

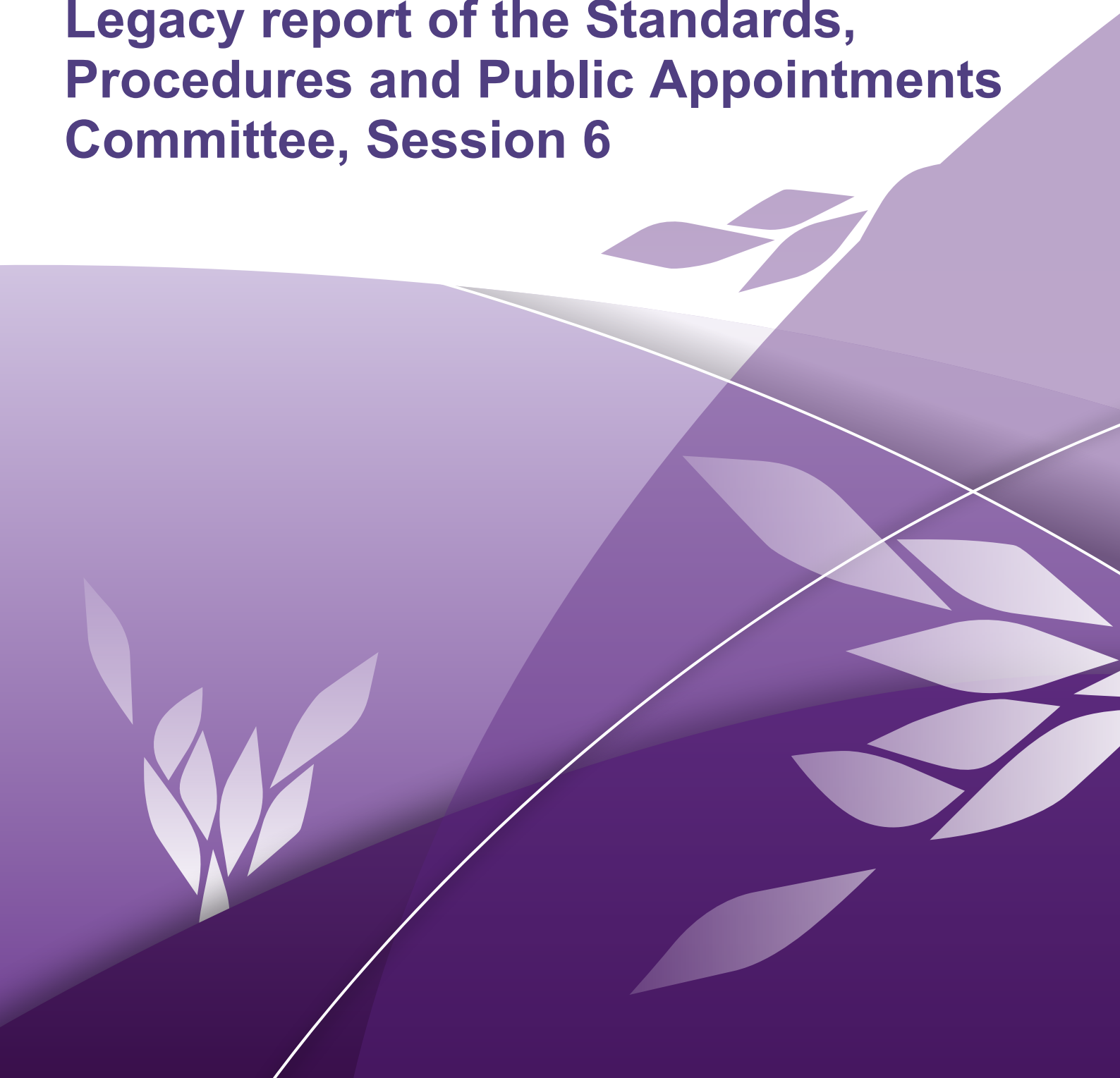


The Scottish Parliament
Pàrlamaid na h-Alba

Published 24 March 2026
SP Paper 1101
13th Report, 2026 (Session 6)

Standards, Procedures and Public Appointments Committee

Legacy report of the Standards, Procedures and Public Appointments Committee, Session 6



Published in Scotland by the Scottish Parliamentary Corporate Body.

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 Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion."



