

**Chief Executive's Report to the SPCB
December 2020**

Introduction

This Report looks at activities across the organisation from September through to the end of November. Not surprisingly, business levels are high with Covid and Brexit related business over and above the usual run up to the end of a session. Other highlights include:

- The annual Business in Parliament event which will be held virtually for the first time this year.
- The Scottish Parliament social media channels continue to see some of the highest engagement levels we have ever recorded.
- The Facilities Management team continue to concentrate on building re-configuration in order to ensure social distancing measures are in place.
- HR's recent 'Wellbeing Week' which gave staff the opportunity to participate in a variety of different sessions via online platforms.

David McGill

Clerk/Chief Executive

OVERVIEW OF PARLIAMENTARY ACTIVITIES

Parliamentary Business

Prescribed Persons

Some time ago you might recall we engaged with the Department for Business, Energy and Industrial Strategy (BEIS) about adding MSPs to the list of Prescribed Persons for the purposes of whistleblowing under the Public Interest Disclosure Act 1998.

Unlike their counterparts in the UK Parliament, MSPs are not designated as prescribed persons. This means that individuals who make disclosures to MSPs by “blowing the whistle” are not protected from potential disciplinary action by their employers. This can put constituents making contact with an MSP in this way at risk with their employers. We circulated a note to MSPs last year to make them aware of the current position to prevent them getting into difficulties by sharing information presented to them by constituents.

The Order adding bodies to the list of Prescribed Persons is made annually. We have been liaising with BEIS and expect MSPs to be added to the next Order which is expected to be made sometime in the Spring.

As our approach has been centred on what is best for constituents, we consider it might be easier for them if the MSP designation covered information relating to both devolved and reserved issues (as is the case currently for MPs). Our view is that it would not be fair on constituents to ask them to make a judgement on where the divide lay and it may also be difficult to reflect that split in the Order. We have also asked that MSPs are added to the statutory Instrument exempting them from having to prepare an annual report on whistleblowing contacts. This exemption already applies to MPs and would ensure that MSPs could fulfil their role with as little administrative burden as possible.

Legislation and Parliamentary Business

All of the Government Bills announced in the First Minister’s legislation programme statement in September have now been introduced with the exception of the Budget Bill. There are also a number of Members’ Bills and Committee Bills in progress (detailed further below). As at the start of December, there is a total of 25 Bills in progress. This is around the level normally seen at this stage of the last year of a session (there were also 25 Bills in progress at the same date towards the end of session 4). The stage at which the Bills are currently indicates that February and March are likely to be very busy with amending stages.

The Cabinet Secretary for Finance has indicated that the Budget Bill will be introduced on 28 January, delayed from December in order to allow maximum time to consider the implications of coronavirus and any effects arising from the end of the transition period for EU withdrawal. This introduction date means that the Parliament’s scrutiny of the Budget Bill is likely to have to follow a constrained timetable.

The Period Products Bill was passed unanimously in the Chamber on 24 November, following close collaboration between the Member-in-Charge, Monica Lennon MSP (supported by NGBU) and the Scottish Government. One other NGBU-drafted Bill (Protection of Workers) has completed Stage 2, and one (Tied Pubs) has completed Stage 1. The six remaining NGBU-drafted Members' Bills are still in Stage 1.

Of the three Committee Bills in progress, two (on Short Money, introduced by the Standards, Procedures and Public Appointments Committee on the SPCB's behalf; and on pre-release access to statistics, introduced by the Economy Committee) await Stage 2 consideration; a third (on sexual harassment complaints against MSPs, introduced by Standards, Procedures and Public Appointments Committee) is still at Stage 1.

The one Private Bill in progress (Solicitors in the Supreme Courts of Scotland (Amendment) Bill) was considered at Final Stage on 3 December.

NGBU has prepared summaries of consultation responses for a number of MSPs, and these are mostly ready for publication before the end of the session (to enable those or other MSPs to pick them up again in Session 6). A handful of further draft proposals have been or may still be lodged in the remainder of this session.

At the request of the Parliamentary Bureau, clerking staff have been involved in discussions with Scottish Government officials to agree various methods by which the Parliament can scrutinise the Government's policy proposals in regard to its strategic framework for coronavirus response. This has resulted in a number of opportunities for the Parliament to scrutinise the Government's proposals before regulations giving effect to the are made and come into force.

At the last SPCB meeting I updated Members on my appearance before the Standards, Procedures and Public Appointments Committee in respect of the Scottish General Election (Coronavirus) Bill. The Committee published its [Stage 1 Report](#) on the Bill on 26 November. As expected there are two recommendations concerning the SPCB and as Members know the Presiding Officer has written to the Committee with our views on both points. The bill is being considered under expedited procedures.

