



The Scottish Parliament  
Pàrlamaid na h-Alba

**The Presiding Officer**

Ben Macpherson MSP  
Convener  
SPCB Supported Bodies Landscape Review Committee

11 September 2025

Dear Convener,

## **SPCB Supported Bodies Landscape Review**

Thank you for the Committee's work to review the SPCB supported bodies landscape. The SPCB was very supportive of the Committee's establishment, and we welcome the detailed report and its conclusions and recommendations.

Our detailed response to the Committee's specific conclusions and recommendations is attached as an annexe to this letter. While some responses are brief, where recommendations are not for the SPCB or it would not be appropriate for the SPCB to express a view, we have nonetheless made a response to all paragraphs in your conclusions, for clarity and completeness.

The SPCB looks forward to the debate on the report and subsequent work to implement its recommendations.

Yours sincerely

**Rt Hon Alison Johnstone MSP**  
Presiding Officer

## Overall conclusions

Paragraph number	Conclusion	Response
140	<p>The conclusions and recommendations in this report are a culmination of over six months of detailed scrutiny by this Committee, building on the comprehensive inquiry by the Finance and Public Administration Committee (FPAC) into Scotland's Commissioner Landscape. Taken together as a package, the series of conclusions and recommendations below create a clear strategic framework including much strengthened accountability and scrutiny mechanisms, an enhanced shared services approach and a new formal process for considering future proposals to create new such bodies. The measures are also designed to encourage all existing and future Scottish Parliamentary Corporate Body (SPCB) supported bodies to adopt a more preventative approach with a view to avoiding the failures in public services, which appear to be the primary driver for seeking to create new such bodies.</p>	<p>The SPCB welcomes the Committee's work and the overall approach to create a clear strategic framework.</p>
141	<p>While the Committee was tasked with reviewing the SPCB supported landscape only, this small fraction of the public sector should not be seen in isolation from the wider public sector. The evidence is clear that many of the measures we are recommending in this report could also apply more widely.</p>	<p>The SPCB notes this recommendation.</p>

142	<p>In particular, while we welcome the Scottish Government's public service reform programme, we were surprised to learn about a lack of understanding of the functions and potential overlaps and duplication among the public bodies it funds. We therefore recommend that the Scottish Government urgently undertakes a strategic mapping exercise to identify the functions of all Scottish public bodies and where they overlap, to inform decisions on future size, structure, and coherence across the public sector.</p>	<p>This is not a recommendation for the SPCB, but we are supportive of the approach and will work with the Government as appropriate.</p>
143	<p>Consistent with the conclusion reached by the FPAC, we agree that the bodies currently supported by the Scottish Parliamentary Corporate Body (SPCB) fulfil a vital function in safeguarding public trust, institutional integrity and democratic accountability in relation to our public institutions and elected representatives. The Scottish Parliament has chosen to create each of these bodies on the basis of a perceived need at the time and, collectively, they contribute significantly to the robustness and health of Scotland's democratic landscape.</p>	<p>While the SPCB does not take a view on the merits or otherwise of the Parliament's decisions to create specific bodies, nonetheless we were pleased to see this recognition of their statutory status and the vital functions performed by SPCB supported bodies.</p>
144	<p>We realise that the original inquiry and our review may have been unsettling for current post-holders and we wish to give assurances that our conclusions and recommendations are designed to uphold and enhance</p>	<p>The SPCB is aware that both this Committee's work and the previous FPAC inquiry were, by their nature, unsettling for officeholders and their staff. We therefore appreciate this note from the Committee.</p>

	their roles in a manner that is responsive to current and future demands.	
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### New SPCB Supported Bodies

Paragraph number	Conclusion	Response
145	We share the view of FPAC that the existing landscape has developed in an 'ad hoc' manner, with individual bodies having varying functions and powers. This has resulted in a collection of bodies with distinct and, at times, overlapping functions operating under different legislative frameworks.	The SPCB notes this conclusion.
146	With the potential for up to five additional SPCB supported bodies <sup>i</sup> with advocacy functions by the end of the current Parliamentary session, we are concerned that such expansion risks further fragmenting the existing landscape, increasing complexity for service users, and placing additional strain on the SPCB and committee resources.	While the SPCB does not express a view on the merits or otherwise of individual proposals, we welcome the Committee's acknowledgement of our evidence that additional bodies impact on SPCB and other resources.
147	The evidence is clear that this proliferation of proposed advocacy type SPCB supported bodies this	The SPCB notes this conclusion.

