Have a common purpose	12
<b>The support and training offered to MSPs in their role as committee members</b>	<b>15</b>
Access to information and expertise	15
Training to be an effective committee member	16
<b>Size of Committees</b>	<b>20</b>
Current rules on size of committees	20
Impact of size of committees	20
Party representation on committees	21
Members on more than one committee	22
Changes in membership	22
<b>Gender Sensitive Audit Recommendations</b>	<b>25</b>
<b>Role of conveners in enhancing committee effectiveness and whether elected conveners would strengthen the role</b>	<b>29</b>
Role of convener	29
Elected conveners	30
Experience from Westminster and Wales	31
Previous consideration of elected conveners by the Scottish Parliament	32
Elected conveners and the Scottish Parliament	33
Remuneration	36
<b>Capacity and workload of committees</b>	<b>39</b>
Volume of legislation	39
Committee scrutiny function	40
How can committees create capacity and manage their workloads more effectively?	41
Manage the volume of legislation	42

Better management of peaks and troughs _____	42
More time for post-legislative scrutiny _____	43
Carve out more time for committees in parliamentary week _____	44
Changes to the structures and remits of committees _____	45
Splitting committee functions _____	45
Different types of committees _____	46
Approach to committee remits _____	47
Future remit of statutory committee _____	52
<b>Committees' relationship with stakeholders and the public _____</b>	<b>54</b>
Relationship with stakeholders _____	54
Engagement with the public _____	55
The approach of Scottish Parliament committees _____	56
Other issues regarding engagement _____	57
<b>Novel ways of working _____</b>	<b>59</b>
Committee Reporters and Sub-Committees _____	59
Cross-committee working _____	60
Joint Committee meetings _____	60
Hosting of members _____	61
<b>How can committees evaluate their performance _____</b>	<b>63</b>
<b>Overall conclusion _____</b>	<b>66</b>
<b>Annexe A - Remit for the inquiry and the themes and questions we posed for answer _____</b>	<b>67</b>
<b>Annexe B – Model procedure for elected conveners _____</b>	<b>69</b>
<b>Annexe C – Extracts from the Committee's Minutes _____</b>	<b>70</b>
<b>Annexe D – Evidence _____</b>	<b>72</b>
<b>Annexe E– SPPA Committee questions regarding the nomination process for elected conveners _____</b>	<b>75</b>

# Standards, Procedures and Public Appointments Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- (a) the practice and procedures of the Parliament in relation to its business;
- (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- (c) the adoption, amendment and application of any Code of Conduct for members;
- (d) matters relating to public appointments in Scotland;
- (e) matters relating to the regulation of lobbying; and
- (f) matters falling within the responsibility of the Minister for Parliamentary Business.

2. Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion."



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# Committee Membership



**Convener**  
**Martin Whitfield**  
Scottish Labour



**Deputy Convener**  
**Ruth Maguire**  
Scottish National Party



**Emma Roddick**  
Scottish National Party



**Annie Wells**  
Scottish Conservative  
and Unionist Party



**Sue Webber**  
Scottish Conservative  
and Unionist Party

# Committee Membership

1. The following changes to the Committee's membership have been made during this inquiry:
  - Evelyn Tweed left the Committee on 6 March 2024 and was replaced by Jackie Dunbar
  - Stephen Kerr left the Committee on 28 March 2024 and was replaced by Oliver Mundell
  - Ivan McKee left the Committee on 6 May 2024 and was replaced by Ruth Maguire on 18 June 2024
  - Jackie Dunbar left the Committee on 17 June 2024 and was replaced by Joe FitzPatrick on 18 June 2024
  - Oliver Mundell left the Committee on 10 October 2024 and was replaced by Sue Webber.
  - Joe FitzPatrick left the Committee on 9 April 2025 and was replaced by Emma Roddick on 22 April 2025.
2. Rona Mackay participated as committee substitute for Ruth Maguire from 30 January 2025 to 15 May 2025.

# Introduction

3. The Scottish Parliament has now been firmly embedded in Scottish public life for over 25 years.
4. This anniversary of the Parliament provided an opportunity to reflect on the operation of committees.
5. Our inquiry has focused on trying to get a sense of the state of the Parliament's committees 25 years since devolution and to learn about what committees are doing well and where there may be room for improvement.
6. Our role, set out in Standing Orders, is to consider "the practice and procedures of the Parliament in relation to its business." For this inquiry, this means considering whether there are changes to parliamentary rules or practices which would allow committees to fulfil their potential and perform more effectively.
7. Our remit as the Standards, Procedures and Public Appointments Committee is not to critique the performance of individual committees or to tell committees how to undertake their work. This would not be appropriate.

## What was envisaged for Scottish Parliament Committees

8. As detailed in the Guidance on Committees the importance of an effective committee system was recognised at an early stage in the process that led to the creation of the Scottish Parliament in 1999.
9. The architects of devolution agreed early on that any new Parliament should be unicameral (i.e. have a single chamber) and envisaged a strong committee system, together with a proportional electoral system, taking the place of a second chamber in providing checks and balances and guarding against the risk of executive dominance.<sup>1</sup>
10. The Consultative Steering Group (CSG) report published in December 1998 set out the aspirations and recommendations for the operation of the Scottish Parliament.<sup>2</sup>
11. The core of the CSG vision was that the Scottish Parliament should have a single elected chamber and for the day-to-day business to be carried out in committees which were to be the 'engine room' of the Parliament. It was envisaged that committees were to be at the heart of legislative scrutiny and of holding Government to account. It called for "all purpose committees" combining the roles of House of Commons departmental select committees and "standing" committees on Bills. Such committees would be able to consider and report on the policy and administration of the Scottish administration, conduct inquiries and scrutinise legislation. Unlike Westminster committees, they would also be able to initiate legislation.
12. The CSG also recommended a requirement in Standing Orders to establish committees with functions "fundamental to the running of the Parliament." It

proposed that all committees would have power to call for witnesses and documents, appoint reporters, conduct joint meetings and establish sub-committees.

13. These CSG recommendations were translated into the first set of Standing Orders for the Parliament when it was established in 1999, and remain the basis for committee procedures to this day.

## How are committees performing?

14. We are aware that there is a perception, from commentary in the media and elsewhere, that committees are not fulfilling their potential and could perform better in delivering their scrutiny function and in holding the Scottish Government to account.
15. Indeed, there has been criticism that what was envisaged for how committees would operate has not been matched with the reality. Concerns have been voiced about issues such as the workload of committees impacting on their ability to operate effectively. Criticisms have been made that committees are not working in a collegiate fashion to hold the Scottish Government to account and explore issues of topical importance to the public.
16. While the picture of a failing system may not be as stark as has been portrayed in some quarters, it is right that the public have high expectations about how committees work. It is also clear that in some instances these expectations are not being met.
17. This inquiry has provided us with an opportunity to explore both the strengths and weaknesses in committees' current performance, and to reflect on what procedural and cultural changes are required to ensure they are operating as effectively as possible.

## Approach to inquiry

18. To inform our work on the issue of committee effectiveness, we have endeavoured to conduct our own inquiry in as effective a manner as possible. We recognised from the start of this inquiry the importance of building in time to scope out our work. The remit for the inquiry and the themes and questions we posed for answer (listed at Annexe A) during the course of the inquiry were informed by an initial evidence session with former Scottish Parliament Conveners, briefing papers from the Scottish Parliament Information Centre (SPICe) and a deliberative discussion session with Committee members facilitated by colleagues in the Participation and Communities Team (PACT) and SPICe.
19. We also appointed a committee adviser, Dr Danielle Beswick, to assist the Committee in shaping the inquiry, providing background information, and analysing the evidence received during the inquiry.
20. It has proven useful to have an external perspective to provide a 'critical friend' role

during our deliberations. We thank Dr Beswick for her valuable contribution to the committee's inquiry.

21. As part of our evidence gathering, we issued a series of targeted calls for views that ran in conjunction with the oral evidence sessions. This included requests to a range of legislatures for information about relevant procedures and practices in other jurisdictions. We also issued an open survey to the public on their experience of committees, and a more targeted and detailed request aimed at those organisations and witnesses who have engaged regularly with committees.
22. We held five oral evidence sessions which provided us with an opportunity to engage with a range of academics, specialists and those with direct experience of working for or with the Parliament. We held these sessions in a 'roundtable format' to encourage a free flowing exchange of ideas.
23. We have recognised that understanding the experience and views of Members would be central to the success of this inquiry. We have adopted a range of approaches to facilitate their engagement.
24. This has included a request for written views to all Scottish Parliament committees and political parties represented in the Parliament. We also provided an opportunity for all MSPs to submit their views, including an option to do so anonymously if they preferred. The response rate achieved from MSPs has been higher than for previous committee consultations.
25. We held oral evidence sessions with representatives of each of the political parties represented in the Parliament, and with the Minister for Parliamentary Business. We also had a facilitated discussion with the Conveners Group.
26. Finally, we held a committee debate in the Chamber to explore the themes emerging from the inquiry and seek the views and comments from Members in the Chamber to inform our inquiry findings.
27. A full list of the evidence received is listed at Annexe C and D.
28. We thank all those who have provided their time, effort and insights to the Committee and acknowledge the valuable contribution this has made to our work.

## **Key themes explored**

29. We have considered carefully the views we heard from witnesses and in written submissions. As part of this, we identified a number of key themes emerging in evidence, and we explore these in detail within the report. These are summarised below.
30. We have identified conclusions and recommendations in the following key areas including—
  - The role of committee members in promoting effective working on committees, including the importance of collegiate working; training and support for committee members; and committees having a common purpose.

- The size of committees and whether there is an optimum size of a committee to aid committee effectiveness.
  - Gender balance on committees and how this might be supported and achieved.
  - The role of conveners in promoting committee effectiveness including the potential merits of having elected conveners.
  - The capacity of committees within their workload to engage in good scrutiny work, including changes to the structures and remits of committees.
  - The role committee stakeholders and the public can play in helping to ensure that committees deliver effective scrutiny.
  - How the effectiveness of committees might be evaluated.
31. Our objective has been to identify a series of practical and tangible recommendations that can be implemented to improve the effectiveness of committees.
32. This report discusses each of these themes further and sets out a series of recommendations which we consider will enhance and improve the performance of committees.

# The culture of committees and the role of membership

33. We have heard that central to the success of committees is the culture in which they operate. Whilst the structure of committees is important to how effective they are, a recurring theme of our inquiry has been that the culture of committees has far more impact on their effectiveness. Professor Meg Russell, Director of the Constitution Unit and Professor of British and Comparative Politics University College London told us:
- ” it is important to emphasise that structure cannot trump culture—well, it certainly struggles to do so. [...] it is hard to generalise. You need to build whatever you build with sound understanding of your own system and its culture and capabilities; you should not think that you can import something from elsewhere or pick from a list of what comparative academics think are effective things, because they might or might not work in your case.”<sup>3</sup>
34. We also heard that if there is a good culture in a committee it impacts more widely on how a Parliament operates. For instance Professor Meg Russell explained that if committees establish a culture of evidence-based working and cross-party working it has a wider impact on how people work together in plenary and are perceived by the public.<sup>4</sup>
35. Ken Hughes, Former Assistant Chief Executive, Scottish Parliament placed a similar importance on the need for there to be a good culture and suggested that committee effectiveness was 90% culture. He explained that current parliamentary procedures were not overly prescriptive with the aim being to create a structure which enables the Parliament to do things. He emphasised that in his experience the committees that work the best are the ones that “gel”, with interpersonal relationships being an important factor in terms of how committees perform.<sup>5</sup>
36. The role of the members of the committee and in particular the Convener (as we discuss later in the report) in creating a good working culture was emphasised by many witnesses.
37. Dr Tom Caygill, Senior Lecturer in Politics, Nottingham-Trent University told the Committee that committee effectiveness comes down to the personalities in the room. The dynamic of a committee could be greatly affected by changing its membership. He also emphasised the importance of the relationship between the convener and the clerks, and between the committee and the clerks. He considered the style of the convener also had an impact on the culture. Dr Marc Geddes identified six performance styles that MPs adopted when they enact their scrutiny role.<sup>6</sup> Dr Caygill told us that as a result of all of these factors, every committee operates differently.<sup>7</sup>

## Relationship between party membership and committee membership

38. An important aspect in our consideration of committee culture has been understanding the relationship between a committee member and their party role.
39. We heard that a widely held aspiration is that committee members should leave their 'party hats' at the committee room door. This approach should result in members working collegiately and cross-party to achieve consensus. The idea would be that Members would be led by the evidence they receive at committee meetings and would be open-minded in respect of the conclusions they would reach.
40. Colin T. Reid, an adviser to a Scottish Parliament Committee in this and previous Parliaments stated in his written submission:
- ” “The effectiveness of scrutiny ultimately depends on the willingness of MSPs in their scrutiny role largely to set aside their party political loyalties and preferences and take a more objective approach in the wider public interest.” <sup>8</sup>
41. We explored with witnesses the importance of this aspiration and what could be achieved if it was met. We also considered if it was one shared by Members, if it was a realistic proposition, and if it was always a desirable approach for Members to take.
42. A recurring criticism of committee performance was the role party politics plays in committees.
43. Professor Tomkins, former MSP and committee convener argued that in comparison to the House of Commons, partly because of the Scottish Parliament's size and structure “people bring their party politics into committees more than they should.” <sup>9</sup>
44. Some comments were made about the role of committee members who come from the party of government. For instance Johann Lamont, former MSP and committee convener called for Members ‘to at least wrestle’ with their different roles and not accept as a government back-bencher you had to adhere to ensuring delivery of your party's Programme for Government, but rather had a role to question and independently scrutinise what was presented. <sup>10</sup>
45. She told the Committee:
- ” “Parliamentary scrutiny cannot simply be about Opposition scrutiny. There is legitimacy if all members who sit on a committee, across parties, argue a position.” <sup>11</sup>
46. We heard evidence from several witnesses including current MSPs from different political parties about the importance of all members on a committee feeling empowered to operate independently of their party role in a committee setting. Many suggested that having this independence enabled consensus to be achieved and made committees stronger.

47. Willie Rennie MSP speaking on behalf of the Scottish Liberal Democrats emphasised that it was important that there was a culture on committees that was collaborative where members of the governing party were prepared to test and challenge. Without this he felt it could be “a bit of a stultifying experience” whereby nothing progressed.<sup>12</sup>
48. He provided a recent example of scrutiny of government legislation on a Government bill where Government members had been willing to challenge the government minister and not vote with the whip. He told us that Government party members on that committee “were not being rebellious; they were just doing the right thing” and this approach had strengthened the legislation being scrutinised.<sup>13</sup>
49. Willie Rennie MSP also spoke about how he considered it was important to leave his 'party hat' at the door to aid scrutiny and challenge all sides of an argument:
- ” “When I am in committee, I ask questions that I might not agree with. We have been working on the Tertiary Education and Training (Funding and Governance) (Scotland) Bill, and I have been asking tough questions on both sides because I think that it is important to uncover the facts. I will come to a different conclusion at the end—I will not be a Liberal and pick both options; I will pick one side. However, it is important that, when we are going through the initial phase, we interrogate robustly.”<sup>14</sup>
50. Karen Adam MSP, representing the SNP, also recognised there was a benefit for the Scottish Government in her party’s members operating as effective committee members:
- ” “The SNP has a very deep respect for the Scottish Parliament, and it really is in our interests to have robust scrutiny in order to make good law for the people of Scotland, because that ultimately makes for good, robust governance.”<sup>15</sup>
51. Karen Adam MSP also told the Committee that it was important to recognise that scrutiny was a function that all members needed to perform. She suggested that consideration needed to be given to ensuring that opposition members were not merely opposing government policy for oppositions sake.<sup>16</sup>
52. Professor Meg Russell said that as well as enhancing the scrutiny function, operating consensually was seen as enhancing public support for committees as “it cannot be presented as scrapping and party-political point scoring.”<sup>17</sup>
53. However, we heard that leaving 'party hats' at the committee door is not always straightforward. Witnesses acknowledged that committee members were juggling a lot of different roles in a committee setting. Johann Lamont told the Committee:
- ” “The big challenge for an MSP—it is not easy to resolve—is how, as an MSP and a committee member, you manage all the bits of yourself that you bring into the room.”<sup>18</sup>
54. Another perspective we heard was that the drive for consensus may not always be desirable or indeed something that committee members actively seek.
55. Sir David Natzler noted that politicians had been elected under a party mandate,

and therefore expected to follow party lines.<sup>19</sup>

56. Some of the witnesses from political parties similarly emphasised there was a need to recognise that Members had been elected to pursue policy agendas and that there was an expectation from the public which had elected them as Members to adhere to this.