The SPPA Committee has now held two public engagement events to inform its inquiry into the resilience of the Scottish Parliament's practices and procedures. The next step is for the Committee to consult Members on potential Standing Order Rule changes.

There have now been several hybrid or virtual committee meetings that have conducted Stage 2 proceedings successfully. A number of Stage 3's have taken place in the Chamber since the introduction of the remote voting system. While these proceedings have gone well, none of the bills that have been considered in that time gave rise to a large volume of divisions. There are, however, further Stage 3 proceedings expected before Christmas on bills that are likely to be subject to a greater volume of amendments. Work is ongoing to ensure that the voting system will operate effectively in these circumstances.

Parliamentary Committees

Committees workloads are very high, with significant pressures for Members and SPS staff.

Before picking up on highlights, it is worth recording that this situation is exacerbated by the significant extra work generated for SPS staff as a result of operating on a virtual and, in particular, hybrid basis.

The main take-aways are that almost all committees are juggling Covid, Brexit and domestic legislation scrutiny. Workloads look as if they will remain very high until the end of February. The other issue for the SPCB to be aware of is that while 'front of house' public engagement has stopped, participative (digital) engagement activity is very high and increasingly becoming normalised as an essential part of how committees operate. The Health and Sport Committee is a very good exemplar of how committees are engaged on multiple fronts.

Brexit

Staff across committee teams, supported by legal and SPICe services, have been working to support EU exit scrutiny, notably (to date) 39 UK and 10 Scottish S's to ensure the statute book is updated ahead of 1 January 2021. Teams have also collaborated as they prepare to consider common frameworks and the wider policy and constitutional implications of exit. Common frameworks are highly significant in terms of the policy landscape. The first ones have now been remitted for parliamentary scrutiny and early indications are that there are significant resource implications to ensure that committee members are fully briefed on the content and policy and constitutional implications of the common frameworks impacting on devolved competence. This will be a major continuing piece of work in 2021.

During November, the Europe Committee's evidence taking focused on scrutiny of the future relationship negotiations between the EU and UK Government. This has primarily involved taking evidence from representatives of sectors likely to be most impacted by the outcome of the negotiations – whether a deal or no deal. The Finance and Constitution Committee's (FCC) report on the UK Internal Markets Bill has raised a number of fundamental questions about the scrutiny of inter-governmental relations and also the relationship between the Parliament the Scottish Government. These issues will be explored in the FCC debate in early December.

Covid-19

The Covid-19 Committee has instigated work to focus scrutiny on the strategic issues around the Scottish Government's preparedness for the main challenges that lie ahead in its response to Covid-19. These include management of restrictions over winter that coincide with major events and peaks in consumer spending, as well as vaccine development and rollout. SPICe has supported this work by identifying witnesses and providing detailed analysis papers including comparative information from other UK nations and further afield. To complement the focus on scrutiny of strategic issues, colleagues in the Committee Engagement Unit and Community Outreach are planning a deliberative engagement event in January 2021, to bring a

public voice into the work of the Committee. The event will involve the formation of a Citizens' Panel of 20 randomly selected and diverse members of the public. Over four Saturdays in January, through online meetings, the Panel will take in wide-ranging and accessible evidence curated by SPICe and external experts. The Panel will be guided through different group exercises to weigh up the evidence and form a consensus around recommendations that will be presented to the Committee in February.

Covid scrutiny is happening across all of the subject committees. A couple of examples include the Economy Committee's public engagement work, including three focus groups talking to young people across the country about the impact of the pandemic on their prospects. The Social Security Committee continues to meet weekly taking forward its inquiry into the social security response to Covid, part of which has involved working closely with the Parliament's outreach staff to gather informal lived and frontline experience.

The clerks have also worked with the Chamber Office to support the Parliament's response to a review of the Parliament's overall scrutiny approach to Covid-19. This has included identifying alternative meeting days and times to ensure that the Committee and wider Parliament is given the best opportunity to scrutinise the outcome of the Scottish Government's weekly review of restrictions.

Domestic legislation & other business

The annual Business in Parliament event will this year was held virtually for the first time, with over 100 delegates taking part. The event, on 4 December, was organised by the clerks in collaboration with colleagues in the events team, business stakeholders and the Scottish Government.

The Equalities and Human Rights Committee has just published its report on its 2021-22 pre-budget scrutiny, which was closely followed by its report on Race Equality, Employment and Skills. Its current work is focused on the Bill to incorporate the United Nations Convention on the Rights of the Child. The Committee ran two calls for evidence receiving 150 responses. To support the children and young people's call for views, the Committee worked with children's organisations to deliver a leaflet and facilitator's pack. As well as these being produced in Gaelic, a BSL video and an easy read version were also developed with Public Information. Education services produced a presentation for schools. This has culminated in 60 children and young people's responses being received. In engaging with harder to reach groups, Members, assisted by outreach Services, have attended 7 virtual engagement events with children as young as 5 years and with groups of children where English is not their first language.