	<p>parliamentary session is being largely driven by a failure or perceived failure in public service delivery. Rather than addressing the root causes of these systemic shortcomings, the creation of a new commissioner is, in some instances, perceived as a quick win for the Government, or a vehicle for an individual MSP to promote a cause they champion. There are other effective ways of addressing such issues, such as through MSPs, Parliament or Government. We believe that the tendency to seek to create an SPCB body to address such concerns is not sustainable and should not continue.</p>	
148	<p>The Committee is therefore of the view that the SPCB supported body landscape should not be expanded to include new advocacy type SPCB supported bodies. In making this recommendation, we ask Parliament when considering Bills proposing new SPCB supported bodies to take account of the findings and recommendations in this report.</p>	<p>The SPCB notes this conclusion.</p>
149	<p>We heard evidence from SPCB supported bodies and MSPs who are proposing the creation of new advocacy bodies that the SPCB model provides a level of independence that is not achieved by other public bodies. However, public bodies responsible to Government told us that they can operate entirely independently and effectively without the need to come under the umbrella of SPCB supported body landscape.</p>	<p>The SPCB notes this conclusion.</p>

	<p>Therefore, while we understand the benefit in organisations with a public trust element, such as the Ethical Standards Commissioner or Scottish Information Commissioner, being SPCB supported bodies, we believe that advocacy bodies can just as easily sit within the wider public sector landscape.</p>	
150	<p>To ensure that new SPCB supported bodies are only established where a clear need can be demonstrated, we recommend the implementation of the following two-tier criteria, comprising justification and effectiveness tests, that must be satisfied before any new proposal can be brought forward:</p> <p><b>1. Justification criteria:</b></p> <ul style="list-style-type: none"> <li>○ <b>Last resort:</b> Alternative models, such as enhanced powers to existing public sector bodies, or statutory duties on ministers must be exhausted and deemed insufficient to address the issue.</li> <li>○ <b>Functional gap:</b> There must be clear, evidenced and persistent absence of the proposed body's functional gap across the full Scottish public sector landscape, not just within SPCB supported bodies.</li> <li>○ <b>Permanent:</b> The proposed body must address an issue in perpetuity. It cannot be created to deal with an issue that might</li> </ul>	<p>The SPCB is very supportive of this new set of criteria developed by the Committee, in particular the strong message it sends on shared services. Should the Parliament endorse the Committee's conclusions and recommendations, relevant officials will be asked to bring forward proposals as to how this recommendation can be implemented.</p>

	<p>have arisen due to a short-term failure or perceived failure in public service, or which could be resolved with a fixed-term dedicated piece of work by an existing body.</p> <ul style="list-style-type: none"> <li>○ <b>Independence:</b> The proposed body must require a high degree of operational and perceived independence from the Scottish Government.</li> </ul> <p><b>2. Effective criteria</b></p> <ul style="list-style-type: none"> <li>○ <b>Remit:</b> The proposed body must have a clear remit, strategic objectives, and be able to demonstrate how it will deliver measurable public value and impact.</li> <li>○ <b>Shared services:</b> The proposed body must adhere to the SPCB shared services model, understanding that core services such as HR, Finance and IT are centralised under a hub and spoke arrangement.</li> <li>○ <b>Simplicity and Accessibility:</b> The body's purpose must be easily understandable to the public. If it has a public-facing role, it must also be designed to ensure accessibility, both in terms of physical and digital access, so that individuals who require its services or support can engage</li> </ul>	
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	with it promptly, effectively, and without unnecessary barriers.	
151	We recommend that these essential criteria are included in Parliamentary Guidance on Bills for the next parliamentary session. This would enable any MSP wishing to propose a new SPCB supported body to be clear on the circumstances in which it would be appropriate to bring forward such proposals, and for committees and individual MSPs to assess the extent to which proposals meet the criteria during Parliamentary consideration of future such Bills.	The SPCB notes this conclusion at this stage. Should the Parliament endorse the Committee's conclusions and recommendations, relevant officials will be asked to bring forward proposals as to how this recommendation can be implemented.
152	We have given much consideration to how the criteria might be formalised as requested by the FPAC. It is our view that a Standing Order determination should be sought to enable a specific mandatory committee to have ownership of the criteria and to assess whether it has been met in future proposals contained in Bills.	The SPCB notes this conclusion. Should the Parliament endorse the Committee's conclusions and recommendations, relevant officials will be asked to bring forward proposals as to how this recommendation can be implemented.
153	We also request that the Scottish Government takes into account these criteria as it continues to develop its own Ministerial Control Framework for establishing new public bodies.	The SPCB welcomes this conclusion.



