

Europe, External Affairs and Culture Committee
Tuesday 8 September 2026
3rd Meeting, 2026 (Session 7)

Scottish Government priorities regarding intergovernmental activity: Introductory evidence session with the Deputy First Minister

Possible themes to explore

Responsibility for constitution and intergovernmental relations

1. Prior to the May 2026 Scottish Parliament elections, Angus Robertson MSP served as Cabinet Secretary for Constitution, External Affairs and Culture. The new Scottish Cabinet appointed following those elections includes the [Cabinet Secretary for Education, Culture and Gaelic](#), and the [Minister for Europe, External Affairs and Energy](#), but no Cabinet Secretary or Minister whose title explicitly includes responsibility for the constitution.
2. At the time of the appointment of the new Scottish Cabinet, it was [reported](#) that the First Minister was “personally taking responsibility for constitutional matters including the pursuit of independence”.¹ The Deputy First Minister’s responsibilities (as listed [on the Scottish Government website](#)) include intergovernmental relations and the British-Irish Council.
3. The evidence session could be an opportunity to seek clarification on:
 - Which Cabinet Secretary or Minister within the Scottish Government is responsible for leading on constitutional policy.
 - How the Deputy First Minister will work with the First Minister and other Scottish Ministers on issues relating to intergovernmental relations and oversight of the operation of the devolution settlement.

Relations with UK Government and other devolved governments

4. The new Prime Minister met the First Minister in Glasgow on 23 July 2026. The [readout issued by the Prime Minister’s office](#) after the meeting stated that the leaders discussed how they could “work more closely together to build a model of devolution to improve people’s lives across Scotland”. It also stated that the Prime Minister had called for “both sides to work together in a constructive relationship” and that he looked forward to “regular engagement with the First Minister in the months ahead”, but that another referendum on independence was “off limits”

¹ BBC News, [Not a continuity cabinet: Swinney signals change with familiar faces](#), 20 May 2026

because it would take focus away from growing the economy and helping families with the cost of living.

5. A statement released by the First Minister's office following the meeting said the Prime Minister had agreed that how the UK Government engages with the devolved governments had to improve.² The First Minister has [also subsequently said](#) that the Prime Minister agreed to "a further conversation on constitutional matters, where powers lie across the UK and what will work for Scotland". The Prime Minister is due to meet the heads of the Devolved Governments at a meeting of the UK Government's National Economic Council in October.³
6. The Deputy First Minister attended a meeting of the Interministerial Standing Committee (IMSC – which brings together ministers from the four governments of the UK with responsibility for IGR) in June 2026. In a [letter to the Convenor dated 15 July 2026](#), the DFM stated that she had "reiterated the Scottish Government's commitment to working collaboratively on matters of common interest across the UK and stressed that engagement across the intergovernmental relations structures must be meaningful and consistent with the principles of good intergovernmental working". The [official communiqué of the meeting](#) said that attendees had discussed "future collaboration and the opportunities for joint working through the IMSC",
7. The First Minister met the Welsh First Minister, Rhun ap Iorwerth, in July 2026. Posts on Scottish Government social media channels said that they "reflected on the value of the Scotland-Wales relationship and discussed shared priorities, like cost of living and constitutional reform".⁴ A [Welsh Government press release](#) said that they had discussed "closer cooperation between our governments as we make the case for a fairer deal for our respective nations from Westminster". The Deputy First Minister's [letter to the Convenor about the June 2026 IMSC](#) indicated that she had also had "introductory meetings in the margins of the plenary meeting" with the Welsh Cabinet Minister for Government Effectiveness and the Constitution (Dafydd Trystan Davies MS), and the Northern Ireland First Minister (Michelle O'Neill MLA), Deputy First Minister (Emma Little-Pengelly MLA), and Minister for Finance (John O'Dowd MLA).
8. The evidence session could be an opportunity to seek clarification on:
 - The Scottish Government's priorities to raise with the new UK Government in relation to devolution and intergovernmental relations.
 - The Scottish Government's approach to relations with the Welsh Government and Northern Ireland Executive.
 - Upcoming intergovernmental activity and expected developments in relation to devolution and intergovernmental relations, including plans for the next meeting of the Interministerial Standing Committee.

² STV News, [Burnham meets Swinney for first time as Prime Minister](#), 23 July 2026

³ BBC News, [Burnham calls summit of Welsh, Scottish and Northern Irish first ministers](#), 26 August 2026

⁴ See e.g. [The Scottish Government's Post](#) on LinkedIn

Transparency of intergovernmental activity

9. The Session 6 Constitution, Europe, External Affairs and Culture Committee noted in its March 2026 report into [transparency of intergovernmental activity and its implications for parliamentary scrutiny](#) that “this Committee and our predecessor committees have continually raised concerns about the weakness of formal intergovernmental structures within the UK and the lack of transparency and Ministerial accountability in relation to the operation of those structures”.
10. Specific information it called for the Scottish Government to provide to improve transparency and parliamentary accountability included:
 - A written summary of the positions and priorities that Scottish Ministers took to interministerial meetings, and “proportionate reporting” of all interministerial meetings at which officials are present (including informal meetings)
 - An assessment of the elements of the yearly Programme for Government that interact with, or may be affected by, Common Frameworks, the United Kingdom Internal Market Act (UKIMA), EU alignment, or “other factors that necessitate cooperation between governments”
 - Information on whether (and if so, how) UKIMA and Common Frameworks have affected or may affect the policy objectives in Government Bills, and details of any related UKIMA exclusions Scottish Ministers are seeking.⁵
11. The evidence session could be an opportunity to seek clarification on:
 - What information the Scottish Government intends to provide the Parliament about formal intergovernmental meetings (both in advance and afterwards), including information about Scottish Ministers’ positions and priorities.
 - How the Scottish Government intends to keep the Parliament updated on interministerial discussions outside of formal intergovernmental meetings, including informal/bilateral meetings, and discussions on legislative consent.
 - Which (if any) elements of the Programme for Government interact with UKIMA or Common Frameworks, or may otherwise require intergovernmental cooperation, and what discussions are underway with the UK Government and other devolved governments in these areas.