57. Karen Adam MSP told the Committee:

” “We are encouraged to ensure that, when we are scrutinising at committee, we are doing so objectively. However, the point is that we are here and that we align with our party political values. There are many times when we will agree with what is being said by those who are in the same political party as us.”<sup>20</sup>

58. Ross Greer MSP, representing the Scottish Green Party, echoed this view “It is not as simple as saying that, in all circumstances in committee, we leave our party rosettes at the door. [...]” He explained to the Committee that it was appropriate when conducting the scrutiny function but when considering legislation, a member’s starting point should be consideration of the mandate under which they had been democratically elected:

” “If we varied from that on the basis of the evidence, the public would understand why, but if we were to start going into committee and constantly voting against the promises that we made to get here, there is a wider point about democratic legitimacy that I would be worried about.”<sup>21</sup>

59. Other witnesses also suggested that there was a distinction to be made to how members operated depending on whether it was legislation or other work being conducted by the Committee.

60. Professor Meg Russell spoke of the challenges of the dual functions of Scottish Parliament committees which, unlike Westminster select committees, scrutinise both legislation and conduct inquiries. She told us:


” “If all that you are doing is looking at legislation all of the time, where there are entrenched party positions, it is going to be quite difficult to build those cross-party bonds.”<sup>22</sup>

61. She went on to say:

” “if you can get on with some of the other stuff, such as the investigative work , and leave the party politics at the door, that is good for the outputs...”<sup>23</sup>

62. Willie Rennie MSP also acknowledged the challenge of Scottish Parliament Committees in scrutinising both legislation and conducting inquiries. He considered that there should be an acknowledgement that there were two committee functions, and therefore two committee roles in members heads. He explained that members should recognise that they perform different functions depending on whether they are scrutinising government legislation or public bodies and Ministers.<sup>24</sup>

## Role of committee composition and remit in working culture

63. When it came to the role of parties on committees, the Scottish Conservative and Unionist Party raised concerns that there was a more fundamental issue with the composition of committees. The Scotland Act 1998 states that Standing Orders shall include provision for ensuring that, in appointing members to committees and sub-committees, regard is had to the balance of political parties in the Parliament. [Scotland Act 1998 Schedule 3] This means the allocation of committees' seats is based on a roughly proportional basis. This gives the larger parties a share of seats on each committee that matches as closely as possible their share of seats. The Scottish Conservatives felt that scrutiny of the Scottish Government and legislation could be strengthened if Scottish Ministers were excluded from the calculation for committee membership and convenerships.<sup>25</sup>
64. Karen Adam representing the SNP considered it was important to have proportional representation on committees. If the system was removed she considered it would undermine the democratic representatives that the people have elected to represent them.<sup>26</sup>
65. Some of our witnesses commented that committee members can find it easier to leave their party hats at the door in certain situations, compared to others.
66. Ken Hughes offered insights into why it may be easier for committees to operate more effectively when they are scrutinising organisations and public bodies and not Government ministers. He explained in those situations there were no party positions to be defended or Ministers that need to be protected.<sup>27</sup>
67. Another point we heard was that it may be easier to leave your party hat at the door depending on which committee you were a member of.
68. The Public Audit Committee was seen as an example of this. The Public Audit Committee is in a unique position in that they rarely take evidence from Scottish Government Ministers but Scottish Government Portfolio Accountable Officers or the Accountable Officer for a Public Body. In the Public Audit Committee's written submission, it stated that hearing from senior officials rather than Ministers was beneficial as it minimised political difference and enabled members to take a more impartial and constructive approach to scrutiny.<sup>28</sup>
69. Johann Lamont suggested a similar dynamic was observed in her time as Convener on the Public Petitions Committee:
-  "It was hugely effective precisely because a lot of the dynamics of an ordinary committee did not apply—the agenda was determined by petitioners and the evidence came from petitioners. As a consequence, the approach to business was fluid and people learned to work together."<sup>29</sup>
70. As we have seen, the role of parties on committees is something which attracted significant comment during the inquiry. It is clear that there was a desire, among many witnesses, for committees to work more consensually, by Members 'leaving their party hats at the door' and reaching conclusions based on the evidence

received during the course of their work. As we have heard above, this is not necessarily a straightforward objective as, for understandable reasons, there will always be an element of party politics in the operation of committees.

71. Nevertheless, we feel that more could be done to encourage committees to operate more consensually and collegiately. This report sets out proposals to improve the effectiveness of committees, with aspirations of also improving their performance. We hope that this will encourage Members to value their committee role and what committees can achieve. In turn, this will promote a more collegiate approach to committee work.
72. We have two specific observations, based on the evidence we received, about how Members can be encouraged, where appropriate, to leave their 'party hat' at the door.

## Follow the evidence

73. The first observation regarding how members can be encouraged to work collegiately lies in the power of the evidence a committee receives. This can change or unite committee members, and help them to reach a shared view and understanding on an issue.
74. At the Conveners Group meeting on the 26 March 2025 with the First Minister, John Swinney was asked by our Convener for his views on the idea that for effective scrutiny, culture trumps structure.
75. His response was that both elements were important but crucially, there needed to be a willingness by committee members to engage in the consideration of the evidence taken by a committee.
76. He gave the specific example of the Criminal Justice Committee's scrutiny of the Victims, Witnesses and Justice Reform (Scotland) Bill at a time when he was a committee member. The First Minister told the Group that the evidence led the committee to make recommendations and come to conclusions that challenged the original contents of the Bill. He explained that Members had to be "prepared to be open and to accept that you might hear evidence over the course of the process that leads you to change your mind."<sup>30</sup>
77. This view of the importance of evidence was one reiterated by other witnesses. Johann Lamont told the Committee "The best advice that I ever gave to my members when I was party leader was, "Follow the evidence."" Professor Tomkins emphasised that it was important the Members of a committee considered inquiry evidence focused on what they want to do with it in the interests of the committee, the Parliament and the public rather than in the interests of the party line. He suggested this approach could empower and strengthen members' resolve.<sup>31</sup>
78. The potential of evidence to change members views, and ultimately party positions, was one highlighted by Rhoda Grant MSP. She explained that sometimes the work and knowledge a party spokesperson acquired from serving on a relevant subject committee could shape the party's policy position.<sup>32</sup>

79. Ross Greer MSP, representing the Scottish Green Party, told the Committee that it was legitimate to say that, on the basis of the evidence collected, the party might come to a different conclusion from what was in its manifesto. He highlighted the example of his party's manifesto commitment to support legislation to improve disabled young people's transitions to adulthood. Scottish Green Party Members had voted against a bill on that topic because they did not believe on the basis of the evidence that that particular bill would achieve that outcome. <sup>33</sup>

## Have a common purpose

80. The second observation relates to the importance of members working together as a team. The Committee has heard that having a shared purpose and understanding with regards to the role and aims of a committee could assist in facilitating this. Professor Meg Russell suggested that it was important to consider establishing cohesion in committees so that members feel part of a team in the same way that parties establish cohesion among members. <sup>34</sup>
81. Dr Marc Geddes, Senior Lecturer in Politics at the University of Edinburgh, spoke of the importance of members getting to know each, understanding each other's aims and what they want to achieve from being on a committee. <sup>35</sup>
82. One aspect the committee has considered has been the importance and benefit to a committee in shaping a sense of collective purpose by members being able to recognise and identify what they aim to achieve through their committee work. This applies to both the overall work of the committee across the parliamentary session and to individual pieces of work.
83. Dr Marc Geddes told the Committee that in his work observing committees, he had been surprised how many did not identify an aim or plan before embarking on work. He felt that given the different ways to think about effectiveness and the roles that a committee can play they could be more systematic about what they wished to achieve. <sup>36</sup>
84. Professor Diana Stirbu, Co-Director of the Centre for Applied Research in Empowering Society, London Metropolitan University in reference to her research of the Welsh Parliament told the Committee she "came across the idea of creating a sense of collective endeavour in the committee". She spoke of the process of a committee developing its sense of purpose aiding a committee's cohesiveness:
- ” “The whole process of goal setting, strategic planning and rallying to meet a particular set of goals and aspirations can be a unifying experience for committees.” <sup>37</sup>
85. John Sturrock KC, who has provided training to the Scottish Parliament on effective questioning skills, written submission echoed similar points and stated that "Clarity of purpose is key to effective performance of any service." He suggested a list of questions for members to reflect on, which compel members to consider whether what they wish to achieve is "political point-scoring or professional scrutiny, or a mix of both." <sup>38</sup>

86. We heard from witnesses that there were different layers of priorities and goal-setting. Dr Fox, Director and Head of Research, Hansard Society explained that the Committee system as a whole may have strategic priorities and objectives. Beneath that overarching purpose individual committees may set priorities and objectives at the start of a parliamentary session, and then they might also set specific priorities, objectives and audiences for individual pieces of work.
  87. Dr Fox explained that as well as helping to set a collective sense of purpose, considering audiences and objectives could help committees to prioritise work. This is particularly important given the time and resource constraints that committees face.<sup>39</sup>
  88. The Committee received evidence that in other Parliaments, the approach to setting objectives was a well-defined process. Professor Stirbu explained that in the Senedd (the Welsh Parliament), goals looked beyond committees' relationship to the government and were also about getting members to agree on ways of working. Emphasis is placed on collaboration, putting aside party politics and fulfilling tasks in an authoritative way, with clarity on the role of the committee and what it hopes to achieve.<sup>40</sup>
  89. At present in the Scottish Parliament, there is no requirement for committees to set out their aims and follow from that to assess their progress in meeting their objectives. However, each subject and mandatory committee is currently required under Standing Orders to submit an annual report setting out its annual activities including how it has taken account of equal opportunities in its work.<sup>41</sup>
90. The culture of committees is central to committees operating effectively. At the heart of a committee's culture is its members. Committee members' behaviour, approach and role is fundamental not only to what committees do and how they do it, but also potentially to how it is viewed by the public and to what it can achieve.
  91. The Committee considers that there is a need to recognise that a committee is more effective when it works together, has a clear purpose and aims, listens and reflects on the evidence it has received, and comes to a collective agreement on an issue.
  92. The committee, is of the view that there is merit in committee members pursuing the objective of leaving their party responsibilities at the door. By working together, collegiately and cross-party, their full potential can be realised. This can ensure that committees hold the Government to account, and that robust legislation is passed. Ultimately this will enhance the performance of the Scottish Government and deliver for the people of Scotland.
  93. However, as we have heard through the course of our inquiry, it is not always appropriate, or desirable for a committee member to put their party role entirely to one side. They have been elected with a democratic mandate to deliver against their party manifesto and the public, in the main, expect them to adhere to this.
  94. We consider there are instances where this is more readily the case and should be recognised by committee members, especially in scrutinising legislation.

95. There are many ways of encouraging collegiate ways of working, but we think that these two should be prioritised by committees:
- First, as highlighted above, having robust evidence is a crucial component to empowering committee members to follow a different path to one that might not necessarily accord with their party positions on a topic. We explore in more detail the importance of the evidence we receive later in this report.
  - Second, we have heard of the importance of committees developing a sense of common and clearly defined purpose.
96. We recommend that Standing Orders is amended to place a requirement in a committee's annual report to set out how effectively the committee has conducted its scrutiny and what this has achieved. This approach will encourage accountability and allow committees collectively to learn from each other and informal approaches to future work.
97. The Committee is of the view that each committee should set objectives for the individual pieces of scrutiny and inquiry work it conducts. This approach will further assist in members working collegiately to deliver shared objectives. We also consider it will encourage more time to be built into the scoping stage of inquiries to ensure the most appropriate methods of evidence taking and engagement are used.

## The support and training offered to MSPs in their role as committee members

98. As we have discussed, we consider that a committee setting its objectives will provide an important foundation upon which a committee and its members can build its work and ensure that the committee operates effectively.
99. However, another important foundation for a committee to operate effectively is the knowledge and skills of its Members, both what they bring to a committee and what is provided to help them to perform their roles as committee members.
100. During the course of the inquiry, we considered how to ensure committees have the necessary advice and support to do their work effectively.

### Access to information and expertise

101. We heard about ensuring that committee members have access to information and expertise to enhance their understanding of the subjects they will be considering.
102. Witnesses emphasised the importance of having well-resourced support to enable committees to operate effectively.<sup>42</sup>
103. In the Committee's chamber debate on the inquiry, several members emphasised the importance of ensuring that committees are properly resourced. Finlay Carson MSP told the Chamber:  

” “Effective scrutiny requires time, expertise and support. That means investing in our fantastic clerks, our research staff and access to data.”<sup>43</sup>
104. Members acknowledged the range of support offered in the Scottish Parliament by Clerks, SPICe and the wider teams assisting with committees' scrutiny, with many praising the services provided. Audrey Nicoll MSP, Convener of the Criminal Justice Committee, told the Chamber in the debate on the inquiry:  

” “I cannot talk about our committee's work programme without commending our clerking team, without whom I would certainly be lost. Nothing is too much trouble for them, and the huge workload that the team carries to make our committee work so well is not lost on any of our members. The support that we receive from our Scottish Parliament information centre, communications, and participation and communities team—PACT—colleagues is second to none, and we are indebted to them all.”<sup>44</sup>
105. Several witnesses emphasised that a core component that enabled Members to perform effectively on committees was having the relevant subject expertise. Witnesses highlighted that this knowledge could be acquired, and did not necessitate a Member having a professional background in the subject area.
106. Indeed, Ken Hughes suggested that having a committee full of members with professional expertise in a subject area might not be an advantage. He suggested that if a member was already an expert in a specific subject, they may be less open

to new opinions and information.<sup>45</sup>

107. Professor Philip Lord Norton of Louth, Professor of Government and Director of the Centre for Legislative Studies, University of Hull considered that subject expertise could be gathered from support provided by internal resources and supplemented by bringing in outside academic specialists on an ad hoc basis for specific inquiries. He did, however, offer a note of caution to the provision of expert support. He described it as needing to “be on tap, not on top” for members.<sup>46</sup> He explained that it was important that Members knew how to utilise experts to get the information they needed to ensure that they were in control of how it was used.
108. We also heard from witnesses including Ross Greer MSP, representing the Green Party, the suggestion that members should be equipped with an understanding of how the public sector operates, the key bodies within it, and training in Scottish public finance.<sup>47</sup>
109. One specific issue raised by Members regarding subject area support was how a committee utilised the briefings provided by SPICe ahead of evidence sessions. The Scottish Green Party, in its written submission explained that SPICe support is valuable, but that the structured questions provided in briefing papers often result in MSPs simply reading them out rather than engaging with the subject matter.
110. The Scottish Conservative and Unionist Party raised similar points and expressed that suggested questions could encourage some conveners to stick rigidly to them and treat independent Member input as an afterthought.
111. Some evidence, however, emphasised that it can be useful for members to have specific lines of questioning or indications of themes to cover. It can assist where there are particularly technical or complex subjects to discuss and is also a way to ensure all issues are covered. Audrey Nicoll MSP told the Chamber in the inquiry debate that, in her committee, pre-prepared questions can ensure that all aspects of a bill’s provisions are covered during committee scrutiny.<sup>48</sup>

## **Training to be an effective committee member**

112. The second strand of support for members explored during the inquiry related to specific training in relation to how committee members undertake their role.
113. Professor Lord Norton considered it was important to invest resources in training for members to maximise the effectiveness of committees. He suggested that training should enable members to develop both the skills to be able to operate effectively as committee members and ensure they have a grounding in the subject area.<sup>49</sup>
114. John Sturrock KC, in his written submission, emphasised the benefits of encouraging members to engage in continued skills development. He stated that it provided “greater understanding of purpose, enhanced competence and better performance overall.”<sup>50</sup> He explained that benefits could be considered at both the macro and micro level. On the macro level in relation to more effective scrutiny of policy and legislation. On the micro level in that greater competence and skills in members could build their confidence and willingness to use their challenge

function.