## The existing SPCB supported bodies

Paragraph number	Conclusion	Response
154	Our review also considered how each of the seven existing SPCB supported bodies sits within the existing landscape, focusing on their unique functions and how any duplication and overlap could be minimised. While some overlap in functions was noted, the evidence clearly supports the view that each of the existing SPCB supported bodies provides a unique and necessary contribution.	The SPCB notes this conclusion and agrees with the Committee that the current officeholders all provide a unique and necessary contribution.
155	We therefore recommend that no changes are made to where the existing SPCB supported bodies sit within the landscape. However, in reaching this conclusion, we recognise there are targeted improvements that could be made to improve how the SPCB supported body landscape and indeed the wider public sector operates. We therefore propose the following:	Specific comments on each recommendation below.
	<b>SPSO own-initiative investigations:</b> Based on overwhelming evidence gathered, the Committee recommends that the SPSO is given enhanced powers to enable them to conduct own-initiative investigations in the public interest. We believe this change could identify and report on potential failures in the public sector more efficiently, and in doing so, deliver greater	The SPCB notes this recommendation and, should it be endorsed by the Parliament, will work with the SPSO and the Scottish Government to implement it. The Committee acknowledges that this will require additional resources. This will be an important consideration, given the wider public finance context.

	<p>value for public money by helping to prevent systemic failures arising in future. We ask the Scottish Government to work with the SPCB to identify an appropriate legislative vehicle to make this change in early course. While we recognise that some additional resources will be required to ensure successful delivery, our expectation is that this will save money in the longer term.</p>	
	<p><b>A more strategic SHRC:</b> The Committee has considered extensively how the role of the SHRC can be developed to provide a more effective, rights-based approach to addressing structural inequalities in Scotland. However, we are not convinced that expanding the functions of the SHRC to include specialist departments, rapporteurs or sub-commissioners to protect specific groups of society would achieve the best outcomes. We believe instead, that the SHRC should emulate the Auditor General for Scotland in annually seeking views from Parliamentary Committees and MSPs on its work programme. This would ensure the SHRC can carry out long-term inquiry work on the specific rights-based issues, e.g. disabilities, women, or older people, that are most relevant to the people of Scotland and that its work is linked to all Committees of the Parliament. The Committee believes there is a case for a wider review of the remit and powers of the SHRC.</p>	<p>The SPCB is supportive of the specific, immediate, recommendations for the SHRC, and should the Parliament endorse this conclusion, will work with the SHRC as required to implement this approach.</p> <p>In terms of a wider review, the SPCB believes it would be preferable for these initial proposals to be implemented first, before any wider review is commissioned.</p>