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Introduction

1. The Standards, Procedures and Public Appointments Committee has undertaken a range of work in this Session across all aspects of its remit. This report sets out some areas for consideration by a successor committee and highlights some matters of practice and experience that we hope will be useful to inform those who follow us.
2. The Committee's remit is set out in Rule 6.4 of Standings Orders. In this Session, matters falling within the responsibility of the Minister for Parliamentary Business (and Veterans) were included in the Committee's remit as additional matters. In terms of work undertaken by the Committee in this Session, these additional matters, such as work relating to elections and freedom of information, have formed large parts of the Committee's workload. Carrying out legislative scrutiny, as well as consideration of other referred work and work of the Committee's own initiative has resulted in the Committee meeting weekly on a regular basis rather than on the fortnightly basis that was anticipated at the start of the Session.

Legislation

Lobbying (Scotland) Act 2016

3. The Committee commissioned the Scottish Parliament Information Centre (SPICe) to undertake a partial evaluation of the Lobbying (Scotland) Act 2016. The report of the evaluation was published in October 2023 and suggested areas for further consideration.
4. Due to other work referred to the Committee, we were unable to progress with work on a Committee Bill during Session 6. We recommend that consideration of work in this area should be an early priority for the Session 7 Committee.

Interests of Members of the Scottish Parliament Act 2006

5. The Interests of Members of the Scottish Parliament Act 2006 contains a requirement for Members to reassess the value of any interests in shares or heritable property on the 5 April each year and to update relevant entries in the Register of Interests accordingly. Given the change in approach to the date of dissolution, we recommend that consideration is given to disapplying this requirement in the final April of each Session. We also recommend that a change is considered to ensure that the requirements of the Interests Act reflect an increase in the level at which donations for political activities are published by the Electoral Commission.

The Parliament's procedures and practices

Committee effectiveness

6. The Committee undertook a major inquiry into the effectiveness of the Scottish Parliament's committees, with our findings and recommendations being published in our report on Strengthening Committees' effectiveness.
7. We have published proposed Standings Orders changes to reflect some of the findings in that report and these will be considered by the Parliament before the end of the Session. These changes offer some enhanced tools to support committees in carrying out their scrutiny and legislative functions.
8. The critical opportunity for Session 7 MSPs who serve on committees will be to ensure that good use is made of these tools, and that work is done early on to establish strong cultures within committees. We suggest that this could be an area our successor committee may wish to review.

Bill amendment deadlines

9. The Parliament has agreed a temporary rule in relation to the deadlines for lodging Bill amendments. This rule is in place until the end of the calendar year. The Parliamentary Bureau will undertake an interim review of the operation of the earlier deadlines that have been set before the end of this Session.
10. It would be a matter for the Session 7 Committee to consider that review, to take evidence from others and consider whether the deadlines should be changed on a permanent basis.

Chamber voting

11. This Session was the first one in which hybrid proceedings, including the use of digital voting, have been a permanent feature. We consider that next Session would afford an opportunity to review some of the practices that are part of hybrid proceedings. In relation to digital voting, we recommend that the Session 7 Committee seeks an update on any technical developments planned for the application to inform whether any procedural or practical changes should be implemented, including whether the digital voting application could be integrated with the Chamber consoles.
12. We consider that some elements of practice and Member behaviour could be reviewed, such as the duration of the suspension period to allow Members to access the system, the responsibility of Members who are voting in the Chamber to ensure that they are logged on and the expectation that Members arrive in the Chamber in good time to ensure they are connected to the system.

Code of Conduct

Review of the complaints sanctions process

13. In February 2026, the Scottish Parliamentary Corporate Body (SPCB) published the report of the complaints sanctions review. This review was commissioned following the Parliament's agreement to motions S6M-13368 and was conducted by Rosemary Agnew.
14. The Committee considered the report in February 2026 but, due to the stage in the Session, has not had an opportunity to undertake work to consider the recommendations set out. We see this as a piece of work that should fall to the Session 7 Committee. The recommendations in the report would provide an opportunity for the Session 7 Committee to develop a strong understanding of the ethical standards landscape for elected members in other UK legislatures and to develop proposals for consideration by the Parliament.
15. As part of its work in relation to the report, we recommend that the Committee considers creating additional resources to ensure that the role of the Committee in relation to complaints and the recommendation of sanctions can be better understood by other Members and the wider public.