115. In considering the issue of training, and in light of the point in the Parliamentary session in which we have carried out this inquiry, we have considered what would be beneficial for members from the start of the next parliamentary session in 2026.
116. The Committee heard that there would be merit in Members being offered both routine training in committee processes and more bespoke tailored support available to them depending on the needs of individual members, committees and specific pieces of work.
117. Witnesses suggested that structured training should be offered as part of the induction process for both new and returning members. Some Members praised the induction process offered to Members in 2016, whilst acknowledging that similar provision at the start of the current parliamentary session had been curtailed due to the impacts of COVID restrictions.
118. Professor Lord Norton told the Committee about training that had recently been rolled out in the House of Lords on how to be a committee member, including how a committee works, and questioning skills.<sup>51</sup>
119. The Committee heard evidence about the range of issues that could potentially be covered in training for members including enhancing procedural knowledge, questioning techniques and facilitation training. Also the importance of the timing of training through the parliamentary session, including delivering training on the legislative process when it is most relevant to a committees work programme.
120. Questioning techniques was seen as a core skill for Members of a committee to develop. John Sturrock KC, considered questioning as the most critical aspect of scrutiny. In his written submission he expressed the view that the most effective way to develop the skills was through interactive training including a practical component where members are invited to practice the skills in question in a coaching environment.<sup>52</sup>
121. Professor Norton similarly emphasised the importance of members having the ability to ask good questions of witnesses. He said Members should be able to
  - ” “focus on the topic of the inquiry, what key questions they need to ask and how to evaluate the answers quickly so that they can pursue those with the witnesses.”<sup>53</sup>
122. As well as discussion about training in some of the core skills required to be an effective committee member, we received evidence about the importance of training and support in ‘softer skills’ such as emotional intelligence, team building and group facilitation.
123. As emphasised earlier in the report, the importance of members having an opportunity to get to know each other and form a collective relationship was considered important, especially by MSPs. This had been difficult at the start of the current parliamentary session, due to the COVID pandemic.
124. Douglas Ross MSP representing the Scottish Conservative and Unionist Party told the Committee “We would stress that that face-to-face training—almost team

bonding— is important for committees to get off on the right foot.”<sup>54</sup>

125. We heard that away days and informal meetings provide an opportunity to discuss the strategy and approach to committees work. We heard from Professor Meg Russell and Dr Marc Geddes that these interactions might be what is deemed more soft, subtle things that might not be popular due to resource implications, but they were important in strengthening relationships. These interactions also have the effect of building trust between committee members which is an important part of effective collegiate working.<sup>55</sup>
126. One potential challenge raised to the provision of training and support to members was the limited capacity of Members to undertake training. Suggestion was made by some witnesses to utilise the start of the session more effectively. Ross Greer MSP, on behalf of the Scottish Green Party, felt the start of the session could be used to consider how we define committee roles and for new member induction.<sup>56</sup>

127. If a member enters the ‘committee arena’ with the necessary support, knowledge and skills needed in their role, they will perform with confidence and ability. They will also be more likely to operate collegiately in the interests of the committee as a whole.
128. We consider it is important to build on the existing skills and knowledge that members bring to the role of a committee member and to deliver this it is essential that the internal staffing support offered to committees including Clerks and SPICe and the wider support teams is well resourced. They provide valuable and valued services and support to the work of committees.
129. In this regard, we heard different views on the merits of suggested lines of questioning for witnesses being provided to committee members in SPICe briefings. It is important that the level and type of information provided to committees supports Members to engage with the subjects they are scrutinising. A Committee should consider and agree its preferred approach to these specific aspects of how it operates. It is important that there remains a flexibility in the system to adapt to the needs of each committee.
130. The evidence shows that it is important to draw upon external expertise when required to enhance a committee’s knowledge and development of its work programme. We recognise this can come through different routes including committee advisers, SPICe Fellowships and academia and sector experts.
131. As a Committee we consider that the start of a parliamentary session is a crucial time to deploy resources to assist members in both understanding the role of committees, and in assisting them in formulating their own thoughts on what makes a good committee member and how they can deliver in the role.
132. We support plans for an induction programme open to all committee members at the start of Session 7. We recognise that identifying time and space for this opportunity is challenging. We recommend that committees should recognise the value of learning and skills development as well as the opportunity for relationship-building by allocating their initial committee meeting slots for this purpose.

133. As a Committee, we recommend that this training should include an opportunity for Members to consider and discuss what an effective committee looks like to them, their goals and aspirations as a committee member; and what training and support they require to deliver this. It will also assist in enhancing the development of each committee's collective set of objectives for the session, and for work programme and inquiry planning.
134. This offer of training will help to prepare members to work effectively as a team once committees have formed. Building on this, we believe that engaging in induction and training activities is an important part of the process of members getting to know one another beyond the political realm.
135. This sets the tone and appetite for working practices which further strengthen interpersonal relationships and, crucially, builds trust between members, as we recognise in later sections of this report.
136. Informal fact-finding sessions and away-days should also be considered an important component of training and support for members. It is important to recognise the importance of these events in members getting to know each other beyond the political realm and foster a sense of collective working.

# Size of Committees

137. A key area of consideration during this inquiry has been the impact of the size of committees on the effectiveness of their operation.

## Current rules on size of committees

138. The membership of each committee, including the number of members on each committee, is decided by the Parliament on a motion of the Parliamentary Bureau.  
<sup>57</sup> Each mandatory and subject committee must have at least five but no more than fifteen members. This Rule also applies to Bill committees (other than Private Bill committee and Hybrid Bill Committees, which have between 3 and 5 members).
139. In proposing membership, the Bureau must have regard to the balance of the parties within the Parliament and to the qualifications and experience of any member expressing an interest in a particular committee.<sup>58</sup>
140. The average membership size of a committee has fluctuated over the parliamentary sessions. In Sessions 1,2 and 5 most committees had seven, nine or eleven members; in Session 3 most had eight members; in Session 4, most had seven or nine. In Session 6, the mandatory committees have five or seven members and the subject committees between six and ten.<sup>59</sup>

## Impact of size of committees

141. Several witnesses suggested that having a smaller number of members helped committees to operate more effectively.
142. Dr Caygill referenced the Nordic parliaments and their small specialist committees. He explained that it was easier to achieve consensus if committees had fewer members with the 'sweet spot' for membership being somewhere between seven and 11 members.<sup>60</sup>
143. Professor Norton also told the Committee that "size is important". He suggested that Committees being relatively small was potentially beneficial for the inter-personal relationships between members, as they got to know one another as individuals, and learnt to work and take evidence together.<sup>61</sup>
144. In evidence, there were suggestions that the Scottish Parliament could move to having smaller committees.
145. The suggestion was made that smaller committees could be more flexible and adapt more readily to changing work and priorities. Furthermore, this might be a way to address some specific challenges currently being experienced with larger committees.
146. In relation to her experience of committee size, Ash Regan MSP said:

” “As I said, I am currently sitting on a committee of five, which is the first time that I have ever done that, and I am surprised at how effectively we work. In that instance, the only party that is not represented is the Lib Dems... Expertise or capacity might not be brought into the committee system if we stick strictly to the proportionality basis. I think that smaller committees are more effective.”<sup>62</sup>

147. Douglas Ross MSP argued that there were practical difficulties with large committees. He suggested it was challenging for conveners to ensure meetings ran to time in those committees, and to provide an opportunity for supplementary questions to probe more deeply into an issue. The Scottish Conservative and Unionist Party considered that all subject committees should have no more than seven members and other committees should be no more than five members.<sup>63</sup>
148. We also heard concerns about the number of members who currently sit on more than one committee in the Scottish Parliament, particularly noting the workload challenges that this brings, and the number and frequency of changes in membership. The current size of committees was suggested as a factor that may be exacerbating these issues.

## Party representation on committees

149. One further issue explored in evidence with representatives of political parties was the recognition that there would be a challenge to set up smaller committees while maintaining a degree of proportionality in relation to smaller parties.
150. The current approach to determining party representation on committee at the point of establishment is decided on a roughly proportional basis. This gives the larger parties a share of seats on each committee that matches as closely as possible their share of seats in the Chamber, while smaller parties may have a single seat on some committees and none on others. Where there are independent MSPs in the Parliament, the parties may agree to offer some or all of them seats on committees.<sup>64</sup>
151. The Committee heard from party representatives that delivering proportionate membership on smaller committees would require a pragmatic approach. Willie Rennie told the Committee:
- ” “I am in favour of smaller committees, although there is an issue of proportionality. If committees are smaller, we need to recognise that the very small parties cannot be cut out altogether.”<sup>65</sup>
152. Ross Greer MSP considered that there was a balance to be struck between the two issues of size of committee membership and party representation.<sup>66</sup> He explained that he was in favour of smaller committees as a default position. However, he acknowledged that if this approach was adopted it might not be possible to have all parties represented on all committees.
153. Willie Rennie MSP highlighted that as a party they had decided to focus their membership of committees on areas that they had regarded as a priority.<sup>67</sup>

154. Ross Greer MSP speculating on what the Parliament composition might be post the next election he highlighted that it could be the case that the number of parties exceed the number of spaces on individual committees.<sup>68</sup>

## Members on more than one committee

155. As of 30 June 2025, 28 members sat on more than one committee, including four members on the temporary SPCB Supported Bodies Landscape Review Committee.
156. Professor Lord Norton explained that membership of multiple committees places a “burden on the individual members”. He considered this burden was higher in smaller legislatures as with fewer Members, there was more of an onus on them to attend meetings.<sup>69</sup>
157. Professor Stirbu discussed the impact of membership of multiple committees in the Senedd. She described multiple membership of committees as a “leitmotif” throughout the life of the Senedd and suggested this was a driving force behind calls to increase the size of the Senedd.
158. We heard similar calls during the course of the inquiry to increase the size of the Scottish Parliament, or to limit the size of the Scottish Government, thereby increasing the number of members available to serve on committees. However, these possible solutions fall outwith the scope of our work.
159. Professor Stribu suggested that one positive outcome of membership of multiple committees was members being able to share best practice and bring innovation from one committee to another. On the negative side, she said that members may prioritise one committee over another and become disengaged, and that disengagement can affect the quality of deliberation.<sup>70</sup>
160. The Committee heard about the specific impact in the Scottish Parliament of members being on multiple committees. Ash Regan MSP, representing the Alba Party, told the Committee that she thought that if you sat on multiple committees you were not able to give the commitment and level of attention that you should to each committee.<sup>71</sup> We also heard there were practical challenges in finding time to hold additional committee meetings if Members who were on multiple committees were already attending meetings on each of the usual committee meetings slots on a Tuesday, Wednesday and Thursday morning. Finding time for more scrutiny to be conducted was difficult.

## Changes in membership

161. Another concern raised regarding the membership of committees was the frequency of changes, or ‘churn’, in Membership.
162. The average turnover of members on committees through Session 6 has been 2.59 (i.e. for every committee seat, there have been 2.59 members in that seat to date

this session). Of the 109 committee seats at the start of the session (excluding the dissolved COVID-19 Recovery Committee, and later temporary SPCB Supported Bodies Landscape Committee) 30 members have remained sitting on the same committee throughout the session. This means that the majority of Committees have had only one or two members present throughout the session, and only eight Conveners have remained the same on the 15 Session-long committees.

163. There was acknowledgement by witnesses that changes in committee membership are often driven by changes at a party level. Jamie Hepburn, Minister for Parliamentary Business, acknowledged that Ministerial post changes would be the main event that might drive a change of membership. He did highlight, though, that committee changes were also sometimes required when Members had to take a leave of absence from the Parliament due to ill health or bereavement. He told the Committee that a more positive driver of membership changes can be when a member wishes to broaden their experience and understanding by moving to a different committee.<sup>72</sup>
164. Willie Rennie MSP, speaking on behalf of the Scottish Liberal Democrats, voiced concerns about the number of changes in committee membership. He acknowledged that membership changes were in the hands of the parties and issued a plea to them:
- ” “The membership has rotated a lot—far too much. I know that that is up to the parties, but I think that it means that the committee loses knowledge, and the team that is created also goes. I therefore appeal to the whips not to rotate members so frequently.”<sup>73</sup>
165. Witnesses highlighted concerns about the instability that changes in committee membership can bring. The Committee heard that this impacted on the sense of cohesiveness in a committee, as there was less time for members to engage with each other. We also heard concerns that it impacted on the scrutiny function of a committee.
166. Ross Greer MSP, speaking on behalf of the Scottish Green Party, raised concerns that if members were only expected to be on a committee for a short space of time there was less incentive for them to engage with the work of the committee.<sup>74</sup>
167. The Committee also heard that increased length of time sitting on a committee brought increased knowledge and understanding amongst members. Dr Caygill spoke about the value of having members who had scrutinised draft legislation being later involved in post-legislative scrutiny of the same Act, but noted that such expertise was a rarity.<sup>75</sup>

168. We think that a new approach is needed to setting the size of committees. We support the concerns raised that larger committees are exacerbating the issue of members serving on more than one committee and changes being made to the membership of committees.

169. We note that there are benefits to Members working across multiple committees as they are able to share knowledge, best practice and innovations from other committees however it can present workload constraints.

170. We also consider that churn in membership does not help create a sense of collegiate working as committee members need time to get to know each other and build up expertise and understanding.
171. We also agree with the concerns expressed that larger committees present practical issues with meeting management and ensuring there are opportunities to probe more deeply into issues.
172. The Committee is of the view that to address these issues smaller committees should be established at the start of the next session.
173. We recommend that a change is made to Standing Orders to reduce the maximum number of members for subject and mandatory committees down from fifteen to ten members. We recommend that committees should normally have a maximum of seven members.
174. An important consideration to our reasoning for these proposals is the issue of small party representation on committees. There is a balance to be struck between the two issues of size of committee membership and party representation. We consider our proposals still leave flexibility to ensure that smaller parties are represented on committees and committee places are still allocated broadly in line with the balance of political parties in the parliament.
175. We also see a link between the establishment of smaller committees and freeing up capacity of Members, which is important with regards to increasing flexibility in the approach to structure of committees which we come on to discuss later in the report.

# Gender Sensitive Audit

## Recommendations

176. In March 2023 the report on the Parliament's Gender Sensitive Audit was published.<sup>76</sup> This report contained an audit of how women are represented and participate in the Scottish Parliament and made a series of recommendations. A number of these recommendations were referred to the Committee for consideration.
177. The Committee has been considering the recommendations referred to it, and we have taken the important step to agree to recommend to the Parliament that there should be no single sex committees. This is one of a suite of proposals relating to quotas for committee memberships and conveners the Committee has been considering from the Parliament's Gender Sensitive Audit.
178. During this inquiry the Committee has taken further evidence on the potential impact of introducing further quotas for gender representation on committee membership and convenerships, as proposed in the audit.
179. The Committee received evidence on the merits of having more equal gender representation on committees. Professor Cristina Leston-Bandeira, Professor of Politics at the University of Leeds, whilst noting quotas would not be easy to implement, told the Committee about the important symbolic role they could play in people being able to see diversity in the Parliament. This would help people relate to the institution.
180. The Committee also heard that as well as being important for symbolic representation, it was also important for what Dr Caygill referred to as substantive representation in relation to policy and agenda setting.<sup>77</sup> The Committee heard that more diversity of membership impacted on what issues committees focus on, who they hear from, what they recommend as well as how valued they are by the electorate.
181. The Citizen Participation and Public Petitions Committee (CPPPC) noted that it had been an all-male committee for long periods this session and considered this may have limited its scrutiny function. The CPPPC explained in its written submission:
- ” “While our approach has always been to champion the voices of petitioners, we are conscious there are petitions where this lack of diversity may have impacted upon our collective ability to scrutinise Scottish Government action (or lack thereof) on particular issues.”<sup>78</sup>
182. Dr Stephen Holden Bates, Senior Lecturer in Political Science, University of Birmingham gave an example from his research on the Treasury Select Committee which suggested that having a female chair made a difference to the issues explored by the committee. His ongoing research suggested that having female chairs also increases the number of female witnesses appearing before committees.<sup>79</sup>
183. Dr Holden Bates also provided some further commentary on the current

composition of Scottish Parliament committees and gender balance. He explained that at convener and membership level the gender balance is proportionate, however there is not an even spread of female members across individual committees. He told the Committee that men were overrepresented in policy areas that are “perhaps more prestigious and that are seen as stereotypically masculine policy areas.” He also noted that women are underrepresented among deputy conveners and, overrepresented among substitutes.<sup>80</sup>

184. Several committees, political parties and individual members told the committee that they welcomed the Committee’s proposal that there should be no single-sex committees from the beginning of the next parliamentary session.
185. However, the Committee received some calls to go further than its current proposal. Dr Holden Bates argued for “a big bang approach” and argued that a minimum of one female member on each committee was not enough. He warned that it could result in only one woman being allocated to sit on what some might consider the high-profile or prestigious committees, and a greater proportion of women being members of less prestigious committees.<sup>81</sup>
186. Ken Hughes also questioned whether the Committee’s current proposals were going far enough. He cautioned that the current proposal could be seen as tokenistic and that a commitment to gender equality should be stronger. He felt that typical wording in Standing Orders such as ‘parliament shall have regard to’ wasn’t very strong. Whilst he said he was not a fan of ‘codifying everything under the sun’ he considered this issue warranted such an approach.
187. Other evidence however noted that there would be challenges in going further. As quotas for committee membership are drawn from the composition of the Parliament, some witnesses suggested there were limitations and practical challenges to delivering more. There was a note of caution expressed in terms of the impact this may have on women in certain parties being required to populate these committees.
188. Paul Cairney, Professor of Politics and Public Policy at the University of Stirling commented that a target of 40 per cent of committee conveners to be women in a Parliament that was male dominated, would mean placing a huge burden on a small number of women to deliver it.<sup>82</sup>
189. This point was echoed by Jackie Dunbar MSP in the Chamber debate on the inquiry who commented on the suggestion of having gender-balanced committees:
  - ” “That is surely down to what the gender balance will be in the chamber. If that policy was put in place as things stand just now, you would actually be giving us women more work to do, because there are more men in the chamber than there are women.”<sup>83</sup>
190. Dr Fox voiced similar concerns about the impact on women when gender representation in committees did not match up with representation in political parties. She considered the issue, in relation to Westminster, to be part of what she identified as increasingly fragmented party politics. She told the Committee that there was an increasing number of smaller parties seeking representation on committees. She explained that the challenge lay in managing that when those

party groups might have few or no women. Ultimately this would put a greater onus on women in the other parties to make up the diversity balance.<sup>84</sup>

191. She told the Committee that the right approach to quotas was to analyse the gender make-up of parties post-election, and then to consider what might be aspired to within the practical context of what delivery would look like.<sup>85</sup>

192. We also heard views that delivering committee quotas might lie with party recruitment and selection rather than the Parliament itself. Professor Paul Cairney highlighted that ultimately the gender representation that parties have in the parliament will determined whether gender quotas could be reached in the Parliament.<sup>86</sup>

193. As a Committee we recognise and support the importance of having a 'gender sensitive parliament' where equality exists between men and women in relation to both representation and participation in the Parliament.

