

Chief Executive's Report to the SPCB

March 2022

Introduction

This Report looks at activities across the organisation from mid-February to mid-March.

Items highlighted include:

- An update on MSPs being added to the statutory list of Prescribed Persons
- Ongoing work by the Broadcasting Office to improve new hybrid work flows and Chamber audio
- A new HR and Payroll system will be live from next month

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Clerk/Chief Executive

Overview of Parliamentary Activities

Legislation and Parliamentary Business

Prescribed Persons

The SPCB will know that we have for some time now been pursuing the addition of MSPs to the statutory list of prescribed persons. This would mean MSPs would be designated in law as people to whom whistleblowers can disclose information and receive legal protection. Whistleblowing refers to raising concerns about poor workplace practice or unlawful activity at the whistleblower's place of work. If whistleblowing is done in the correct way, a worker is legally protected from any adverse treatment by their employer.

We had hoped that the Order would be made early this year but have been advised by the Department for Business, Energy and Industrial Strategy (BEIS) that there has been a further delay to the updating of the Order and it is now estimated for the Order to be laid around June and, if the Order is approved, the designation would take effect in September. While this further delay is unwelcome we have, in the meantime, been working on guidance for Members and the provision of training by experts in this area.

Parliamentary Questions

The SPCB will be aware of the question from Mark Griffin in relation to processing times of written questions. The Member has been provided with the information. Further analysis of data for both written questions and motions is being undertaken to determine whether there are any particular patterns to submissions that will assist in determining the most efficient deployment of staff resource within the Chamber Desk team.

The SPCB may be interested to note that the Bureau has agreed to consider options for a pilot of General Questions at a time other than 11.40am. Consideration is being given to this issue on the basis of enabling more effective scrutiny in terms of the number of questions that can be taken during General Questions and the impacts on Thursday morning committee meetings of having to conclude business prior to 11.40am.

Legislation

There are 13 active bills before the Parliament, including the recently introduced Gender Recognition Reform (Scotland) Bill.

Seven Legislative Consent Memorandums (LCM)/supplementary LCMs have been lodged since the beginning of the year, including the LCM on the UK Economic Crime (Transparency and Enforcement) Bill, which was taken on Tuesday 8 March.

The NGBU team has met with over 30 Members to discuss proposals for bills so far this session, and has further meetings arranged in March. There are numerous new proposals for Members' bills that are in their early stages either with Members preparing draft consultation documents or Non-Government Bills Unit working on documents already received. Nine bills are currently at draft proposal stage or later in the process.

Features of some proposals this session include that a number have numerous policy strands that would become multi-purpose bills and deal with policies that are likely to generate a very high number of responses submitted using the SmartSurvey software.

It is also the case that the legislative landscape is more complex. Additional processes are being developed and implemented relating to data protection and to ensure internal markets legislation is taken into account in the policy development of members bills.

Parliamentary practices and procedures

The Standards, Procedures and Public Appointments Committee has initiated its focus-group sessions with Members on future parliamentary practices and procedures. The response from Members has been very encouraging and there has been very good discussion so far among Members on a range of issues relating to the virtual and hybrid proceedings in the future. The purpose of the sessions is to gather qualitative information on Members' views and they will be supplemented with a survey with the objective of engaging with as many Members as possible.

Hybrid facilities and broadcasting

Investment is ongoing on essential items of equipment required for the development of new hybrid work flows, despite significant challenges in supply chains. Members of the Standards, Procedures and Public Appointments Committee and the Bureau have been briefed on the features of the new system and gave positive feedback. A briefing will be provided to the SPCB at its meeting on 24 March. A series of detailed engagements with Members will be started before the Easter recess.

The purchasing of equipment required for the new Chamber audio reinforcement has also been successfully brought forward in 2021/22, which will allow the system to be installed a year earlier than planned in the 2022 summer recess. This is expected to significantly improve audio for Members and those in the public gallery.