Common Frameworks / UK Internal Market Act

12. In its [legacy report](#), the Session 6 Committee highlighted what it described as the “ongoing challenges for the Parliament in scrutinising the many decisions which now take place in the shared intergovernmental space, including on exclusions to UKIMA’s market access principles, [and] common frameworks”. It recommended that its successor committee “may wish to prioritise scrutiny of the ongoing challenges in relation to the operation of UKIMA and common frameworks”.⁶

⁵ Paragraphs 33, 58, 156 and 157

⁶ Paragraphs 9 and 15

13. At present, 4 Common Frameworks applicable in Scotland have been finalised, while 19 are operating on a provisional basis, and 2 have not yet been published. The then-Parliamentary Secretary to the Cabinet Office, Chris Ward MP, [told the House of Commons in March 2026](#) that the UK Government was “firmly committed to the speedy finalisation of the remaining common frameworks” and would “continue to work with the devolved Governments to complete the remainder of the programme”.
14. A [January 2026 letter](#) from the then-Cabinet Secretary for Constitution, External Affairs and Culture to the Convenor of the Session 6 Committee stated that UKIMA “remains an impediment to effective implementation of Common Frameworks, and continues to act as an unjustified and arbitrary constraint on the powers and democratic accountability of the Scottish Parliament”. The letter set out the Scottish Government’s pre-election approach to signing off those Common Frameworks which remained provisional rather than finalised:
- For those Frameworks in areas where there are “no market dependencies”, the Scottish Government was “working at pace to sign these off”.
 - Those Frameworks in policy areas where UKIMA “continues to present obstacles to successful operation” (such as Resources and Waste), “will have to remain provisional, while fully operational, for the time being”.
 - For those Frameworks in areas “where there is scope for policy divergence and UKIMA interactions, but substantive intra-UK difference is likely to be minimised” due to dynamic alignment with EU law (e.g. food safety and labelling), dynamic alignment “presents an opportunity to remove a current barrier to finalisation, if UKIMA is disapplied in relevant policy areas”.
15. Evidence received by the Session 6 Committee as part of its [inquiry into the transparency of intergovernmental activity](#) highlighted that intergovernmental discussions within the ambit of Common Frameworks are usually conducted amongst officials rather than ministers, and there are no reporting requirements for these meetings. It also highlighted that responsibility for reporting on the operation of Common Frameworks rests with ministers, and that this can present a challenge to effective scrutiny, with the risk that parliamentary committees have little information on framework operations, disputes or other emerging issues.⁷
16. The evidence session could be an opportunity to seek clarification on:
- The Scottish Government’s position on finalising those Common Frameworks which are still operating on a provisional basis, and whether any additional Frameworks are expected to be finalised soon.
 - What information the Scottish Government intends to provide to the Parliament on operation of, and policy discussions taking place within, Common Frameworks operating on either a finalised or a provisional basis.
 - Any currently ongoing discussions between Scottish Ministers and the UK Government or other devolved governments in relation to UKIMA exclusions.

⁷ Paragraphs 152-153

Legislative consent

17. The Labour Party's manifesto for the 2024 UK General Election [said that it would strengthen the Sewel Convention](#) with "a new memorandum of understanding outlining how the nations will work together for the common good". The Session 6 Constitution, Europe, External Affairs and Culture Committee's [legacy report](#) notes that it was told by the UK Government in November 2025 that development of the memorandum was "taking a while but there is an emphasis on getting it right". In a [March 2026 answer to a written question](#) in the House of Commons, the UK Government stated that "officials from each of the four governments of the UK have been working closely on this and good progress has been made", and that "further detail on the content of the MoU will be provided in due course".
18. The Session 6 Committee's [report into transparency of intergovernmental activity](#) noted that the Scottish Government had welcomed the proposed memorandum of understanding. However, it also noted that the Scottish Government had raised concerns about aspects of the practical operation of the legislative consent process, including the "timely sharing of information and proper recognition of Scottish parliamentary procedures in [UK Government] Bill timetabling".⁸
19. The Sewel Convention does not apply to secondary legislation, i.e. UK Ministers' powers to make regulations in areas of devolved competence. The Session 6 Committee expressed a view (including in its [2023 report on How Devolution is Changing Post-EU](#)) that "the extent of UK Ministers' new delegated powers in devolved areas amounts to a significant constitutional change", and that there was "a significant risk that laws made at a UK level in devolved areas will lessen the accountability of the Scottish Ministers to the Scottish Parliament". It also concluded (in its [report into transparency of intergovernmental activity](#)) that it was a "fundamental constitutional principle that the Scottish Parliament should have the opportunity to effectively scrutinise the exercise of all legislative powers within devolved competence".
20. The evidence session could be an opportunity to seek clarification on:
 - The Scottish Government's view on how effectively the legislative consent process is currently working.
 - What the Scottish Government wants to see included in the new Memorandum of Understanding on legislative consent, and any updates on expected timings for its publication and ongoing points of disagreement.
 - The Scottish Government's position on UK Ministers taking and exercising delegated powers in areas of devolved competence, including in what circumstances it is appropriate for such powers to be given to UK Ministers, and in what circumstances UK Ministers should have to consult or obtain consent from Scottish Ministers before using such powers.

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⁸ Paragraphs 117 and 119

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