194. We have received evidence on the potential positive impact that greater gender balance can have on the policy areas that committees focus on, who they hear from, what they recommend, and ultimately how they are valued by the public.

195. We are keen to ensure that progress is made towards delivery of greater gender balance on committees.

196. We therefore recommend that changes are made to Standing Orders so that next session there are no single-sex committees.

197. On the question of whether to go further, we recognise a balance needs to be struck between proposals which are aspirational and ambitious but also practically deliverable. We do not want to place a disproportionate burden of work on women if proportionality in parties and across the Parliament is not in place. We do not know what the gender balance of the next or future parliaments will be and we need to ensure that any changes to Standing Orders can be delivered and be supported by parties in future sessions.

198. We therefore support the suggestion made by some witnesses that the right approach to quotas is to analyse the gender make-up of party representation in the Parliament post-election and, in light of that make-up, consider what an achievable but ambitious target would be.

199. To this end, we recommend that when committees are established a requirement is placed on the Parliamentary Bureau for their proposals for members of each committee to normally reflect the gender balance of the whole Parliament. We consider the use of the word "normally" means this approach is a realistic proposition which allows the Bureau to reflect the gender composition of the parliament that has been elected, therefore taking into account the practical context for delivery.

200. Where this proposal cannot be achieved, it is important that this is acknowledged by the Bureau. We therefore recommend that alongside any proposal by the Bureau for the establishment of a new committee where committee membership

does not achieve gender balance, the Bureau include a statement explaining the reason for this. This approach will place responsibility on the Bureau, and ultimately the Parliament, when agreeing committee membership that takes gender representation into account.

# Role of conveners in enhancing committee effectiveness and whether elected conveners would strengthen the role

## Role of convener

201. As well as considering the role of individual members, we also explored the importance of the role of the Convener. The Convener is crucial in forming the culture of a committee, including fostering a sense of collegiate working, and ultimately ensuring delivery of a committee's functions and objectives.
202. During the inquiry, we considered the significance of the role of the convener, and in particular whether and in what ways the introduction of election of conveners by the whole Parliament, rather than by each committee, would make a difference to committee effectiveness.
203. Professor Cairney told the Committee that it had been envisaged that committees would be the most important part of the Parliament and "the conveners were, in essence, the keepers of the keys". He added that the romantic vision for the role was that it would be non-partisan and about facilitation, however he noted that this had been difficult to achieve in practice.<sup>87</sup>
204. The role was considered by many to be pivotal to how committees operate effectively. Professor Stirbu told the Committee:
- ” “When it comes to fostering a more collaborative, independent, away-from-party politics culture on committees, chairs and conveners are very important.”<sup>88</sup>
205. During the Committee's chamber debate, several current conveners were praised for how they performed the role. Some conveners commented on the approach they took to the position. Kenneth Gibson MSP, Convener of the Finance and Public Administration Committee, told the Chamber:
- ” “I want to emphasise the importance of the convener setting the tone for consensual and impactful scrutiny.”<sup>89</sup>
206. He went on to explain how, as a member of the party of government, he had worked hard to gain the trust of and build solid relationships with committee members from different political parties. He discussed some of the ways he had done this, including asking difficult questions of the Government; encouraging committee members to ask their own questions; working together on business planning days and fact-finding visits; and consulting members in order to present a collective committee view.<sup>90</sup>
207. Audrey Nicoll MSP, speaking in her role as Convener of the Criminal Justice

Committee, told the Chamber that “Convening a committee is an utter privilege”. She offered her insights into what effectiveness looked like:

” “I firmly believe that our committees are at their most effective when we work collectively, without fear or favour towards the Government, and when we are creative and persistent about achieving real change within our remits.”<sup>91</sup>

208. During the Chamber debate we also gained insights into the different approaches and styles conveners brought to their role. Douglas Ross MSP commented on his experience as Convener of the Education, Children and Young People Committee and told the Chamber:

” “I will not lie to the Parliament and say that I am a non-partisan convener—I accept that I am extremely partisan. At times, that is important. When we have ministers in front of us, we are clearly going to ask party-political questions, and I do not think that we should try to deter members from doing that.”<sup>92</sup>

209. Ash Regan MSP, representing the Alba Party in evidence to the Committee, expressed a sentiment shared by several witnesses that “it seems to me that there is a strong correlation between a committee having a strong-minded, independent convener and the performance of that committee.”<sup>93</sup>

210. Some witnesses suggested that the role of Convener should be valued more. Professor Leston-Bandeira considered that conveners should have a role as a spokesperson for a committee, and a responsibility to raise its visibility in the context of a parliament that can often lack a ‘face’.<sup>94</sup>

## Elected conveners

211. One of the key questions the Committee explored during the inquiry was whether there would be merit in introducing a system of elected conveners.

212. Under the current system for appointing conveners, committee membership nominations are made by the parties. Under normal circumstances, the party whose members are eligible to be the convener will already have decided which of its members on the committee is to be the convener. The choice of convener made by the Committee is usually therefore only a formality.

213. In relation to the current operation of Convenorships, Ken Hughes explained that convenorships are at least partly a form of recognition or reward for party members and an opportunity for parties to highlight who they think their best people are.<sup>95</sup>

214. We learnt from representatives of political parties that decisions regarding the allocation of convenorships were often taken by a party’s business manager/chief whip in conjunction with the party leader.<sup>96</sup>

215. Douglas Ross offered specific insights, given his party leader position at the start of the parliamentary session. He explained that he had taken the decision that no new MSPs, who had been elected for the first time, would be given a convenorship. He said he had tried to match people up with committees that reflected their interests

and experience, but that some members he had approached had declined the role.  
97

## Experience from Westminster and Wales

216. During the inquiry we considered the experience in both Westminster and the Senedd of elected chairs.
217. At Westminster, since June 2010, most chairs of the House of Commons select committees have been elected through secret ballots of MPs.<sup>98</sup>
218. The Senedd moved to electing its committee chairs in 2016, following a recommendation by its Business Committee.<sup>99</sup>
219. Although both Westminster and the Senedd are clearly different kinds of legislatures to the Scottish Parliament, we consider that useful insights can be drawn from their experiences when considering the merits of elected conveners in Scotland.
220. A number of witnesses spoke positively about the introduction of elected chairs in the Westminster select committee system and the Senedd, and the overall sentiment was that it had been a positive experience.
221. In the House of Commons Professor Norton commented that the election of chairs for select committees:
- ” “has transformed the culture in relation to the role of chairs and how they are seen. They are more independent and more critical of the Government, and they have a higher profile.”<sup>100</sup>
222. Sir David Natzler told the Committee that since the move to elected chairs, individuals had become more confident and visible in the role of chair. There had been less whip interference in chair appointments, and he felt this had led to an overall increase in committee effectiveness.<sup>101</sup>
223. Some witnesses explained that the move had improved the confidence in chairs. Professor Meg Russell emphasised the importance of chairs having been elected by the whole Parliament under the Westminster system. She considered this brought a sense of legitimacy and accountability and a feeling they were representing the whole Parliament.<sup>102</sup>
224. Dr Holden Bates highlighted what he considered to be three areas where elected chairs had added benefits at Westminster. First, was that this had been good for female candidates for committee chairs, secondly it had helped with the public visibility of chairs, and thirdly, it had provided chairs with more weight to push back on the legislative timetable.<sup>103</sup>
225. In Wales, following the move to elected chairs during the Fifth Senedd, the Chairs' Forum at the end of that session stated in their legacy report unanimous support for the change

” “We are the first cohort of Senedd committee Chairs to have been elected by the Senedd. We unanimously endorse this approach. Being elected by the Senedd has enabled us to operate with greater independence and authority.”

226. Professor Stirbu noted that the chairs she interviewed had reiterated this view and believed they had a more powerful mandate to run the committee in the way that they wanted. <sup>104</sup>
227. Some witnesses noted some potential downsides to elected chairs.
228. Whilst Professor Leston-Bandeira pointed to literature which stated that elected chairs had raised the legitimacy and profile of select committees, she also suggested that there had been a lot of “grandstanding” from certain chairs, which had resulted in the committee agenda being determined by the chair’s own priorities. <sup>105</sup>
229. Dr Fox spoke about some of the challenges after the last Westminster election, when there had been high turnover of members. She stated that MPs’ knowledge about the pool of candidates may have been limited, either because the MP’s voting were new MPs themselves, or because candidates were newly elected. Dr Fox told the Committee that the House of Commons Procedure Committee planned to look at the new process in response to frustrations expressed about how it had worked and the questions of fairness which had been raised. <sup>106</sup>
230. A recurring issue explored in evidence was whether the aim of creating an alternative career path for members not serving in Government through having elected conveners had been achieved.
231. Dr Marc Geddes told the Committee that there was still a debate about the extent to which an alternative career path had been created. <sup>107</sup> Some witnesses highlighted that it was still the case with select committees that chairpersons moved into Government departments, and ministers become chairs.
232. Dr Fox considered there to be pros and cons to a situation where a former minister became a committee chair:
- ” “The advantage is that the former minister knows where the bodies are buried. The former minister may also know which bodies they do not want to be uncovered—we tend to talk less about that.” <sup>108</sup>

## Previous consideration of elected conveners by the Scottish Parliament

233. This is not the first time that the introduction of elected conveners in the Scottish Parliament has been considered. The issue has been looked at several times before, but to date has not been pursued.
234. In 2015 the then Standards, Procedures and Public Appointments (SPPA) Committee conducted an inquiry into elected conveners. This inquiry concluded that instead of introducing elected conveners, there should be a focus on the ability of

committees to scrutinise legislation and policy and to hold the government to account. In a further inquiry into the operation of committees in 2016, the then SPPA Committee concluded that it had not heard anything to persuade it that elected convenors would result in more effective committees or convenors.

235. The issue was returned to in Session 5 by the Commission on Parliamentary Reform. The Commission reached a different conclusion in 2017, and recommended that elected convenors be introduced. The Commission was of the view that elected convenors would empower those in the role and help deliver more effective scrutiny.
236. The then SPPA Committee considered the Commission's recommendations and, following a survey issued to all MSPs on elected convenors (which received a low response rate), concluded in December 2020 that there was insufficient support for the change amongst members to take forward the recommendation.
237. We returned to this issue earlier this session in 2024 and consulted MSPs, the Parliamentary Bureau and Convener's Group.
238. As well as asking consultees if they were in favour of elected convenors and the possible advantages or disadvantages, we asked some specific questions regarding how the nomination process would operate (Listed at Annexe E).
239. The responses varied in relation to the level of detail provided in response to the specific issues we had identified. The Parliamentary Bureau did not set out a position on elected convenors, but did indicate that it would be interested in any formal proposals that we may develop.
240. A majority of the responses received indicated support for the introduction of elected convenors. Responses referred to the election of convenors as established practice elsewhere, noting that it gave those holding the position the authority of the Parliament. Queries were raised about how the conduct of elections might work in practice, whether it should also apply to deputy convenors, and what would happen if nobody wished to stand for election as convener of a particular committee.
241. Overall, however, the responses received did not indicate a clear view in relation to the range of specific issues on which we sought views.
242. Following receipt of these consultation responses, we agreed to incorporate our consideration of elected convenors into our Committee Effectiveness Inquiry.
243. We therefore returned to the discussion of the issue of elected convenors and the Scottish Parliament during our evidence sessions.

## **Elected convenors and the Scottish Parliament**

244. Some witnesses discussed how an elected convener system might operate in the Scottish Parliament.
245. Some witnesses, including Dr Caygill and Professor Leston-Banderia, suggested a note of caution in drawing direct comparators between Westminster and the Scottish Parliament given select committees' non-legislative role and the different

systems and sizes of the Parliament.

246. Professor Meg Russell noted that, at Westminster, where chairs had been allocated to smaller party groups there had been fewer contested elections, and that may be a likely scenario in Scotland. However, although there may still be the possibility of whips deciding who should stand, she still felt that the process would provide a check on parties and whips.<sup>109</sup>
247. The Committee received some evidence that the Welsh model of elected conveners was more comparable with how a system could operate in Scotland given both are smaller legislatures.
248. The written submission from the Senedd detailed its approach to elected chairs.
249. The Senedd agreed unanimously to introduce chair elections in 2016, though chairs can also be appointed by majority vote. A motion is first agreed establishing to which political group the chair of each committee will belong. Nominations are then taken at plenary session. If only one member is nominated, and no objection is made to that nomination, the nominated member is elected. If an objection is made, or more than one member is nominated, a secret ballot is then held (this takes place outwith the Chamber). The results of any secret ballots are later confirmed in the Chamber. If more than one chair role is being considered in a single meeting, no member may be nominated for more than one role. Mid-session vacancies are filled by the same model. Committee members can vote to remove a chair, but this must then be endorsed by the Senedd (though a motion).
250. Witnesses suggested the Welsh model proposed a more 'light touch' approach to elected conveners as elections are held only if the Convener nomination is opposed, rather than there being across-the-board elections for all convenerships. Ken Hughes described the Welsh model as a 'good one' and a less onerous approach to take to convener elections.<sup>110 111</sup>
251. Brian Taylor suggested that an elected convener model would bring advantages and might reduce party and governmental power and their desire to exert control. He did have some concerns, however, about the convener becoming isolated from the rest of the committee due to their enhanced status. He suggested that that this might reduce cohesion, but he felt that could be worked around.<sup>112</sup>
252. In the anonymous written responses received from MSPs to our consultation on committee effectiveness, the skills needed for convening and hallmarks of a good convener were not disputed, but views were mixed on elected conveners. There was an even mix of support for the idea, and ambivalence, and only one strong expression of opposition.
253. We explored with political parties in the Scottish Parliament their views on a move to elected conveners.
254. The Scottish Conservative and Unionist Party in its written submission stated that it did not believe that elected conveners alone would improve matters in the Parliament unless accompanied by wider reforms. It explained that they were only in favour if ministers were excluded from the committee seat share calculation. The Scottish Conservative and Unionist Party also raised practical concerns about the approach to electing conveners, linked to the use of the D'Hondt method and

questions around how to deal with in-session vacancies.

255. Jackson Carlaw MSP told the Chamber in the Committee Effectiveness debate
- ” “Almost more important than conveners being elected or remunerated would be a clear understanding of what the authority of a committee convener is to act. I am aware that some feel able to act and others feel constrained by the committee as to what they can do. That probably interferes with the democratic accountability function.” <sup>113</sup>
256. Douglas Ross MSP, representing the Scottish Conservative and Unionist Party in oral evidence, also questioned how elected conveners would operate in practice particularly, if there was a number of small parties post the next election. [15 May 2025 Col 19] He also considered that in his current role as Convener of the Education Committee his authority had not been diminished by not having been elected. <sup>114</sup>
257. Karen Adam MSP, representing the SNP, voiced some reticence regarding the proposal for elected conveners. She suggested that conveners, by the nature of being parliamentarians, had already been elected to their role as a member. She felt those within the party group who knew the individuals were best placed to take the decision on who should be appointed to be a convener. <sup>115</sup>
258. In contrast, the Scottish Labour Party said in their written submission that it believed conveners should be elected and considered that this would bring several benefits
- ” “Scottish Labour believe that the direct election of conveners by MSPs would be a first step in bringing about greater independence for committees. As well as providing conveners with a stronger mandate to scrutinise the government it could also provide an alternative to serving in government as a way for MSPs to gain influence and progress.” <sup>116</sup>
259. Scottish Labour specifically expressed support for the model set out by the 2017 Commission on Parliamentary Reform, which proposed that candidates would be able to put themselves forward and campaign before a vote of the whole Parliament.
260. The Labour Party in its submission suggested that Ministers should not have a vote, on the basis that they “arguably should not have a say in the members leading scrutiny of the government.” <sup>117</sup>
261. Rhoda Grant MSP, representing the Scottish Labour Party in oral evidence, told the Committee that her party considered that an elected conveners system may offer an opportunity for individuals less favoured by their party, who may be more independent and questioning of Government. <sup>118</sup>
262. The Scottish Labour Party considered that, given the number of MSPs, the outcome of elections for convenerships may not differ greatly from that under the current system, and that political parties could still engineer the success of the candidates of their choice. However, it suggested that the changes could be the start of a long-term shift in how committees operate. <sup>119</sup>

263. The Scottish Green Party was also supportive of the idea that conveners should be elected. In its written submission it stated that the current system allows larger parties, especially the governing party, to use convenorships as rewards for backbenchers, reducing their independence and effectiveness.
264. Ross Greer MSP, representing the Green Party, backed the suggestion of the exclusion of ministers from the convener election ballot. He suggested it was important to ensure the Government was not choosing who scrutinised it. <sup>120</sup>
265. Ross Greer MSP, also told the Committee that, as part of the election process, candidates should be required to set out how they would run the committee. He felt there had been value in the 2016 Presiding Officer elections where candidates had had to set out their vision and approach to the role if elected. <sup>121</sup> Lorna Slater MSP stated in the Chamber debate on the inquiry
- ” “The electing of conveners should be structured to avoid popularity contests and to ensure that those who are chosen are committed to rigorous scrutiny.”  
<sup>122</sup>
266. Ash Regan MSP spoke about the need to think carefully about the balance between the executive and the legislature. She supported the suggestion that there would be strength and legitimacy in someone having been appointed by the Parliament rather than their party. <sup>123</sup>
267. Willie Rennie MSP, representing the Scottish Liberal Democrats, told the Committee he supported the suggestion of having elected conveners. He considered that it would give the convener “a bit more freedom from the whip.” A point not raised by others, but discussed by Willie Rennie, was that it would create more stability in the post, with Members appointed remaining as convener for the full parliamentary session. He also felt it would offer an alternative career path and would create more bipartisanship and collaboration as members would have to seek the support of other parties to be elected. <sup>124</sup>

## Remuneration

268. In the Scottish Parliament, conveners are not currently paid any additional salary. The Commission on Parliamentary Reform in 2017, in addition to calling for elected conveners, referenced the need for conveners to receive higher pay to reflect their greater workload.
269. Following consideration of this recommendation, the Session 5 SPPA Committee noted that, whilst there was a degree of support for either remunerating conveners and/or providing them with additional resources for their role, this might be a matter that merited further consideration at the beginning of the next session.
270. The issue of remuneration was raised during the committee’s consideration of the move to elected conveners. Both the House of Commons and the Welsh Parliament pay conveners an additional salary. Senedd chairs are remunerated on a scale based on the committee they chair.