In relation to the Race Equality, Employment and Skills report referred to above, Members will recall that Aneela McKenna and I appeared before the Equalities and Committee to give evidence on behalf of the SPCB. When the [report](#) was published on 15 November, I received a letter from the Committee summarising the main findings. They noted that the ethnicity employment gap across public authorities remains unacceptable and more focus is required to reduce the ethnicity pay gap. The Committee intends to write to me next year seeking an update on progress based on

the recommendations detailed in the report and work is already underway to ensure we are well placed to respond positively.

The Education Committee is in the process of concluding its Stage 1 scrutiny of the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill. One of the Committee's key concerns was to make sure survivors were included in their scrutiny work. The Committee staff have worked with colleagues in outreach, media and web and social media to make sure this could be done in an appropriate and sensitive way.

The Justice Committee has had a huge challenge with the Hate Crime Bill in terms of complexity of issues, political content and significant public interest. The timescale has been constrained meaning that the Committee has been working intensely to meet the Stage 1 deadline.

Parliamentary Services

SPICe continues to publish a range of publications relating to Covid-19 to support Members and for wider public consumption. All SPICe material can be found on [the dedicated COVID-19 hub](#). The constituency support blog, on trusted and official sources of information, continues to be updated regularly, and the team has recently launched a high level [summary of the protection levels, including an interactive map](#). SPICe has now published around 60 subject-specific pieces of research on the pandemic.

Parliamentary business levels remain very high, with an average of 40 hours and 45 minutes of public meeting time per week since the end of October recess. That level of business together with the constraints associated with homeworking puts pressure on the Official Report production schedule. Significant work is being put into sustaining this and addressing staff wellbeing at corporate and local level.

Work continues to improve the quality of support for hybrid and virtual meetings, including the installation of new hardware in committee rooms to simplify private meetings on MS Teams, providing audio and video connection between room and video conference. Improving the consistency of audio quality, particularly for the OR is now a priority and we are actively working on solutions.

We recently had the 10,000th log-in to the Bluejeans platform.

All recordings of business on the video on demand platform or SPTV are now subtitled, using the Official Report text. Adjustments to workspaces have been completed to allow BSL signers to return to the building. As well as being seen on SPTV, representations have been made to the BBC to see if signers can be included on their output, to help reach audiences with no internet access.

The SPTV platform has faced a persistent range of technical problems. We are actively engaging with the supplier to resolve these issues and producing back up plans for alternative provision.

Work continues on the planning for the installation of the new audio reinforcement in the Main Chamber. The plan is for new individual loudspeakers to be installed on each desk, each with its own audio delay to improve intelligibility.

Engagement and community outreach

Social Media Promotion of Business

As Parliament shifted to focus on essential timebound legislation and Covid-related activities, and face to face engagement at Holyrood was suspended, we responded to the increased public demand for information by carrying more business live on our social media channels.

Engagement on our social media channels across these live videos over the past 200 days has been amongst the highest we have recorded, and they have accounted for around half the total of all "minutes viewed" over the past 3 years, and around 4/5 of total follower growth over the period.

Over lockdown, video engagement was up 1383% from the previous 200 days, with similar large increases across key metrics including total minutes viewed (1555%) as well as our follower growth (861% - 19,000 people).

Demand for online coverage has been high. Live streams on SPTV has been peaking at around 17,000 and the largest Facebook Chamber stream reached an audience of over 1 million.

Public Enquiries

Enquiries from the public continue to be managed by the Public Information team and are almost back to pre-Covid levels for this time of year. More than a third of our enquiries relate to Covid-19 and legislation is also a popular topic. Our eBulletin has strong reader engagement with the items on the petition for Scotland to have an emblem and the First Minister's statements to Parliament proving to be most clicked on.

Facilities Management

The building re-configuration team were set up at the beginning of the pandemic to ensure that Holyrood was appropriately and effectively risk assessed and measures taken to comply with all relevant legislation and guidelines including 2-meter distancing. An integral part of this process is regular review and updates. The team has just completed the first scheduled review of priority areas (communal and occupied office spaces). Reassuringly this did not lead to any significant changes to operation. Further improvements are being worked up for the Chamber to enhance the temporary furniture positions which were introduced in October.

BIT

As part of the ongoing work to protect the Parliament's IT systems against the threat of cyber-attack, staff from the BIT Office have been working with an external cyber security expert to audit our systems against the Cyber Essentials certification scheme.

Cyber Essentials is a UK Government backed scheme that helps businesses protect themselves against the growing threat of cyber-attacks and provides a clear statement of the control's organisations should have in place to protect themselves.

After a rigorous test of our organisation's cyber security systems, processes and controls, the organisation has passed the audit and we have been awarded Cyber Essentials Plus certification.