Work continues with BIT to improve Members experience using Teams in hybrid committee meetings.

The broadcasting team is working with others to produce a video showcasing the use of Gaelic in the Parliament and for the Seachdain na Gàidhlig, the first official Gaelic language and culture week to be held in Scotland.

Committees

Highlights from the Scrutiny Group include:

- Launch of the Finance and Public Administration Committee inquiry into National Performance Framework
- SPICe services to support Members' enquiries on Ukraine crisis
- Collaboration by several committees, with particular support from PACT, on National Planning Framework 4
- Conveners Group evidence-taking session with the First Minister (for first time in around 2 years)

Some specific areas of committee work in the last period are highlighted below:

The **Citizen Participation and Public Petitions Committee** has started exploring the Citizen Participation element of its remit and has a number of sessions arranged between now and the Summer recess which will look at how Citizen Participation could be embedded across the Parliament. Sessions involving experts in participative democracy and members of the Scottish Government Expert Group on Deliberative Democracy are planned for later in March and into April.

The Committee also had a very successful evidence session on 23 February which looked at PE1855: Pardon and memorialise those convicted under the Witchcraft Act 1563. The Committee heard from petitioner Claire Mitchell QC and co-campaigner Zoe Venditozzi who stated in evidence that they had written to the First Minister to ask for a public apology for those convicted of witchcraft to be made on International Women's Day. The session attracted widespread attention on social media and in the press, generating positive publicity for the work of the Committee. The First Minister subsequently made a public apology in the Chamber on 8 March.

At their meeting on 9 March, the Committee heard from the Scottish Parliament's youngest petitioner, Callum Isted, whose petition is calling for every primary school child in Scotland to be provided with a reusable water bottle. Callum, who is 7 years old, appeared alongside his parents and his local MSP. Clerking, the Participation and Communities Team and the Parliament Communications Office put significant thought into how to make the session as child-friendly as possible, including briefing Members on age appropriate questioning, ensuring Callum was comfortable ahead of the session, ensuring child protection measures were in place and managing widespread media interest.

The **Public Audit Committee** published its first report on Friday 21 February on its findings in relation to the Auditor General's 2020/21 audit of the Crofting Commission. The report raises concerns about persistent weaknesses in leadership and governance at the Crofting Commission, first highlighted in an independent external governance review commissioned by the Scottish Government in 2016. A response from the Scottish Government on the report is expected by mid-April and the committee will then consider its next steps in relation to any future work on the Crofting Commission.

The new Permanent Secretary, John-Paul Marks gave evidence to the Committee on 24 February on the Scottish Government's consolidated accounts. This is the first time the Permanent Secretary has given evidence to the Scottish Parliament since taking up his post in January 2022. During the evidence session, the Committee explored the progress the Scottish Government was making to prepare whole government accounts (first stage of this commitment, which aims to compile the account at the Scottish Administration level and then add the other directly funded bodies, is expected by Spring 2022. Stage 2 involves the inclusion of non-departmental public bodies, other public bodies and councils and is expected to be completed later in 2022). Other issues raised included investment and financial exposure in private companies such as Prestwick Airport and Lochaber Aluminium Smelter. The recovery of fraudulent payments associated with two large Business Support Schemes established to respond to the financial impact of Covid-19 on businesses was also a topic explored in detail at this session. The Committee also explored concerns it had on the transparency of the SG budget, particularly around changes to budgets including Covid-19 spend. The Committee will consider further potential inquiry work it wishes to take forward during 2022 based on the evidence it has gathered to date from the Auditor General and the Permanent Secretary in March.

The **Finance and Public Administration Committee** launched an inquiry on the National Performance Framework (NPF) on 1 March, drawing on its public administration remit. The inquiry will look at the processes, culture, systems and behaviours in place to support delivery of the NPF, and how it influences spending plans and policy making. This work will not consider the national outcomes, which will be revisited as part of the statutory review which starts with external engagement later this year but will inform the Committee's work on that review.