271. Witnesses suggested that remuneration could be seen as a form of recognition for the significant additional workload of the role of convener. Professor Leston-Bandeira also noted that remuneration played a symbolic role as it was a way of a Parliament acknowledging the value it placed in the convener's role. <sup>125</sup> [3 April 2025 Col 30]
272. The Scottish Labour Party, in its written submission, suggested that combining the election of conveners with an additional payment would also boost the profile and accountability of conveners, in addition to reinforcing the significance of the role. <sup>126</sup>
273. Witnesses did not, however, consider that remuneration for conveners necessarily needed to happen in conjunction with elections to the post of convener. Ruth Fox told the Committee "Remuneration and elections do not have to go hand in hand." <sup>127</sup> She noted that remuneration for conveners was introduced before elections for conveners at Westminster. This view was echoed by Professor Lord Norton who, whilst speaking highly of what elected chairs had delivered, did not suggest remuneration was a factor required for this success. <sup>128</sup>
274. There was also some recognition by witnesses, including Professor Cairney, that there would be a challenge for Members in being perceived as asking for an additional payment for a parliamentary role.

275. It is clear to us that central to a committee operating effectively is the person at the helm, the Convener.
276. The evidence we received has highlighted that the Convener sets the tone for the Committee. A good convener creates a culture of interest, curiosity and participation. The convener can also promote collegiate working and represent the committee.
277. The influence and status of a convener is central to whether they can foster a sense of independence in a committee from the Scottish Government and deliver effectively on a committee's scrutiny function.
278. To enhance the role of convener, we recommend that a clear and distinct programme for support for conveners is put in place from the start of Session 7. We suggest that this could be coordinated by the Conveners Group.
279. This programme should cover the various facets of the role. The focus should be on delivering training and support for Conveners to help them to fully understand what is required in the role, and consolidate what they want to achieve. The support can also encourage conveners to reflect on how they can enhance the influence and status of their committee. It is important to also ensure that each convener has the space and support to make the role their own.
280. We acknowledge that such support may not be taken up by some conveners, particularly those long-standing parliamentarians with experience of the role. However, we think that it will be relevant for many conveners, particularly members who are new to Parliament.
281. The Committee heard arguments in favour of elected conveners and how they

have operated effectively in other legislatures. We have heard that being elected by the whole chamber can bring confidence and visibility to the role and a sense of legitimacy and accountability for a Convener for the activities of their committee. It can also assist in the perception by the public that committees operate independently from the Government and have a distinct identity.

282. However, some concerns were expressed by members of the Scottish Parliament about how proposals would operate in practice, and whether the size of the Parliament and potential small size of parties would mean the whips would still control who stands for nomination. We heard some views that it is reasonable that parties should be able to decide who their own representatives are as conveners. There were also questions raised as to whether Cabinet Secretaries and Ministers should be entitled to vote in the elections. Some members sought more clarity regarding the details around how a system of elected conveners would work.
283. Having looked at the evidence in the round, we consider that the time is right to allow an opportunity for the whole Parliament to consider whether there should be elected Conveners in the next parliamentary session.
284. Following publication of this report, we intend to set out a proposal for a procedure for committee conveners to be elected by the Parliament. This proposal will broadly mirror the procedures used in the Senedd which appear to have worked satisfactorily in a small legislature and which we consider are a proportionate approach to the use of Chamber time. However, we are interested to gauge the views of other Members on this proposal prior to making a formal recommendation to the Parliament. A model procedure is set out at Annexe B
285. We do not, however, consider that the case for remunerating conveners has been made. We do not consider it is necessary for conveners to receive an additional payment in order to enhance the status of the role. Furthermore, at a time of financial constraint it would not be appropriate, or send out the right message, for public money to be directed towards additional payments for a parliamentary role.
286. The Committee recommends that if an elected convener process was agreed to by Parliament, it should be implemented from the start of the next Parliamentary session and that a review of the system should be conducted before the session ends. The issue of Convener remuneration should be considered as part of this review.

## Capacity and workload of committees

287. Scottish Parliament committees have a wide range of general functions set out in Standing Orders including:
- Conducting inquiries.
  - Scrutinising the policy and administration of the Scottish Government.
  - Scrutinising proposed legislation.
  - Considering the need for reform of the law, or initiating a Committee Bill.
  - Considering the financial proposals and financial administration of the Scottish Government.
288. A number of witnesses commented during the inquiry about the extent to which committees were effective in undertaking these different roles, given the number of functions which committees are required to fulfil.
289. There were two themes which emerged most visibly across the evidence we heard.
290. First, a sense that some committees' workloads were dominated by the consideration of legislation, leaving insufficient time for other work. Second, expressions that committees' scrutiny of topical issues and holding the Scottish Government to account could be improved.
291. We will discuss each of these themes in turn.

## Volume of legislation

292. Several witnesses expressed concern that the workload of many committees appeared to be dominated by legislation. The concern was that this left subject committees less able to conduct their own proactive inquiries or respond to topical events.
293. Dr Tom Caygill told the Committee that when he conducted research as part of a SPICe fellowship on post-legislative scrutiny, both committee members and officials raised the issue of the amount of referred work received by committees, and how this limited the ability of committees to set their own work programmes beyond legislative requirements.<sup>129</sup>
294. Many of the MSP consultation responses received also raised concerns about the burden and impact legislation had on committee timetables.
295. Douglas Ross MSP told the Committee that there had not always been time to change a committee work programme at relatively short notice to conduct scrutiny of topical issues due to the legislative workload, and that this had an impact on the profile of committees. He commented more widely on committees:

” “At the moment, there is very little interest in what the committees are doing, despite our very good work, because we tend to get bogged down with legislation and are not dealing with the topical issues of the day that are being discussed.”<sup>130</sup>

296. We heard from witnesses that this issue was one faced by other legislatures where, as in the Scottish Parliament, committees combine legislative and scrutiny functions. Professor Meg Russell explained:

” “It is very common in committees around the world that the reactive work—the work that arrives with committees from the Government or from the chamber—crowds out the work that they might voluntarily do and wish to prioritise.”<sup>131</sup>

297. There was some discussion about whether there had been an increase in the volume of legislation that was required to be considered by committees.

298. The Minister for Parliamentary Business told the Committee that the average number of Government bills and SSIs introduced per year had been broadly stable across all parliament sessions. The Minister told the Chamber in the Committee debate on the Inquiry:

” “I recognise the Government’s responsibility to ensure that committees have a manageable workload, and in terms of our legislative programme, I think that we are doing that.”<sup>132</sup>

299. While the average number of Bills may have been broadly stable, we heard some suggestions that the nature of Bills being introduced was also a relevant consideration when it came to the impact on committees’ workloads.

300. For example, framework legislation may require greater engagement and scrutiny. Similarly, Bills which are complex and cross-cutting in their content will require greater scrutiny, leading to committees spending longer considering them. Furthermore, statistics from SPICe point to a trend across the life of the Scottish Parliament of Bills having more marked differences in length between introduction and passing. This may suggest that they have been subject to greater amendment, and therefore may have required greater parliamentary scrutiny.

## Committee scrutiny function

301. The second strand of evidence we heard was about whether committees could undertake their scrutiny function more effectively, the suggestion being that they sometimes did not have the capacity to do so.

302. Some good practice examples were provided to the Committee of where committees had been able to shine a spotlight on an issue that mattered to the public, hold short inquiries, or bring Ministers in for robust questioning.

303. However, several witnesses were critical of committees’ current performance in relation to their scrutiny function. Whilst Professor Adam Tomkins was

complementary about the law-making role of committees, he was critical of their contribution to other core functions of Parliament:

” “My view is that, generally, the committees of the Parliament are absolutely lousy at helping to hold the Government to account.”<sup>133</sup>

304. Some witnesses offered specific criticism of the lack of flexibility for committees to adapt or respond to emerging events. Johann Lamont suggested that things did not operate as easily as they did at Westminster where, when a crisis arose, those accountable were brought before select committees promptly.<sup>134</sup>

305. A particular concern about committees' inability to conduct their own initiated work related to concerns about the limited volume of post-legislative scrutiny work being conducted by committees.

306. Some witnesses emphasised that there was value in post legislative work and more should be conducted. Brian Taylor, Former BBC Scotland Political Editor told the Committee he considered that both the media and politicians tend to move on quickly to the next issue leaving the public behind who want more detail. He argued that the public were right to take things slowly, and that post-legislative scrutiny was an opportunity to move at the public's pace and ask how legislation has taken effect. He considered this was more critical in the Scottish Parliament due to the absence of a revising chamber.<sup>135</sup>

307. Concerns were raised by some that whilst post-legislative scrutiny was an important strand to scrutiny work, it was often not considered by committees. The Scottish Green Party in their written submission stated:

” “The lack of post-legislative scrutiny is a significant issue. Many laws are passed, targets set and then forgotten, resulting in a failure to assess their effectiveness.”<sup>136</sup>

308. There was also a suggestion that committees were not spending enough time on other matters within their remits, including that of scrutinising the functions and performance of SPCB supported Commissioners.<sup>137</sup>

## How can committees create capacity and manage their workloads more effectively?

309. In the evidence above, we heard suggestions, from some witnesses, that committees could undertake their functions more effectively. Specifically, we heard concerns that:

- Committees' workloads were dominated by the consideration of legislation, leaving less time for other work, and
- Committees' scrutiny of topical issues and holding the Scottish Government to account could be improved

310. To some extent, both of these issues relate to how committees can best use their

available time to undertake their functions.

311. The evidence we received suggested that many committees found managing their workloads challenging and felt that they did not have the capacity to undertake all the work they wanted to or felt they should.
312. We will now go on to discuss possible solutions raised in evidence about how to address these concerns.

## Manage the volume of legislation

313. There was some discussion regarding whether changes could be made to how the legislative workload is managed, with a view to reducing the impact on committees.
314. Dr Caygill suggested that “The legislative workload is incredibly difficult to manage.” He explained the difficulty lay in balancing the Scottish Government’s right, given its electoral mandate to put forward its legislative agenda, with the right of the Parliament to take its time to scrutinise the legislation. <sup>138</sup>
315. Some consideration was given to whether individual Members of the Parliament had a role in reducing the volume of legislative consideration. There was discussion about the current high volume of amendments to legislation. Some discussion in evidence made specific reference to the current scrutiny of the Housing (Scotland) Bill and Education (Scotland) Bill and the length of time required by committees to process amendments.
316. Willie Rennie MSP told the Committee that Members need to reflect on whether lodging amendments was essential:
- ” “I think there needs to be a bit of self-control from members on the number of bill amendments that are lodged.” <sup>139</sup>
317. Another aspect of this discussion was with regard to Members Bills. Each Member may introduce no more than 2 Members’ Bills per session. Members Bills can currently be introduced up until the first sitting day in June in the calendar year proceeding a general election. Some members referred to the increased number of these types of Bills. Willie Rennie MSP suggested Members needed to reflect on their approach:
- ” “There is almost a competition to lodge more amendments and introduce a members’ bill, and it is almost impossible for the committees to give them due attention. Therefore, I think that members need to be encouraged to step back a bit.” <sup>140</sup>

## Better management of peaks and troughs

318. The Committee received evidence which discussed the impact of peaks and troughs in the legislative programme. This included pressure points to complete legislative consideration before the summer recess in each parliamentary year, and then the deadline for legislation to pass before the end of the parliamentary session. SPICe analysis of Parliamentary statistics shows a predictable trend of the latter

half, and the final year in particular, of each session, being when the bulk of legislation comes forth.

319. One specific suggestion to try and spread out the work more 'evenly' was that a committee could undertake pre-legislative work on a bill, which would mean less time would be required following introduction.
320. However, we heard that it could be challenging for opposition MSPs in particular to feel incentivised to improve Government legislation at that stage. Ken Hughes questioned how a committee could scrutinise a bill if a committee had been complicit in the drafting of it.<sup>141</sup>
321. The Committee also heard from Dr Tom Caygill that more pre-legislative scrutiny might not reduce the overall time spent by a committee on legislation, just the stage in the cycle of the legislative timetable in which the majority of work occurred.<sup>142</sup>
322. Ross Greer MSP, speaking on behalf of the Scottish Green Party, called for more post-legislative scrutiny at the start of a parliamentary session. He acknowledged that the first half of a parliamentary session is often spent undertaking topical inquiries into committee members' areas of interest and the second half spent on an "incredibly pressured legislative timetable."<sup>143</sup>
323. He emphasised there was merit in members recognising this anticipated flow to a committee's workload, and ensuring that it was communicated to members as part of their induction at the start of a parliamentary session to support them in utilising their time effectively.<sup>144</sup>
324. We heard from witnesses about the importance of a committee regularly discussing its work programme. Karen Adam MSP spoke about this in the context of her experience as Convener of the Equalities, Human Rights and Civil Justice Committee and the need to change their plans due to changes in legislative programming and topical issues. She explained that this had afforded them the opportunity to agree to do more post-legislative work.<sup>145</sup>

## More time for post-legislative scrutiny

325. Discussion of approaches to post-legislative scrutiny has been a theme during many sessions of the Parliament. The Committee notes that in Session 5, post-legislative scrutiny was added to the remit of the Public Audit Committee as an additional matter. In its Legacy Report that committee highlighted challenges to post-legislative scrutiny when it lay primarily with just one committee, and the approach was not replicated in this Parliamentary session.
326. Promoting post-legislative scrutiny was established as one of the four strategic priorities for the Conveners Group during Session 6. To support the Conveners Group's work, a post-legislative scrutiny working group was established. The working group has reported to the Conveners Group on post-legislative scrutiny throughout the session. This approach has enabled the Conveners Group to both promote post-legislative scrutiny and to recognise the different forms it can take.
327. Post-legislative scrutiny activity has taken a range of forms during Session 6,

spanning from the traditional inquiry model leading to a report on the operation of specific Acts, to incorporating post-legislative scrutiny into scrutiny of new primary or secondary legislation or using a People's Panel to review sections of an Act.