Pastoral support for members

16. One of the issues highlighted in Rosemary Agnew's report was the importance of Members knowing what pastoral support is available to them should a complaint be made. This is an issue of deep concern to us. It is also a matter on which the Commissioner for Ethical Standards in Public Life in Scotland has been calling for further action. We heard powerful evidence from the Commissioner on this in March 2026.
17. The investigation of any complaint must be undertaken confidentially, away from a lens of public scrutiny which has the potential to compromise the perceptions and outcomes for any individual who is party to the complaint, be they the complainer, a witness or the member complained about.
18. Members are rightly expected to meet high standards of behaviour in the conduct of their parliamentary duties and it is right that we have robust processes in place to consider any instances where concerns are raised that those standards may not been met, or where it found that they have not been met.
19. However, the need for a confidential and robust process does not mean that the people involved are unable to seek counsel from friends, family and colleagues or to receive appropriate support. The experience of a complaint can be extremely stressful and isolating, both during any investigation and when the findings of a complaint become known. It is essential that this is recognised and that Members can access appropriate support in a timely manner. We highlighted the importance of pastoral support in a committee announcement made in the Chamber on 10 March.

Cross-Party Groups

20. The operation of Cross-Party Groups has been a concern to the Committee during the latter part of the Session. High levels of non-compliance with the Code occurred which led to the Committee taking decisions to withdraw recognition from over 25 groups.
21. We also had concerns that the rules regarding the operation of CPGs did not provide sufficient clarity for CPG Members to ensure compliance or for the Committee in its role of monitoring that compliance. We therefore proposed several changes to the CPG rules. These included creating limits on the number of CPGs of which each MSP can be a member or office-bearer, adding new deadlines for the submission of minutes of CPG meetings and enhancing requirements in relation to notification of CPG meetings.
22. We recognise that CPGs can be of huge value to MSPs with an interest in a particular area and to both organizational and individual stakeholders in that area. However, CPGs have to be run well and ensure that they meet the requirements of the Code. These requirements are, fundamentally, about ensuring transparency about the activities of elected Members and who we engage with as we go about our work.
23. As CPGs start to seek to re-register or form in the new Session, we recommend that our successors allow time to take informed decisions about whether to accord recognition to CPGs, including consideration of any previous compliance issues. This will aid in allowing a sustainable number of CPGs to be established and to ensure compliance with the Code.

MSPs and technology

24. The experience of being an MSP has changed quite rapidly over recent years and developments in technology represent an ongoing evolution in the way that we connect with those we represent both in how we can provide information to them and in how we can be contacted. There are, of course, both positive and negative aspects to this evolution. Security of Members and their staff both online and in person needs to be paramount and there are a variety of tools that can be utilised, such as social media security monitoring and email monitoring to ‘quarantine’ emails that may contain offensive or abusive material. We recognise that development of such tools to ensure the greatest efficacy takes time and would note that some offensive material continues to be received and that some legitimate enquiries can be blocked.
25. The increasing availability and use of artificial intelligence tools presents another challenge for MSPs in carrying out their parliamentary and representative roles. One example where a challenge can be presented is how to clarify whether a question is being asked by an individual or is being automatically generated using an AI tool. Other examples include experience of inaccurate information being generated by AI tools, automated technologies being adopted that result in overwhelming numbers of emails being received and creating workload levels that are unsustainable for Members and MSP staff.

26. While this is a complex area of work to look into, we consider that there would be a real benefit for the Session 7 Committee, in conjunction with the SPCB, to look at ways to support Members to navigate these evolving technologies in future Sessions.

SPCB-supported bodies

27. In recent evidence from both the Scottish Information Commissioner and the Ethical Standards Commissioner, the Committee heard about the emerging role of AI and the impacts, both positive and negative, that these technologies may have on the work of the Commissioners. We recommend that the Session 7 Committee continues to seek to understand the role of AI on the work of any SPCB-supported bodies that fall within its remit.

28. We also recommend that our successor Committee may wish to consider the timing and frequency of its evidence sessions with any relevant SPCB-supported bodies. Annual report and accounts are usually published some months after the end of the year to which they relate which can mean the relevance and topicality of annual evidence sessions can be limited. More frequent evidence sessions with each Commissioner, or thematic evidence sessions to explore shared issues, are options that we would suggest for consideration.