The Committee took evidence from the Secretary of State for Levelling Up, Communities and Housing on 24 March, on replacement EU funds and how these are operating in Scotland, with themes of accountability, intergovernmental relations, and efficiency of public spending in Scotland arising. It is currently taking evidence with a view to influencing the Scottish

Government's spending plans for the years ahead arising from its Resource Spending review.

The Committee wrote to Leslie Evans expressing disappointment at the response to its invitation to give evidence on her reflections of her time at the Scottish Government, which has attracted some media attention.

The **Health, Social Care and Sport Committee** have been working closely with colleagues and have held a number of informal virtual roundtable discussions to support their inquiries into perinatal mental health, the health and wellbeing of children and young people and alternative pathways into primary care. This approach has allowed the committee to hear a wider range of views and hear in depth from people directly affected by the issues and has been welcomed by members and participants. The first report from this series of inquiries, on perinatal mental health, was well received and widely covered. The committee has also held one-off sessions on tackling alcohol harms (with the intention to hold a follow-up session with the Minister for Public Health) and social care (with follow-up session with the Minister for Social Care to address the SG's response to its consultation on the National Care Service and also the urgent issues raised by a recently published report on social care from Audit Scotland).

The **Local Government, Housing and Planning Committee** has been largely focused on work scrutinising the National Planning Framework 4 (NPF4). The Committee focused on collaboration when shaping this inquiry. A single call for views allowed relevant information to be collated and shared with other subject committees who in turn were then able to share their views and the findings of their own work in this area with the Committee. As well as collaboration with other committees, they have undertaken a series of visits (both virtual and in person) to support their work on NPF4, allowing them to see some examples of how policy aims can be supported by planning frameworks as well as hearing about the issue.

The **Social Justice and Social Security Committee** held an informative evidence session with the UK Minister for Disabled People, Health and Work on 10 March. The increased complexity of the interaction between UK and Scottish benefits and welfare policy will be a key area for the Committee to scrutinise and the first appearance of a UK minister in front of the committee is a key step in ensuring effective scrutiny. The committee heard informally from the Lord Advocate about the reforms in the criminal justice system to provide context for its session looking at violence against women and girls. It has maintained its focus on hearing from people with lived experience of the issues being considered and continues to supplement formal committee meetings with informal events to support this.

The **Education, Children and Young People Committee** has started its inquiry on the Scottish Attainment Challenge and held its first in-person visit to speak to children in a school in Dundee about their experiences. The Committee has also engaged with care-experienced young people and will visit Greenock in late March to meet more young people. Engagement with children and young people is a key objective of the Committee in carrying out its work. The Committee has also carried out an evidence session on drink and needle spiking and is scrutinising the education related provisions in the Coronavirus (Recovery and Reform) (Scotland) Bill.

The **Constitution, Europe and External Affairs Committee** recently hosted a breakfast seminar on [its internal market report](#). This was planned and run in collaboration with colleagues in PCO, Events and SPICe. The event, held on 2nd March, was chaired by our Deputy Convener, Donald Cameron, with contributions from two of the Committee's advisers, Professor Keating and Dr McCorkindale. Around 20-25 people physically attended the session, with six MSPs, including three members of the CEEAC Committee, there in person. The event was advertised to all MSPs and their staff, clerking colleagues, SPICe, legal, Parliament Communications Office, and relevant media. There was a subsequent article in the Scotsman by their political editor. For those unable to attend on the day, a [podcast](#) of the discussion was produced and circulated widely within the Parliament, including to all MSPs, as well as promoted on Twitter and shared with the media.

SPICe

SPICe has published [a blog article on British Sign Language \(BSL\) in Scotland](#), which includes a full BSL video translation embedded in the blog, the result of collaboration between SPICe Enquiries and Collections Team and the Parliament's BSL Officer. This is in advance of BSL week, 14-20 March. SPICe is also collaborating with the Gaelic Officers to publish a fully Gaelic blog for Gaelic week, later in March.