328. Dr Tom Caygill's research on post-legislative scrutiny, as part of a fellowship with SPICe, has allowed an evaluation of post-legislative scrutiny activity undertaken during this Session.
329. The importance of post-legislative scrutiny as a strategic priority was reflected by political parties in their evidence to the Committee. While it is clear that valuable scrutiny has been carried out, there was also some consideration as to how the amount of post-legislative scrutiny could be increased. This was identified as an important issue by many witnesses.
330. Different solutions were posed by political parties to the issue. The Scottish Green party considered that the first half of parliamentary sessions should be dedicated to post-legislative scrutiny, to ensure laws are functioning as intended before committees move on to new inquiries.<sup>146</sup>
331. The Scottish Conservative and Unionist Party called, in their submission, for a bespoke Post-Legislative Scrutiny Committee whose remit would include scrutiny of Acts and making recommendations to Parliament on the effectiveness of legislation, including the areas where it could be improved or removed.<sup>147</sup>
332. The Scottish Conservative and Unionist Party considered that this would deliver an increased focus on evaluation of existing legislation and approach to future legislation. It would also contribute to freeing up time for subject committees to handle their workload more effectively.<sup>148</sup>

## **Carve out more time for committees in parliamentary week**

333. There was some discussion of utilising the parliamentary week differently. Committees cannot normally meet when the Parliament is meeting. Committees normally meet weekly, occasionally fortnightly, on Tuesday, Wednesday and Thursday mornings. They are normally allocated a regular half-day slot within which to meet. Within this framework, committees can, if need be, schedule additional meetings when required.<sup>149</sup>
334. The Committee heard some specific concerns regarding the meeting slots committees were allocated. Some concerns were raised by Committees about the Thursday morning meeting slot, which is shorter due to the earlier Chamber start time (11.40am). As a result, constraints have been placed on committee business, and this was a particular problem for committees with a larger workload.
335. It is understood that the process of allocating committees to slots is an administrative one, based primarily on the desire to avoid committees with shared members being allocated to the same slot.
336. The Social Justice and Social Security Committee raised concerns about the lack of transparency around the meeting slot allocation process, and suggested there should be a review process, for instance when the remit of a committee changed, or

- its legislative burden increased mid-session.<sup>150</sup>
337. There was also a wider discussion regarding the balance between Chamber and committee time.
338. Professor Tomkins argued that committees were more important and effective than the chamber and, therefore, how parliamentary business was structured should reflect this. He suggested that Committees should not be slotted around chamber business but the other way around.<sup>151</sup>
339. Johann Lamont highlighted the Commission on Parliamentary Reform's recommendations regarding committees meeting at the same time as the Chamber. "I cannot see why that is a problem if that happens during a debate on which there will not be a division."<sup>152</sup>
340. During the evidence session with political party representatives, when asked if more committee time should be built into the parliamentary week, all except the Alba Party answered yes. Those in support of a change in the balance between chamber and committee business suggested that committee work was more impactful, and more time could be a way to address workload issues. The alternative view, set out by Ash Regan MSP from the Alba Party, was that she considered more capacity could be achieved by having smaller committees.<sup>153</sup>
341. There was also suggestion made for more novel approaches to building in additional time for committee work. Dr Fox suggested the Committee look at the 'scrutiny week' model used in New Zealand, in which for 2-3 weeks of the year the government is given notice that there will be no chamber business, and instead committees will sit for longer and will require government reports in advance and ministerial availability for an in depth look at the budget.<sup>154</sup>

## **Changes to the structures and remits of committees**

342. We also heard various suggestions for changes to the remit and structures of committees, which witnesses felt could improve the effectiveness of committees and address concerns regarding capacity and workload. We discuss these below.

### **Splitting committee functions**

343. One issue discussed was whether the fact that Scottish Parliament committees combine legislative and scrutiny functions was creating problems. There was discussion about whether splitting these functions might help.
344. We heard evidence, already discussed above, that committees performing both legislative and scrutiny functions could add to their workload and potentially impact on their performance and culture.
345. However, despite these challenges, there seemed to be a broad agreement that the combining of functions had merits, and there seemed to be acceptance among witnesses this approach should continue.
346. Brian Taylor referred to the Consultative Steering Group aim that having all-purpose

committees which combined both the Westminster Select and Standing Committee role would allow members to develop a level of expertise in particular areas, and to bring an informed view to the consideration of legislation and scrutiny of the Executive. He felt that committees had “done that relatively successfully and have shown a degree of collective determination to get to the substance of the issues”.

155

347. Sir David Natzler argued that a mixture of legislative and proactive work was preferable. He suggested that there were some possible limitations to the approach at Westminster where the functions were separated. He told the Committee that select committees were disconnected from Chamber business, expressing the view that they may not present the best value for public money and may carry out functions best conducted by others.<sup>156</sup>

### Different types of committees

348. A second theme in suggestions was the notion of changing the structures of committees to tackle capacity and workload issues. Many suggestions focused on having different types of committees. For instance, questioning whether time-limited committees could be established either to consider specific legislation or for topical inquiries.
349. In its written submission, the Scottish Labour Party stated that scrutiny could be strengthened through the use of sub committees and one-off legislation committees. In oral evidence, Rhoda Grant MSP, representing the Scottish Labour Party, spoke to the issue of committees being overloaded towards the end of a parliamentary session, and raised the possibility that specific committees be set up to deal with specific pieces of work.<sup>157</sup>
350. Ross Greer MSP, representing the Scottish Green party, told the Committee he was attracted to the prospect of bill committees. He considered they could be particularly helpful in the second half of a parliamentary session when the legislative workload increased. He suggested however, that it raised questions regarding how you would manage committee membership across the whole session of Parliament with increased need coming later in a session. He considered whether you could reduce the size of other committees later in a session to accommodate this change, or leave some members with a lighter workload earlier in a session. Alternatively, members could serve on post-legislative committees earlier in the session.<sup>158</sup>
351. Rhoda Grant MSP suggested that bill committees might work particularly well for cross-cutting bills.
352. She provided the example of the Natural Environment (Scotland) Bill. The Bill is being scrutinised by the Rural Affairs and Islands Committee but also falls in the remit of the Net Zero, Energy and Transport Committee. She suggested that scrutiny might have been enhanced if a cross-cutting bill committee drawing members from both committees had been established to consider the legislation.<sup>159</sup>
353. We note that temporary, bill and sub-committees have been used throughout the


history of the Parliament, but their use has reduced over time. In Sessions 2 and 4, there were a total of 11 such committees over the session, and in Sessions 3 and 5, there were 7 non-permanent committees. The bulk of these have been bill committees.

354. This Session, by comparison, no bill or sub-committees have been established, There has, however been time limited committees this parliamentary session. This has included the Covid-19 Recovery Committee which was initially established in June 2021 for the duration of the Session but was wound up in June 2023. More recently there has been the establishment of the SPCB Supported Bodies Landscape Review Committee. That Committee was tasked in December 2024 to review and develop a framework for SPCB supported bodies with a duration until the end of September 2025.
355. Written evidence received from the House of Lords gave an example of a more expansive approach to the use of time limited committees. As well as its Session Committees, it has Special Inquiry Committees. These committees are appointed to investigate and report on a specific topic. Once they have reported, they cease to exist. Proposals for the committees come from members of the House. The Liaison Committee takes the following key factors into account when deciding on which proposals to take forward:
- Whether it makes best use of the knowledge and experience of Members of the House.
  - Whether it complements the work of existing select committees, including Commons departmental select committees, and the work within Government.
  - Whether it addresses areas of policy that cross departmental boundaries.
  - Whether the inquiry can be confined to 10 months.
356. Four special inquires typically take place each year, with committees usually appointed in January to report in November. One of these is usually a post-legislative scrutiny committee.

### **Approach to committee remits**

357. Finally, we heard some suggestions that structural changes to committee remits would improve committee scrutiny, and in particular help to address concerns about the workload and capacity of committees.
358. As detailed in the Guidance on Committees, after a general election, committee business cannot begin until committees have been established by the Parliament. The Guidance sets out that for both political and practical reasons, it is generally preferable to establish all the sessional committees (those established for the duration of the Parliamentary session) together. This requires discussion among the parties about the number and size of committees, their remits, and the allocation of convenerships (and deputy convenerships) to parties.<sup>160</sup>
359. Under the current structure, subject committees are normally established on a motion of the Parliamentary Bureau. The committee's name, remit and duration are

set out in the motion. Subject committees combine both functions of legislative scrutiny and holding the Scottish Government to account.<sup>161</sup>

360. Over the six Parliamentary sessions, subject committee remits have largely been framed with reference to Cabinet Secretary or Ministerial responsibilities. SPICe analysis has highlighted where there has been the movement of topics between sessions based on changes to ministerial portfolios – culture, housing, transport, skills and third-sector have historically moved around portfolios. Some concerns were raised in evidence about these subjects being ‘lost’ in scrutiny, however, a SPICe case study analysis using culture shows that effective legacy papers can support the movement of a subject from one committee to another. There are also examples of the growing profile of an issue (such as climate change) and the further devolution of powers to Scotland (such as social security) impacting on the number of and structure of committees.
361. Standing Orders currently requires that for each session of the Parliament, seven mandatory committees must be established to deal with the following:
- Standards, Procedures and Public Appointments
  - Finance
  - Public Audit
  - Europe and External Relations
  - Equalities and Human Rights
  - Public Petitions
  - Delegated Powers and Law Reform
362. One area we considered was whether there should be any changes to the current approach that the remits of subject committees broadly mirror those of the Cabinet Secretaries and Ministers.
363. The majority of evidence received by the Committee supported a continuation of the current approach.
364. Professor Meg Russell told the Committee:
-  “I know that the committee is interested in shadowing Government departments. Generally, the literature suggests that committees are most effective when they are matched up with the structure of Government departments.”<sup>162</sup>
365. We heard the structure provides clear lines of accountability when committees are scrutinising the policy and performance of the Scottish Government.
366. We heard, however, that some legislatures adopted a different approach to committee remits. Professor Stirbu told the Committee that in the Senedd the committees do not mirror the ministerial portfolios, and instead they had a broad remit. She considered an advantage of this approach was that Ministers were scrutinised by the several committees that their portfolios fell across. A

disadvantage was that some issues were not picked up by any committee.. In relation to the differences in approach between Wales and Scotland, she told the Committee that she did not have strong evidence that one way is better than another. <sup>163</sup>

367. Another strand to the consideration of the issue of committee remits mirroring Government posts is whether lines of accountability between Cabinet Secretary and committee remits could be simplified.
368. In the House of Commons, select committees usually align with government departments or agencies examining the expenditure , administration and policy of the principal UK government departments.
369. The Scottish Parliament instead uses subject committees to scrutinise the Scottish Government's policy areas. This can result in lines of accountability between Cabinet Secretaries and committees not being as clear cut. The position this parliamentary session has resulted in some committees having multiple cabinet secretaries who they are seeking to hold to account across a wide breadth of policy matters.
370. The Net Zero, Energy and Transport Committee, in their written submission, highlighted that they had a particularly wide remit, encompassing the responsibilities of four Cabinet Secretaries. <sup>164</sup>
371. When Cabinet Secretary remits have changed committee remits have often been changed so that the same subject matter stays with the committee. This can result in different or additional Cabinet Secretaries then being accountable to a committee.
372. One suggestion is that Cabinet Secretary portfolios are not split across two (or more committees). To deliver this, remits would state that a committee had responsibility for matters relating to a specific Cabinet Secretary rather than a remit listing subject matters within the responsibilities of a specific Cabinet Secretary. The change would mean that the whole portfolio of a Cabinet Secretary would be placed within one committee.
373. The Committee has also noted the work of the SPCB Supported Bodies Landscape Review Committee and the recommendation in its report that "a parliamentary committee is given the specific responsibility for the accountability and scrutiny of SPCB supported bodies for a fixed period as a pilot exercise. This could involve including these functions within a remit of another committee, creating a dedicated committee, or asking a relevant committee to consider setting up a sub-committee." <sup>165</sup>
374. Once the Parliament has an opportunity to debate and set out its view on the report of the SPCB Supported Bodies Landscape Review Committee we will consider whether any Standing Orders changes may be required in connection with this recommendation.

375. One of the themes which emerged in our evidence was that committees can struggle with a large workload, and have limited capacity to undertake all of their

functions as effectively as they would like. A particular concern was the impact of legislation referred to committees, which can take up a significant amount of time.

376. It is probably not realistic to expect there to be a significant reduction in the amount of legislation both primary and secondary referred to committees. Both the Scottish Government and individual Members have the right to pursue their own legislative priorities by introducing Bills and seeking to amend legislation at Stage 2. Similarly, committees have the right, and obligation, to give proper scrutiny to that legislation.
377. With these circumstances in mind, we consider that the deadline should be brought forward for when Members Bills must be introduced by in a parliamentary session. We suggest that the deadline be moved from the first sitting day in June in the calendar year proceeding a general election to the first sitting day in December in the third year of a parliamentary session. Whilst this reduces the time for Members to introduce their own legislation we consider that this could potentially reduce some of the pressure of legislation on committees in the final part of the parliamentary session as it would bring forward committee consideration of members bills.
378. We also consider that the the Scottish Government should be mindful of workload pressures of committees when planning its legislative timetable.
379. We consider there are certain other changes which could help committees to better manage their current workloads and make more efficient use of their time.
380. First, we recommend that when Committees discuss their future work programme at the start of the Parliamentary session, they take into account the usual pattern and volume of legislation that can be expected in a parliamentary session. Members understanding and acting upon the need to prioritise and agree inquiry and scrutiny work early in a parliamentary session will assist in maximising committees' scope to conduct and deliver beyond their legislative function. To support this consideration of session-long peaks and troughs by committees, we consider that the Parliament should capture more data about scrutiny to better understand workload patterns and the impacts of this on time available for proactive work across committees.
381. We consider that the early stages of a Parliamentary session also provide a valuable window in which to consider approaches to post-legislative scrutiny, both in terms of identifying legislation to be reviewed and the form that the scrutiny could take. The Conveners Group is and will remain uniquely placed to take a co-ordination and agenda-setting role in relation to post-legislative scrutiny.
382. Second, we recommend that more time is allocated in the parliamentary week to committees. We heard a strong push from political parties that they would be supportive of this approach and that the value and merit of the work of committees justified this prioritisation.
383. We therefore recommend that Standing Orders are changed so that committees are allowed to meet in private session at the same time as the Chamber is sitting.
384. This new provision will be particularly useful for committees' consideration of draft

reports, which normally take place in private. However, as we have discussed earlier in the report, we consider there is value in committees building in more time to discuss their objectives and to reflect on their future work programme, and to build a sense of collective purpose. Also to discuss lines of questioning and generate more ownership of this among Members where they wish to do so. Allowing more opportunities for private meetings will help facilitate more time for these discussions.

385. We consider that restricting the new right to meet at the same time as the Chamber to private committee meetings, as opposed to all committee meetings, strikes the right balance between allowing committees flexibility whilst not undermining the important work of the Chamber.
386. Furthermore, private meetings tend to be less resource intensive for both Members and committee support staff than public sessions. This is because the sessions are not broadcast or reported and there is no public gallery attendance to manage.
387. Third, we note that the current Rules regarding the Parliamentary week would allow committees to meet on Monday afternoons and Friday mornings. While these days are traditionally considered as Members' constituency days, there may be scope to use them for committee work, subject to capacity and resourcing constraints. The additional time could be used to conduct committee related work, such as work programme sessions, fact-finding visits or outreach activities. Indeed some of this work does already take place on these days.
388. Overall, we consider that these changes will contribute to committee effectiveness by allowing more time for consideration of evidence, building relationships between members and developing a strong working culture. However, if committees are to operate as the 'engine room' of the Parliament, there needs to be more scope for committees to drive forward their own agenda.
389. As a result, we have also considered the scope for changes to the structure and remits of committees.
390. We do not think that a solution would be to split the committee's functions and create separate subject and bill committees. The evidence shows there are strengths in combining committee functions. This enables members to build up a specialism and expertise in specific subject areas, which will assist committees' performance.
391. However, we are clear that the system needs to build in more flexibility to respond to topical issues, allow for more inquiry work and make the most of committees' scrutiny function. We recommend that when the Parliamentary Bureau proposes the establishment of committees to the Parliament at the start of a Session that it takes these factors into account in the remit of each committee.
392. We also recommend that one structural change be made to committees at the start of next session.

393. We recommend that early in the next session the Parliamentary Bureau considers recommending to the Parliament the formation of time-limited committees during the parliamentary session. This approach could enable the Parliament to manage the peaks and troughs in the legislative programme more effectively. It would also enable the Parliament's committees to respond to high profile issues that cut across remits, or to conduct work on specific areas of post-legislative scrutiny.
394. Some of these time-limited committees could be formed to look at specific Bills. We consider this approach would be utilised most effectively on legislation of a cross-cutting nature that would fall beyond the remit of one committee. This would alleviate the challenge of conducting scrutiny on a bill where expertise may lie in multiple committees. It may also negate the need for secondary committees to consider legislation.
395. Other time-limited committees could be established to consider specific inquiry issues, whether these be of a topical or cross-cutting nature.
396. We have also received calls for more time to be devoted to post-legislative scrutiny. In this context, time limited committees could be utilised for the specific purpose of consideration of the impact of a particular Act, or to review the legislation in a particular policy area.

## Future remit of statutory committee

397. One specific issue relating to remits that the Committee agreed to return to as part of this inquiry on committee effectiveness was the Constitution, Europe, External Affairs and Culture Committee's review of the EU-related rules in Standing Orders.
  398. This Committee's remit is currently set out under temporary Standing Order 4. This takes account of the post-EU landscape, and the fact that much of the remit of the mandatory Europe and External Affairs Committee is no longer relevant following the UK's exit from the European Union.
  399. The CEEAC Committee has requested a review of the mandatory remit in advance of next session. (The CEEAC Committee also considers that all references to the EU should be deleted from the Standing Orders, as in its view that, in each case, these rules (or aspects of rules) are no longer applicable to the Scottish Parliament in the post-EU context and rule changes to give effect to this will be considered by the Committee in a future report).
400. The policy issues and areas of focus for matters related to European issues are dependent on the composition of both the Parliament and the Government. Therefore, future inclusion of European matters in Standing Orders will need to reflect this requirement. We propose to consult further with the Constitution, Europe, External Affairs and Culture Committee on whether any elements of the remit in Temporary Rule 4, or in relation to other aspect of the post-Brexit

landscape should be included as part of a mandatory committee remit for the next Parliamentary session.