	<p><b>All SPCB supported bodies:</b> We note proposals to make changes to other SPCB supported bodies' powers with a view to enabling them to function more effectively and efficiently (detailed on pages 10-14)</p>	<p>The SPCB also notes these proposals.</p>
	<p><b>A proactive approach:</b> The Committee believes that SPCB supported bodies could do more to adopt a more proactive/preventative approach. We therefore encourage each to put in place measures that would allow them to address systemic issues at an early stage. This shift towards a more proactive/preventative approach would not only enhance the effectiveness of these bodies, but it would also help avoid issues such as complaints or service delivery failures arising in the first place. Where such a shift would require a change to legislation, then we believe Parliament should consider this.</p>	<p>The SPCB notes this recommendation, and should it be endorsed by the Parliament, will work with the Officeholders on implementation. However, this recommendation does have resource implications, and the SPCB needs to be mindful of the wider public finance context.</p> <p>In terms of the detail of how this will work for individual bodies, this will need some further detailed consideration.</p>
	<p><b>Public awareness:</b> We welcome the outcome arising from our evidence in relation to improving digital signposting for service users. The SPCB, on the direction of the existing bodies, has committed to update the relevant pages on the Parliament's website and we look forward to seeing the benefits this brings.</p>	<p>We note that this recommendation has already been delivered, during the Committee's consideration, and look forward to further developing these webpages in future.</p>
	<p><b>MSP awareness:</b> The Committee also considers it essential that Members of the Scottish Parliament, often the first point of contact for individuals seeking redress or support, are well-informed about the roles and remits of SPCB supported bodies. We recommend this is</p>	<p>The SPCB notes this recommendation and it will be passed to officials leading on the CPD programme for members in Session 7.</p>

	embedded into continuing professional development (CPD) opportunities for all MSPs.	
	Furthermore, this content should be included within the induction and training programme for new Members at the outset of the next parliamentary session, to ensure early and consistent understanding of these important bodies and MSPs' role in supporting democratic accountability and individual rights.	The SPCB notes this recommendation and it will be passed to officials leading on the election programme.

### **Governance and accountability**

<b>Paragraph number</b>	<b>Conclusion</b>	<b>Response</b>
156	We consider the deficiencies identified by both the FPAC and our review in the governance and accountability of SPCB supported bodies to be primarily the result of the overstretched capacity of the SPCB and parliamentary committees.	The SPCB notes this conclusion and paragraph 157. The SPCB will always give effect to the will of the Parliament. But, as the Committee notes, additional work in this area would require the SPCB's approach to all of its work to be reviewed to ensure we fulfilled all of our responsibilities.
157	Therefore, our view is that solely recommending that the SPCB or parliamentary committees "do more" would not, in itself, bring about the improvements that are required. While we acknowledge the adaptability of	As 156.

	SPCB Members to give effect to the will of the Parliament and put in place oversight mechanisms, we do not believe this can be sustained without diminishing other core functions of the SPCB.	
158	We therefore recommend 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.	<p>The SPCB is mindful that its statutory functions, duties and responsibilities are set out within the broader constitutional landscape. The SPCB will explore options for sharing accountability for scrutiny within that framework.</p> <p>The remits and establishment of committees is not a matter for the SPCB. Should the Parliament endorse this recommendation the SPCB will support more detailed committee scrutiny of the operational aspects of the officeholders' work.</p> <p>Further detail is provided on the specific recommendations below.</p>
159	The Committee does not make this recommendation lightly. We understand the existing capacity issues for MSPs and Parliamentary Committees. However, we firmly believe that a single committee with accountability and scrutiny functions for all the SPCB supported bodies is absolutely necessary to enhance effectiveness and delivery of outcomes. We also hope that the current Standards, Procedures and Public Appointments Committee inquiry into Committee Effectiveness will	Response is as per response to paragraph 158.

	consider the need to create smaller Committees in future to free up MSP time to enable more effective scrutiny.	
160	<p>We recommend that the committee referred to at paragraph 158 should:</p> <ul style="list-style-type: none"> <li>○ <b>Collaborate with the SPCB</b> to understand what key functions could be delegated, including scrutiny of officeholder budget submissions and review of the structure and content of annual reports. We acknowledge this might require a legislative change to implement.</li> <li>○ <b>Act as a conduit for transparency</b>, offering an early warning mechanism for any concerns around the performance or effectiveness of officeholders to be shared with the SPCB and vice versa.</li> <li>○ <b>Follow the Public Audit Committee model</b>, with SPCB supported bodies being accountable to this committee, while retaining the ability to provide evidence to relevant subject committees where appropriate.</li> <li>○ <b>Provide scrutiny of reports and strategic plans</b> laid before the Parliament</li> </ul>	<p>Should this recommendation be endorsed by the Parliament, the SPCB will commit to collaborating with the new committee on whether the delegation or transfer of SPCB functions would be desirable within the broader constitutional framework, and if so, how that can be achieved. As the Committee acknowledges, this will require legislative change, given the various acts mention the SPCB specifically in relation to a range of functions.</p> <p>We believe it would therefore be useful to ask officials to undertake a mapping exercise prior to Session 7, to clearly set out functions for each body, where they derive from and what options for change may be.</p> <p>On the other aspects of this Committee's role, the SPCB is generally supportive and believes this would be a significant improvement on current practice.</p>