Web and online project moves towards completion

We set out three years ago to provide the Parliament with a new, modern, sustainable website that meets user needs. To achieve this goal, a web and online roadmap was developed to support the changes and improvements needed, and this has included work to improve design, content, accessibility, search and the underlying technical platform that supports the service.

The scope of the project is focused on delivering the needs identified by users as being most important to them, and we are on track to complete delivery across all these key areas by end of March 2021.

A key driver through the project has been the development of a content strategy which will improve how we deliver the content available on our website. This will help us open up our information and make it more accessible and easier to understand and engage with.

Progress so far has focused on delivering core parliamentary content including:

- All legislation for the current session
- MSPs information
- Committee and research content
- Written questions
- Votes & motions

Other sections launched on the new website include "About the parliament" and "History of the parliament" and we have also used the platform to support the Festival of Politics and Business in Parliament websites

There will be more information and content added to the new (beta) website over the coming months with the aim to complete transition by the end of March 2021. This will enable us to retire the current website and supporting infrastructure which has been in use for approximately 10 years.

International engagement

Despite the suspension of physical public engagement activities during Covid, the International Relations Office has supported the following international engagement activities:

- Participation by members of the Scotland Branch Executive Committee in the virtual Commonwealth Parliamentary Association regional conference hosted by the Parliament of Malta
- Participation by Margaret Mitchell MSP and Claire Baker MSP in the virtual CPA Commonwealth Women Parliamentarians regional meeting hosted by the Parliament of Malta
- Participation by Margaret Mitchell MSP and Claire Baker MSP in a virtual CPA Commonwealth Women Parliamentarians discussion on COVID and violence against women and girls
- Participation by Gillian Martin MSP, Convener of the Environment, Climate Change and Land Reform Committee, in a virtual Q&A session arranged by the Arctic Circle
- Continued discussions with the Westminster Foundation for Democracy on its programmes on business resilience
- Virtual discussions on the Parliament's participation in the newly established Committee of the Regions Contact Group and the participation by Angela Constance MSP in the subsequent Contact Group meeting
- Observing, with the Presiding Officer, webinar discussion between the Nordic Council and the Secretary General of the UN on responding to COVID-19
- Virtual discussion between the Presiding Officer and the President of the State Parliament of Lower Saxony on parliamentary education and outreach work
- Virtual participation by the Deputy Presiding Officer (LF) in a conference organised by the Parliament of Catalonia on gender sensitive parliaments
- Virtual meeting between the Deputy Presiding Officer (LF) and the Llywydd of the Welsh Parliament on the Young Women Lead programme
- Virtual meeting between the Deputy Presiding Officer (LF) and the President of the Parliament of Catalonia on the Young Women Lead programme
- Annual General Meeting (virtual) of the Commonwealth Parliamentary Association Scotland Branch chaired by the Presiding Officer as Branch President
- Facilitated participation by SPICe researchers in a US House Democracy Partnership web seminar on providing quality parliamentary research
- Initiated the participation by the International Labour Organisation in a Presiding Officer hosted virtual Festival of Politics discussion on the future of work and held discussions with the ILO on the scope for ongoing collaborative working
- Participation by Jeremy Balfour MSP and the Parliament's Equalities Manager in a CPA video on parliament accessibility and participation
- Virtual participation by the Deputy Presiding Officer (LF) in a leadership programme for young women organised by Running Start, a US non-partisan organisation whose CEO the DPO met in 2019.

Human Resources

It was previously agreed that HR would provide updates on MSPs' staff training through this report. As expected, spend on training is low, with training being delivered in-house or through the Parliament's occupational healthcare provider. HR recently ran a successful 'Wellbeing Week'. The programme offered 3 sessions for MSPs' staff to discuss wellbeing and the specific challenges faced by them. 40 people attended,

sharing stories and experiences and learning from each other. As a result of these discussions, HR has provided additional support to staff who are experiencing specific challenges, for example, arranging counselling sessions and other supportive interventions. Feedback on the sessions, and on the communications around the sessions, was extremely positive. The online platform has certainly made it more accessible for staff across Scotland to attend and participate.

Further sessions on mental health awareness, suicide prevention, managing casework and group wellbeing are planned to take place December-March 2021. HR will also be running a series of events where staff can find out more about the arrangements that are in place in the lead up to and following the Election. These sessions will cover employment rights, including entitlements to redundancy pay under the Expenses Scheme. The most recent session was on Wednesday 2 December. The sessions are usually limited at 25 delegates, but the cap has been removed as it has proven to be a popular session. Staff will also be supported to develop career plans, build CVs and on interview techniques. HR will continue to work with members of the MSPs' staff forum to define an induction programme based on the updated job families and roles. Again, these sessions will be communicated fully to MSP staff through the communication channels used above and through Office Managers and the staff forum.