# Committees' relationship with stakeholders and the public

## Relationship with stakeholders

401. We have highlighted earlier in this report the importance of evidence, briefings and information in encouraging committees to work collegiately and deliver effective scrutiny.
402. A recurring theme during this inquiry has been the role that both the public, civil society and other stakeholders can play in helping to ensure committees deliver effective scrutiny.
403. Dr Marc Geddes described Committees in Westminster as being at the apex of a scrutiny system, with other institutions and organisations being underneath a committee to support the scrutiny function. He suggested to the Committee:  

” “The Scottish Parliament could perhaps think about how the wider ecosystem could support effective scrutiny and about making better or more use of external organisations as part of that.” <sup>166</sup>
404. Witnesses spoke about the value of committees having more of a relational connection with stakeholders who may be able to support committees to fulfil some of their functions.
405. Sir David Natzler told the Committee about the importance of viewing this wider network of stakeholders not solely as clients. Rather, “they must be treated as your partners in a common enterprise in which they play an important role.” <sup>167</sup>
406. We discussed earlier in the report the importance of utilising external expertise to assist in training and support for committees when developing their subject knowledge for a committee or specific piece of work. Sir David Natzler suggested that these external stakeholders could also be commissioned to conduct work for a committee. He suggested that this might be a way of making limited resources stretch further. <sup>168</sup>
407. The written submission we received from the Net Zero, Energy and Transport Committee highlighted a good practice example of how it had used external expertise to seek to embed climate scrutiny across committees. A SPICe post, funded by the UK Research and Innovation Economic and Social Research Council, had developed networks of expertise on climate change between the Scottish Parliament and academics in Scotland, the UK and globally. It had resulted in the Parliament being able to draw input from over 100 academics with expertise on climate into the work of both the NZET Committee and other committees. <sup>169</sup>
408. The Committee also notes the important work being conducted by the Scottish Parliament Academia Network (SPAN). Managed by SPICe, the Network aims to encourage knowledge exchange between the Parliament and academia via a network of knowledge exchange/brokering professionals throughout Scottish (and

increasingly wider reaching) Higher Education institutions. Members of SPAN are kept up to date with current opportunities for academics to engage with the Parliament including through targeted and open calls for Fellowships, UKRI Internships and other placement and collaborative opportunities, and open committee consultations.

409. We also heard about Scottish Parliament Committees appointing advisers for one-off inquiries, or to provide ongoing expertise and support for particular aspects of a committee remit. This is something we have deployed ourselves with the appointment of an adviser for this inquiry. The NZET Committee highlighted that it had recruited an external Climate Change and Net Zero Adviser who works with the NZET Committee, but also acts as a shared resource across all committees.<sup>170</sup>
410. There was some discussion of the importance of proactively building in engagement with experts early in the scrutiny process. This was one of the aspects of committee performance which was praised in the responses to the more detailed call for views aimed at those with regular experience of engaging with committees. For example, clerks and researchers often meet with stakeholders to understand issues before progressing an inquiry, and external expert witnesses often provide evidence prior to evidence from the Scottish Government.

## Engagement with the public

411. A key strand of the discussion on committees' relationships was the importance of a strong relationship and engagement with the public.
412. Brian Taylor referenced the importance of the concept of trust. He referred to public trust in the BBC and said that focusing committee work from the perspective of serving the public and the public feeling that committees were on their side was crucial.<sup>171</sup>
413. Several witnesses emphasised the importance of public engagement. Ken Hughes considered it was important to "broaden the net" as far as possible to include the people affected by policies. He considered this as essential, suggesting that the most powerful testimonies committees received came from the people directly affected by an issue.<sup>172</sup>
414. There was a suggestion from witnesses that there was a need to involve the public in the work of committees at an earlier point. Sir David Natzler told the Committee that outreach tends to be the Parliament or a committee "shouting at the public about what it is doing". He argued that it was more important to conduct "inreach", which he described as giving the public more chance to tell the Parliament what it wants to do.<sup>173</sup>
415. Professor Cristina Leston-Bandeira raised a similar suggestion and felt that it would be helpful to bring the public into the scrutiny process earlier, so that the issues that matter the most to them were reflected in committee work. She suggested, for instance, involving the public in work programming or inquiry scoping.<sup>174</sup>

## The approach of Scottish Parliament committees

416. During our evidence gathering, we heard praise for the outreach and engagement work undertaken to inform the work of Scottish Parliament committees. Professor Leston-Bandeira told the Committee that the Scottish Parliament is known internationally for how well it conducts its engagement and participation work.<sup>175</sup>
417. The Parliament has a dedicated, in house Participation and Communities Team (PACT), which works with individuals and communities to support engagement with the Scottish Parliament. The team helps people to have their views and experiences heard by committees, particularly hard-to-reach groups and those most affected by an issue. Their emphasis is on ensuring that participation is meaningful and impactful.
418. The Committee received evidence on the impact of hearing directly from the public. Karen Adam MSP told the Committee that she considered it “vital to hear how policy affects those on the ground or on the front line”. She detailed that the Equalities, Human Rights and Civil Justice Committee had taken evidence from and involved people with lived experience on a range of matters, including giving a group of citizens from minority ethnic backgrounds a deliberative role in its scrutiny of human rights budgeting.<sup>176</sup> We also heard the example of the Criminal Justice Committee taking evidence from highly vulnerable witnesses on the Victims, Witnesses and Justice Reform (Scotland) Bill. As noted earlier in the report this witness testimony and that of others in relation to the Bill led to changes in the legislation.<sup>177</sup>
419. We heard about the impact of deliberative People’s Panels on the work of committees. These processes involve tasking and supporting a randomly selected panel of 25 people, who are broadly representative of the Scottish population, with exploring a question and making recommendations on a topic set by a committee. These committees can then choose how to respond to and use these recommendations in their own scrutiny.
420. We note that the Citizen Participation and Petitions Committee published in May 2025 its “Blueprint for participation – embedding deliberative democracy in the work of the Scottish Parliament”.<sup>178</sup>
421. The report concludes that the impact of People’s Panels can be profound, and that there is already encouraging evidence from the evaluation of Panels to date about their positive contribution to both scrutiny and participants engagement with democracy. The CPPPC report highlights the evidence Clare Haughey MSP provided to the Chamber on the report of the most recent People’s Panel on reducing drug harm and deaths

” “I believe that it would be remiss of me not to briefly highlight the extensive work of the people's panel. As is explained in the executive summary of the report, people's panels help to empower citizens to actively contribute and deliberate on key issues. The provision by individuals of innovative and informed input enhances Parliament's scrutiny and strengthens inclusive democratic participation. [...] I believe that that approach highlights the benefit of people's panels, particularly when scrutinising a topic that covers a number of remits.”<sup>179</sup>

422. The Citizen Participation and Petitions Committee report sets out a Blueprint for the Parliament to continue to support People's Panels. The report emphasises the importance of People's Panels being embedded in practice including plans for four Panels in Session 7. The report states that as well as guidance for committees this should include updating Standing Orders to further embed the process in the Parliament's work, for example an addition to Standing Order 5.6.1 to provide for an additional dedicated Committee debate slot following a People's Panel. A motion welcoming the Report and endorsing its findings was debated and agreed to in the Chamber on 3 June 2025.<sup>180</sup>

## Other issues regarding engagement

423. One specific suggestion made in connection with committee witnesses came from the Scottish Conservative and Unionist Party. They suggested that all committee witnesses should have to declare where their financial funding comes from, including the amount of public funding, to aid transparency around the potential influence of the Scottish Government.<sup>181</sup>

424. The Parliament has always valued its relationship with the public and recognised its importance. We note that this relationship is ever evolving, and that it is important to ensure things are not 'done to' but 'done with' the public. This approach also encourages public trust in the work of committees. Committees must ensure that the public are placed at the heart of their work from the early development phase of an inquiry, through to 'closing the feedback loop' once an inquiry has reported.

425. We are pleased to learn that the Scottish Parliament's work in engagement and participation is recognised on an international level and that both the approach and resourcing of this work has developed significantly in recent years. This has included the establishment of the Participation and Communities Team and the use of People's Panels by committees. While significant progress has been made in recent years, there is always more that can be done. We must not be complacent and must continue to strive to reach those individuals who feel that the Parliament is remote from their daily lives.

426. We recognise and support the call by the Citizen Participation and Petitions Committee that deliberative democracy, and specifically the use of People's Panels, be embedded in the work of committees as a part of wider participation

approaches used by committees. We recommend that Standing Orders is updated to provide for an additional dedicated Committee debate slot following a People's Panel as detailed in the CPPPC Blueprint for Participation. We also recognise and support the Citizen Participation and Petitions Committee's recommendation that People's Panels be part of a wider package of participation approaches used by committees.

427. We have also heard many good practice examples of committees drawing on external expertise, including academics and committee advisers. We note that Net Zero, Energy and Transport Committee has benefited this session from external funding to forge enhanced access to academics and research in climate change.
428. The evidence shows it is important that committees recognise the valuable role that external expertise can play in a wider 'ecosystem of scrutiny' as this will assist with them utilising wider resources.
429. We recognise the importance of ensuring a wide range of expert witnesses and views and perspectives are heard and committees go beyond the 'usual suspects'. We recommend that the Conveners Group should monitor the range of committees' witness bases to ensure committees hear from all relevant voices.
430. Regarding the specific suggestion that witnesses should declare if they receive Scottish Government funding to aid transparency, this was not a specific focus of our inquiry. This would require further consideration before the committee could form a view on the proposal.

## Novel ways of working

431. We have already considered how external factors can impact on committee effectiveness, for example, the impact of work which has been referred to committees.
432. However, it is also important to look internally at the different tools currently available to committees to aid their ways of working. The Committee received evidence from some witnesses that committees need to be “more fleet-of-foot” to deploy novel ways of working to assist their performance. Many of these different ways of working do not require any changes to Standing Orders to implement. They are already available to committees.

## Committee Reporters and Sub-Committees

433. There is currently a provision in Standing Orders to enable a committee to appoint a “reporter”. Under Rule 12.6 the role of a reporter is to report to the committee on any matter within its remit. This may be for a particular inquiry, or on a ‘standing’ basis, for example to monitor developments on an aspect of the remit throughout the committee’s duration.<sup>182</sup>
434. The potential benefit of the use of a reporter is that it can allow a member of the committee to undertake work on behalf of the committee on a subject, thereby saving the whole committee time and increasing its capacity for other work.
435. The Committee Reporter system in the Scottish Parliament was something used more extensively in previous sessions. Ken Hughes told the Committee that rapporteurs had been used in Session 2, but the approach needed a lot of clerking and research support and could in effect mean dual-running committee support. He felt it could work in specific and limited scenarios but would need a lot of resource.<sup>183</sup>
436. Other witnesses also pointed to potential limitations to the usage of reporters. Some suggested that assigning an individual to conduct a piece of work on behalf of a committee meant that the work had to be on something non-contentious, or focused on information gathering. Professor Paul Cairney suggested that the task assigned to the Member should be innocuous, and that it was important they had the trust of the committee. He suggested that potential tasks for reporters could include looking at bills that solely updated existing legislation, or investigating specific areas where more information was needed within a wider inquiry process.<sup>184</sup>
437. We heard that in some other legislatures committee reporters were used more extensively. They are often referred to as rapporteurs. Professor Leston-Bandeira referenced continental legislatures and told the Committee that rapporteurs and sub-committees could be useful in pre-legislative scrutiny to help the committee decide where it may wish to focus its scrutiny of a bill.<sup>185</sup>
438. In evidence on practice in other UK legislatures, we heard that both the Senedd and House of Commons have used rapporteurs, but neither have done so extensively.<sup>186</sup>

439. The Committee heard that sub-committees were sometimes considered a more attractive proposition than the use of reporters, as they involve a smaller group working on a particular policy aspect or short inquiry where members had a particular interest in that subject. Sub-committees are already possible in the Scottish Parliament under Standing Orders. For example, last session the Justice Sub-Committee on Policing was formed to examine issues including the work of Police Scotland.
440. Dr Fox suggested that in the House of Commons sub-committees were more likely to be used than the rapporteur approach.<sup>187</sup> However, this approach was not used in the Senedd as the already smaller membership numbers for committee meant it was not viable to set up smaller subgroups.<sup>188</sup>

## **Cross-committee working**

441. We discussed earlier in the report scenarios where issues can be cross-cutting in nature and how, looking forward, structures of committees could be changed to accommodate this. Cross-committee working has been one of the Conveners Group strategic priorities this session it has sought to encourage greater cross-committee scrutiny, recognising that some policy areas engage the remit of more than one committee and seeking to ensure that committees can work together to conduct effective scrutiny of these areas.
442. Cross-cutting scrutiny can be delivered through formal structures in which committees work together or more informally by co-ordination of individual committee scrutiny of a particular matter.
443. The majority of the Conveners Group's work in this area has focused on post-EU scrutiny and net zero scrutiny but cross-committee scrutiny has included formal joint meetings and co-ordinated scrutiny of statutory documents such as the National Performance Framework.
444. We have considered whether any procedural changes could be introduced to improve or enhance the options available to committees where they wish to combine their expertise in scrutinising a particular issue or policy.

## **Joint Committee meetings**

445. Another approach taken by committees to date to deal with cross-cutting issues has been to hold joint committee meetings to discuss a cross-cutting issue across broad perspectives. This has included the work of the Criminal Justice Committee, Health, Social Care and Sport Committee and Social Justice and Social Security Committee on tackling drug deaths and drug harms.
446. Whilst a number of committees collaborating together has proved successful, there were some calls for more flexibility in how this approach should operate in practice. The Social Justice and Social Security Committee, in its written submission, highlighted the current requirement in Standing Orders that resulted in three

members of each committee needing to be present for the meeting to be quorate and enable the committee to take decisions or vote. They referenced one particular instance where one of the committees attending the joint meeting did not meet the quorate requirements. The attending members from that committee had to be considered as 'visiting members' which meant that they were unable to attend the private part of the meeting.<sup>189</sup>

## Hosting of members

447. During the inquiry, we heard of another approach used by some other legislatures to cross-committee working which was less resource intensive than holding joint committee meetings.
448. This involved the 'hosting of members'. Under this approach Members are formally invited in their capacity as a committee member to attend another committee's meetings and are granted similar permissions to the members of the committee they are being hosted with.
449. Dr Fox explained that at Westminster this had some elements of the rapporteur model. She explained that it was a way of preventing work from being siloed and that the individual in the guesting or hosting role could:
- ” “input their expertise and interests of their committee to that inquiry and likewise, to take away whatever they had learned and report back to their committee.”<sup>190</sup>
450. Under the current system in the Scottish Parliament, a committee may sometimes appoint a reporter to attend meetings of another committee inquiring into a topic falling within the remits of both committees.
451. The reporter (like any other MSP) may, with the agreement of the other committee's convener, participate in the other committee's proceedings.<sup>191</sup> Rhoda Grant MSP representing the Scottish Labour Party told the Committee that there were instances where this had worked well and the member attending another committees' meeting had added value to the committee's deliberations.<sup>192</sup>
452. An updated hosting mechanism in the Scottish Parliament could involve an MSP having new enhanced rights to access private sessions of the other committee and private meeting papers, but they would not have the right to vote.
453. It is clear that there is a suite of tools already available for committees to deploy to assist and support their ways of working.
454. We recognise the merits of the committee reporter system which can enable a member of the committee to undertake work on behalf of the committee on a subject. This saves time for the committee and increases its capacity for other work. However, we also recognise its limitations. Using a reporter does not necessarily reduce the overall requirement for committee support. It is also better suited to situations where the work being conducted is not controversial and has

clearly defined parameters.

455. We also note that the use of sub-committees can be an effective way for committees to operate. They enable a smaller group from a committee to work together on a particular policy aspect or inquiry.
456. Joint Committee meetings are also an approach that has been used effectively where issues have been of a cross-cutting nature. This has enabled members with expertise from different committees to come together to scrutinise a particular issue.
457. Each of these different ways of working have the potential, if used for appropriate pieces of work, to improve the effectiveness of committees' operations. Furthermore, they are available to committees now. No Standing Order rule changes are required to use them. However, it became apparent in our evidence that they are relatively infrequently used.
458. We consider that it is important that Conveners and Members know and understand the suite of tools available to assist in their work. Consideration of their usage must be built into work programme discussions, alongside a discussion of their merits and limitations.
459. We note the request for some more flexibility with regard to the quorate requirements for committees in relation to joint committee meetings. We recommend that changes are made to Standing Orders to reduce the number of members who are required to be present from each individual committee when hosting a joint committee meeting. This change will assist in encouraging more committees to consider using joint committee meetings in the future.
460. As well as considering the current tools available to members, we also heard that other legislatures have a mechanism for 'hosting' members. Under this approach, Members from one committee attend another committee's meetings and are granted similar permissions to the members of the committee they are being hosted with. We are attracted to this proposal as an additional tool for flexible working to be added to those currently available to our committees.
461. We recommend that a mechanism for hosting is placed in Standing Orders. 'Hosting' offers another way for committees to work together and ensure work is not being siloed. It enhances the current Reporter approach where a member with the agreement of the other committee's convener can participate in other committee's proceedings. A hosting mechanism would mean that a member would have new enhanced rights to access private sessions of the other committee and private meeting papers, but they would not have the right to vote.
462. We consider this new procedure would enhance the exchange of knowledge and information between members of different committees and assist in closer working across committees.