	by any SPCB supported body and any other issue relating to performance, effectiveness and delivery of outcomes.	
161	We recommend that this new governance structure be introduced on a time-limited basis, specifically for the duration of the next parliamentary session. This trial period will allow for evaluation of its effectiveness.	As for our response to paragraph 160, should this recommendation be endorsed by the Parliament, the SPCB will commit to exploring how a pilot period could operate, taking into account the results of the mapping exercise proposed above.

### Budget and audit

Paragraph number	Conclusion	Response
162	While we note views of some SPCB supported bodies that the existing model of audit can be burdensome, on the balance of evidence, we do not believe this outweighs the importance of individual audits in providing a robust level of assurance.	The SPCB notes this conclusion.
163	We are also of the view that medium to long-term financial planning is not hindered by an annual budget and funding cycle and is currently achieved by many public bodies.	The SPCB is in agreement with this view.

164	<p>We therefore recommend:</p> <ul style="list-style-type: none"> <li>○ External audit: No change. Each SPCB supported body should continue to be subject to an individual annual external audit.</li> <li>○ Internal audit: Supported bodies should collaborate to identify shared internal audit solutions, where practicable.</li> <li>○ Budget cycles: No change. However, we encourage all SPCB supported bodies to carry out routine medium-term financial planning.</li> </ul>	<p>The SPCB notes these recommendations. But we further note the ongoing review of the public audit model by the Auditor General and the Accounts Commission. The SPCB will engage with that review, in particular on the audit of smaller bodies.</p>

### Shared services

Paragraph number	Conclusion	Response
165	<p>The Committee notes the improvements that have already been made with the shared service agenda within the SPCB supported bodies structure and in the wider public sector landscape and welcomes a</p>	<p>The SPCB welcomes the Committee's acknowledgement of the improvements made in this area. On the hub and spoke model, we welcome this recommendation and will work to implement it with</p>



	<p>commitment to continue this work. In doing so, we recommend:</p> <ul style="list-style-type: none"> <li>○ <b>Hub and spoke model:</b> Similar to the existing arrangements with four of the officeholders, we recommend a transition towards a formal hub and spoke model for SPCB supported bodies. This will see all core services such as HR, Finance and IT being centralised, while maintaining resourcing for the specific statutory functions of each officeholder separately.</li> <li>○ <b>Public sector estate:</b> While we recognise concerns raised regarding locating some SPCB supported bodies within Scottish Government owned properties and the potential impact on perceived independence, we recommend that greater use could be made of the wider public sector estate wherever possible and prudent when leases for existing offices expire.</li> </ul>	<p>existing and new officeholders, as opportunities to do so arise, and in full consultation with each organisation</p> <p>On the public sector estate, again the SPCB welcomes the Committee's conclusions and notes that this is already something that we are looking at, through the recently established accommodation audit.</p>
166	<p>In making these recommendations, we do not take a view on the geographic location of offices in Scotland. However, as with all decisions regarding the public sector, we ask that decisions are driven by principles of best value, regional distribution, long-term cost</p>	<p>The SPCB notes this recommendation.</p>

	efficiency, and operational performance and sustainability.	
167	Finally, we seek the continued support of the SPCB and wider Scottish Parliament, the Scottish Government, and SPCB supported bodies to help implement these important recommendations. In doing so, we believe that together we can deliver meaningful reform and strengthen the effectiveness of Scotland's public sector landscape.	The SPCB, as always, will implement the will of the Parliament, and commits to working with all partners on these important recommendations.
168	We will seek to hold a parliamentary debate in September 2025 to enable members to discuss our findings and recommendations in more detail.	The SPCB looks forward to the debate.