SPICe has responded to the ongoing crisis in Ukraine by responding to MSPs' constituent enquiries, and at the time of writing has produced three detailed blog articles to support parliamentary business and assist MSPs in representing constituents:

- [Crisis in Ukraine \(updated at 10am on 24 February 2022\)](#) – blog with the latest information to inform chamber debate on that day.
- [Supporting Ukrainians to come to the UK \(updated at 10am on 7 March 2022\)](#) – blog discussing the humanitarian crisis unfolding as a result of the war in terms of the number of people leaving Ukraine and the UK Government response to the crisis.

- [The Ukraine crisis – the humanitarian response \(updated at 10am on 7 March 2022\)](#) - blog setting out the response, both internationally and domestically, to providing humanitarian support to refugees.

All of the blogs have been well-read and used. However the “supporting Ukrainians to come to the UK” piece has been particularly well-read; more than 18,000 people have read it at the time of writing. For context – a regular SPICe policy blog would get around 1000 hits. SPICe will continue to support parliamentary business through new and updated material as appropriate and as per the demands of Members’ enquiries.

Participation and Communities Team (PACT)

PACT worked with six partnership organisations to plan and co-deliver a successful online engagement event to support cross-committee scrutiny of the national planning framework - NPF4. Making use of the flexibility of virtual meetings allowed almost 100 participants, 4 committees and 16 MSPs to take part across a range of breakout rooms, each supporting different committees to hear about the issues most relevant to their remit. We involved grassroots communities, young people (MSYPS) and sensitively involved professionals and individuals who were cautious about speaking out. Feedback from all involved has been overwhelmingly positive, with comments about the efficiency, quality and range of views, and success of working with partners.

“An enormous thank you for yesterday. Many of the concerns around NPF4 arise from the fact that communities lack agency and ways of participating in the planning system. In contrast, the Parliamentary event was empowering and meaningful.” (Feedback from a partner organisation).

The Your Priorities consultation on the Fireworks and Pyrotechnic Articles (Scotland) Bill for the Criminal Justice Committee has enabled **over 1400** people from every local authority area in Scotland to take part in an online discussion providing **over 1500 comments** on provisions in the Bill and over **10,900 ratings** for or against proposals. To counteract potential digital exclusion, PACT also provided resources to partners in communities to gather views and as a result, received additional contributions from Erskine veteran’s charity, the RNIB, and South Lanarkshire Autism Resource Centre.

Parliamentary Services

International engagement

The International Relations Office supported:

- the Presiding Officer at a meeting with the Consul General of Ukraine

- the Presiding Officer at a meeting with the Ambassador of Norway
- the Deputy Presiding Officer (Annabelle Ewing MSP), Tess White MSP, Pauline McNeill MSP and Ross Greer MSP at the 61st plenary of the British Irish Parliamentary Assembly (BIPA), held in the Grand Committee Room, Westminster. The first face-to-face meeting of BIPA delegates since October 2019.
- the Presiding Officer at a meeting with the Consul General of France

Sustainability

MSP Survey to inform our Sustainable Development Plans

Whilst the COP26 discussions were taking place in November, the Sustainable Development Programme Team hosted a stall in the Members' Lobby to introduce our [Route Maps](#) on net zero and sustainability.

It was a great opportunity to get a better understanding of your thoughts and priorities around Sustainable Development (SD). We have now launched an [online survey](#) for MSPs to complete to help us capture more information and reach those that didn't attend the stall. The results will help us in structuring our SD plans and setting Net Zero targets.

Financial Governance

The Pay and Pensions Office, working in collaboration with the People and Culture Office, are currently migrating to a new HR and Payroll system. The system will be live effective April 2022. This will result in a new self-service portal for all users to access payroll information and update personal details. A communication plan is currently being finalised with information due to be communicated to MSPs, their staff and SPS staff during March and April.