# How can committees evaluate their performance

463. We recommended earlier in this report that committees should set objectives for individual pieces of scrutiny and be required to review their performance against these in their published annual reports . It is therefore important that committees place emphasis on seeking to evaluate and quantify the impact of their scrutiny.
464. The Guidance on Committees notes that the main output of a committee's work is a published report. Formally speaking, these reports are made to the Parliament or to another committee, but in practice, some or all of the recommendations may be directed primarily at the Scottish Government or other persons or organisations. <sup>193</sup>
465. During the course of our inquiry, concerns were raised regarding whether a lack of clarity in some recommendations made by committees made it more difficult for progress in meeting these recommendations to be assessed. This, in turn, made it more difficult for the outcome of committee scrutiny to be measured and monitored.
466. Dr Caygill suggested one of the reasons why some recommendations may be "woolly" is because they have had to be reworded or restructured in order to achieve consensus amongst committee members. Dr Caygill explained that unclear recommendations were easier for the Government not to engage with. This made it harder for the committee and external stakeholders to track the Government's progress in implementing them. <sup>194</sup>
467. We heard from witnesses about what a 'good' recommendation should look like and how this made the evaluation of impact easier to assess. Gemma Diamond, Director of Innovation and transformation at Audit Scotland explained the work they had done on exploring the impact of recommendations, which had then informed work on how they should be worded. She emphasised the need for recommendations to say what they mean – to be specific, measurable and to include timescales so that stakeholders are very clear about what is expected. <sup>195</sup>
468. As well as consideration of how report recommendations would be understood, witnesses also discussed the challenge in measuring the impact of report recommendations. The Committee heard that sometimes, initially, a recommendation made by a committee may not appear to receive traction or support. However, there is merit in returning to an issue some time later as there may have been a change in approach and a greater acceptance of the committees view and proposals.
469. Professor Lord Norton of Louth explained:
- ” “A committee will make a recommendation; the executive will say, “No, that’s rubbish. We’re not doing that”; and strangely enough, two or three years down the line, it will get carried out. A new minister comes in, dusts off the report, and the executive says, “That’s quite good.” However, it is not necessarily going to credit the committee, so you cannot actually prove a causal relationship in that respect.” <sup>196</sup>

470. We heard that it was easier to quantify the impact of committee reports when they had led to specific changes such as legislative changes. However, where the impact of a committee report was to inform debate and influence how people saw an issue, it was more challenging to measure.
471. Professor Meg Russell referenced her work in 2011 on the Policy Impact of House of Commons select committees. A key component of that work had been to trace where committee report recommendations had been accepted and subsequently implemented. She explained that although understanding the impact of recommendations was useful, the measure of a committee's success goes much wider than whether recommendations have been implemented.<sup>197</sup>
472. Gemma Diamond of Audit Scotland also emphasised that it is important to understand that evaluation of performance is not solely about recommendations.<sup>198</sup>
473. Although, as we have heard, the monitoring and evaluating of the effectiveness of committees' performance can be challenging, it is clearly good practice to do so.
474. However, we heard some concerns that to date this monitoring by committees was not always taking place. In the call for views aimed at those with experience of committees and more regular stakeholders, several respondents mentioned challenges in understanding whether recommendations had been acted upon by the Scottish Government. There were calls from stakeholders for more evaluation and impact monitoring to be undertaken within the committee system.
475. We received some evidence that committees were taking steps to improve the monitoring of the implementation of their work and specifically report recommendations.
476. The written submission from the Local Government, Housing and Planning Committee detailed that they had taken a proactive approach to evaluation of its work over the session and produced an annual tracker report. The LGHP Committee chose themes which they returned to annually on which they invite stakeholders to provide an update on progress. They had found this an effective way of monitoring the impact of their work and Scottish Government responses to their recommendations over the Session.<sup>199</sup>

477. The Committee heard evidence about the importance of committees taking the time to evaluate their performance and, in particular, to systematically assess the extent to which recommendations in their reports have been implemented.
478. We heard that if recommendations are clear, specific and measurable it can make it much easier to monitor when they have been accepted and how they have been implemented.
479. However, we also heard that it can be challenging to assess the impact of committee scrutiny. A nuanced approach is needed that accepts that 'softer' impacts, such as raising awareness of an issue that may otherwise have been overlooked or airing lived experience, can be just as important as a recommendation being accepted.

480. Despite these challenges it is important that evaluation takes place. We have recommended in this report that committees consider, annually, their progress in meeting their objectives for individual pieces of scrutiny and inquiry work . Furthermore, in this report we have highlighted some good practice examples of how committees can evaluate their performance which we commend to committees.

## Overall conclusion

481. In our view it is essential that the Scottish Parliament has a strong and effective committee system.
482. Committees perform a crucial function in our democracy to hold the Scottish Government to account and reflect the interests of the people of Scotland.
483. Yet we are aware of concerns, particularly in recent years, that committees are not fulfilling their potential and are in need of reform.
484. While we heard about much good work which takes place in committees, it is right that we are ambitious and seek to aspire to a modern and effective committee system. We heard that the public rightly expect committees to be responsive, work collegiately, and properly hold the Scottish Government to account.
485. That has been the purpose of this inquiry. Its objective is to ensure committees are well placed to operate effectively in the next parliamentary session and beyond.
486. In this inquiry we have undertaken a thorough examination of how committees work. We have looked at all aspects of committees' performance, including the structure and remits of committees, and the role of committee members themselves. We have looked at other legislatures to learn lessons, sought evidence from people who engage with committees, and consulted experts on parliamentary institutions. Importantly, we have also heard directly from politicians and parties across the Parliament.
487. In this report we have set out a comprehensive set of recommendations to reform and renew the work of committees.
488. Our recommendations are practical and deliverable and focused on giving committees the necessary tools to fulfil their potential. There is a collective will to improve the effectiveness of committees and we look forward to playing our part in doing so.
489. We commend this report to the Parliament.

# Annexe A - Remit for the inquiry and the themes and questions we posed for answer

**Remit: "Are there changes to the Parliament's procedures and practices which would help committees to work more effectively?"**

To answer this question, the Committee will consider three themes:

## **Structure**

The current structure of committees, the best size of membership and the number of committees. The remit of committees, including whether they should mirror the Scottish Government Ministerial portfolios or whether a different approach could be taken. The Gender Sensitive Audit set out a suite of proposals relating to quotas for committee membership. As a Committee we have agreed that as a minimum, there should be no single sex committees. We intend to propose this change take effect from the start of the next parliamentary session.

The key questions the Committee will seek to answer on this theme is:

- Are there structural and procedural changes which would improve committee scrutiny?
- Are there structural and procedural changes which would allow committees to be more effective with their time?
- Are there changes which would help committees better carry out scrutiny.

## **Elected Conveners**

The Committee has already consulted on the practical operation of elected conveners. The Committee will consider what cultural changes it thinks elected conveners would bring to the operation of committees.

The key question the Committee will seek to answer on this theme is:

"Would elected conveners strengthen the committees of the Parliament, and if so, how?"

## **Evaluation**

The Committee will consider how committees currently evaluate their work and whether there are changes or improvements which could be made.

This may include approaches to pre and post legislative scrutiny and considerations of how work is planned to build in evaluation and reflection.

The key questions the Committee will seek to answer on this theme is:

- Are there additional opportunities for committees to evaluate and reflect on work they undertake?

- How time can be built into work programmes for evaluation by committees of their own approaches, especially where these may be new?

## Annexe B – Model procedure for elected conveners

- Nomination should take place once the Parliament has agreed the party to which convenership of each committee should be allocated.
- Only a member of the party that the convenership is allocated to can nominate
- The nomination must be supported by a member of another party
- If only one member is nominated and no objection is made to that nomination the nominated member is elected.
- If an objection is made or more than one member is nominated a secret ballot is held
- The secret ballot is held outwith the Chamber, with the results of that ballot confirmed to the Chamber at a later point in the meeting.
- If more than one chair role is being considered in a single meeting, no member may be nominated for more than one role
- Mid-session vacancies are filled by the same model.
- Committee members can vote to recommend removal of a convener, but that removal only occurs if a motion is agreed by the Parliament.

# Annexe C – Extracts from the Committee's Minutes

## [5th Meeting, 2024, \(Session 6\), Thursday 29 February 2024](#)

Committee Effectiveness: The Committee took evidence from— Professor Adam Tomkins, Former Member of the Scottish Parliament; Johann Lamont, Former Member of the Scottish Parliament.

## [17th Meeting, 2024, \(Session 6\), Thursday, 13 June 2024](#)

Committee Effectiveness: The Committee considered and agreed its approach to a proposed inquiry on committee effectiveness.

## [19th Meeting, 2024, \(Session 6\), Thursday, 27 June 2024](#)

Committee Effectiveness (In Private): The Committee agreed to seek approval for the appointment of an adviser.

## [2nd Meeting, 2025, \(Session 6\), Thursday, 30 January 2025](#)

Committee effectiveness (In Private): The Committee considered its approach to the inquiry and agreed to further consider its approach to evidence in private at a future meeting.

## [3rd Meeting, 2025, \(Session 6\), Thursday, 20 February 2025](#)

Committee effectiveness (In Private): The Committee agreed its approach to the inquiry.

## [4th Meeting, 2025, \(Session 6\), Thursday, 20 March 2025](#)

Committee effectiveness: The Committee took evidence from—

Sir David Natzler KCB, Clerk of the House of Commons 2015-2019, Clerk of Committees 2008-09 and Clerk to the House of Commons Reform Committee (the Wright Committee) 2009-10; Brian Taylor, Former Political Editor BBC Scotland, Columnist The Herald; Professor Meg Russell, Director, Constitution Unit, University College London; Gemma Diamond, Director of Innovation and Transformation, Audit Scotland; Dr Marc Geddes, Senior Lecturer in Politics, University of Edinburgh.

## [5th Meeting, 2025, \(Session 6\), Thursday, 03 April 2025](#)

Committee effectiveness: The Committee took evidence in a roundtable format from—

Professor Paul Cairney, Professor of Politics and Public Policy, University of Stirling; Dr Tom Caygill, Senior Lecturer in Politics, Nottingham Trent University; Ken Hughes, Former Assistant Chief Executive, Scottish Parliament; Professor Cristina Leston Bandeira, Professor of Politics, University of Leeds.

## [6th Meeting, 2025, \(Session 6\), Thursday, 24 April 2025](#)

Committee effectiveness: The Committee heard evidence, in a roundtable format, from—

Professor Philip Lord Norton of Louth, Professor of Government and Director of the Centre for Legislative Studies, University of Hull; Professor Diana Stirbu, Co-Director of the Centre for Applied Research in Empowering Society (CARES), London Metropolitan University; Dr Stephen Holden Bates, Senior Lecturer in Political Science, University of Birmingham; Dr Ruth Fox, Director and Head of Research, Hansard Society.

[8th Meeting, 2025, \(Session 6\), Thursday, 15 May 2025](#)

Committee effectiveness: The Committee took evidence from—

Douglas Ross, MSP, Scottish Conservative and Unionist Party; Willie Rennie, MSP, Scottish Liberal Democrats; Karen Adam, MSP, Scottish National Party; Rhoda Grant, MSP, Scottish Labour Party; Ash Regan, MSP, Alba Party; Ross Greer, MSP, Scottish Green Party;

and then from— Jamie Hepburn, Minister for Parliamentary Business,

Steven Macgregor, Head of Parliament and Legislation Unit and

Ailsa Kemp, Parliament and Legislation Unit Team Leader, Scottish Government.

[14th Meeting, 2025, \(Session 6\), Thursday, 11 September 2025](#)

Committee effectiveness (In Private): The Committee considered a draft report and agreed to continue consideration at a future meeting.

[16th Meeting, 2025, \(Session 6\), Thursday, 25 September 2025](#)

Committee effectiveness (In Private): The Committee considered and agreed a draft report.

# Annexe D – Evidence

## Oral evidence and associated written submissions

### 29 February 2024, Official Report

Johann Lamont

Professor Adam Tomkins

### 20 March 2025, Official Report

Sir David Natzler KCB, Clerk of the House of Commons 2015-2019, Clerk of Committees 2008-09 and Clerk to the House of Commons Reform Committee (the Wright Committee) 2009-10

Brian Taylor, Former Political Editor BBC Scotland, Columnist The Herald

Professor Meg Russell, Director, Constitution Unit, University College London

Gemma Diamond, Director of Innovation and Transformation, Audit Scotland

Dr Marc Geddes, Senior Lecturer in Politics, University of Edinburgh.

## Written submissions from witnesses

[Audit Scotland](#)

[Dr Marc Geddes](#)

### 3 April 2025, Official Report

Professor Paul Cairney, Professor of Politics and Public Policy, University of Stirling

Dr Tom Caygill, Senior Lecturer in Politics, Nottingham Trent University

Ken Hughes, Former Assistant Chief Executive, Scottish Parliament

Professor Cristina Leston Bandeira, Professor of Politics, University of Leeds.

## Written submissions from witnesses

[Dr Tom Caygill](#)

[Ken Hughes](#)

### 24 April 2025, Official Report

Professor Philip Lord Norton of Louth, Professor of Government and Director of the Centre for Legislative Studies, University of Hull

Professor Diana Stirbu, Co-Director of the Centre for Applied Research in Empowering Society (CARES), London Metropolitan University

Dr Stephen Holden Bates, Senior Lecturer in Political Science, University of Birmingham

Dr Ruth Fox, Director and Head of Research, Hansard Society.

### **15 May 2025, Official Report**

Douglas Ross, MSP, Scottish Conservative and Unionist Party

Willie Rennie, MSP, Scottish Liberal Democrats

Karen Adam, MSP, Scottish National Party

Rhoda Grant, MSP, Scottish Labour Party

Ash Regan, MSP, Alba Party

Ross Greer, MSP, Scottish Green Party;

Jamie Hepburn, Minister for Parliamentary Business,

Steven Macgregor, Head of Parliament and Legislation Unit

Ailsa Kemp, Parliament and Legislation Unit Team Leader, Scottish Government

### **Written submissions from witnesses**

[Alba Party](#)

[Scottish Conservative and Unionist Party](#)

[Scottish Green Party](#)

[Scottish Labour Party](#)

### **Other written Submissions**

The Committee issued two calls for views which were open for submissions between 4 March 2025 and 22 April 2025.

The first was a short call for views with general questions surrounding committee effectiveness for people who have only engaged with committees on a few occasions.

[Read the responses to the short call for views.](#)

The second was a stakeholder call for views which asked more detailed questions about committee effectiveness for organisations or people who have engaged with committees often.

In addition to the calls for views, the Committee also wrote to Scottish Parliament committees and political parties represented in the Parliament to invite submissions on the questions being asked by the Committee.

The Committee also wrote to other legislatures to gather information about relevant procedures and practices in other jurisdictions.

Finally, all MSPs were invited submit their views, including an option to do so anonymously

if they preferred.

Read the responses to the stakeholder call for views, along with submissions from MSPs, committees, political parties and other legislatures.

# Annexe E– SPPA Committee questions regarding the nomination process for elected conveners

## Nomination of candidates

- It is proposed that nomination should take place once the Parliament has agreed the party to which convenership of each committee should be allocated. Should members of any party be able to nominate a Member for election as a Committee convener or should that be limited to Members of the party to which the Convenership has been allocated?
- Nominations for the Presiding Officer, deputy Presiding Officers and members of the Scottish Parliamentary Corporate Body require a nomination to be seconded by another Member. Should the same threshold of support apply to nominations for election as Committee conveners?
- Should there be an opportunity for candidates to provide a short statement (oral or written) in support of their election?

## Election process

- What method of election should be adopted, and should the election of Committee Conveners be carried out by secret ballot?

## Removal of Conveners

- Should the rules regarding removal of a Convener also be changed to require a vote of the Parliament rather than of the Committee as is currently the case?
- Removal of a Convener by a Committee currently requires an absolute majority. If the rules regarding removal of a Convener were changed to require a vote of the Parliament, should that vote require an absolute majority?

## Other issues

- Do you have any other comments regarding the election of Committee Conveners?

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- 2 Consultative Steering Group on the Scottish Parliament. (December 1998) *Shaping Scotland's Parliament* . The Scottish Office. Retrieved from: [https://www.parliament.scot/-/media/files/history/report\\_of\\_the\\_consultative\\_steering\\_group.pdf](https://www.parliament.scot/-/media/files/history/report_of_the_consultative_steering_group.pdf)
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