



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE

Thursday 12 September 2013

Session 4

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**Thursday 12 September 2013**

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**STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE**  
**11<sup>th</sup> Meeting 2013, Session 4**

**CONVENER**

Dave Thompson (Skye, Lochaber and Badenoch) (SNP)

**DEPUTY CONVENER**

\*Helen Eadie (Cowdenbeath) (Lab)

**COMMITTEE MEMBERS**

\*George Adam (Paisley) (SNP)

Cameron Buchanan (Lothian) (Con)

\*Richard Lyle (Central Scotland) (SNP)

\*Margaret McDougall (West Scotland) (Lab)

\*Fiona McLeod (Strathkelvin and Bearsden) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab)

Colin Keir (Edinburgh Western) (SNP)

Jean Urquhart (Highlands and Islands) (Ind)

**CLERK TO THE COMMITTEE**

Gillian Baxendine

Alison Walker

**LOCATION**

Committee Room 4



## Scottish Parliament

### Standards, Procedures and Public Appointments Committee

*Thursday 12 September 2013*

[The Deputy Convener *opened the meeting at 09:15*]

#### Interests

**The Deputy Convener (Helen Eadie):** Good morning, and welcome to the 11th meeting of the Standards, Procedures and Public Appointments Committee. I ask members to turn off their mobile phones and BlackBerrys. Apologies have been received from Dave Thompson and Cameron Buchanan.

Item 1 is declarations of interests. I introduce Margaret McDougall to the committee and invite her to declare any relevant interests.

**Margaret McDougall (West Scotland) (Lab):** I have no interests that would conflict with membership of the committee.

**The Deputy Convener:** I welcome to the committee Colin Keir as a substitute for Dave Thompson, who cannot be with us today. I invite Colin to declare any interests.

**Colin Keir (Edinburgh Western) (SNP):** Thank you for your welcome. I have no interests to declare.

**The Deputy Convener:** I take this opportunity to thank Margaret McCulloch for her term serving on the committee. She was a valuable colleague who always had insightful comments to make, so we are grateful to her and wish to record our appreciation for her time here.

## Decisions on Taking Business in Private

09:17

**The Deputy Convener:** Item 2 is to ask members to agree to take items 6, 7, 8 and 9 in private. Is that agreed?

**Members indicated agreement.**

**The Deputy Convener:** Item 6 will be the committee's consideration of its draft work programme; item 7 will be the committee's consideration of the consultation responses that it has received on the Interests of Members of the Scottish Parliament Act 2006; item 8 will be the committee's consideration of issues for its report and inquiry into post-legislative scrutiny; and item 9 will be the committee's consideration of draft standing orders rule changes in relation to Presiding Officer and Deputy Presiding Officer elections.

Item 3 is to ask members to agree to take the following items in private at future meetings: the policy papers on the Interests of Members of the Scottish Parliament Act 2006; the approach papers on the committee's inquiries into European scrutiny and hybrid bills; and draft reports on committee substitutes and on the Presiding Officer and Deputy Presiding Officer elections. Do members agree to take those items in private at future meetings?

**Members indicated agreement.**

## Cross-party Groups

09:18

**The Deputy Convener:** Item 4 is on applications for cross-party groups. The committee will take evidence from Jean Urquhart on the proposed cross-party group on adult learning, and from Malcolm Chisholm on the proposed cross-party group on rare diseases. Welcome to the meeting; we are grateful to you for being with us today.

**Fiona McLeod (Strathkelvin and Bearsden) (SNP):** You have provided a comprehensive form with lots of information. I note that you talk about Scotland's Learning Partnership providing £1,000 to support adult learners to attend meetings at Parliament—which I think is great—but you also say that it will provide the proposed group's secretariat, so I wonder why you have not ascribed a material benefit under that heading.

**Jean Urquhart (Highlands and Islands) (Ind):** That is a good question; I am not sure that I can answer it. I suppose that we should do that. I have only recently become aware of the financial implications of cross-party groups. I guess that the group would have to agree to that.

**Fiona McLeod:** Could you get Scotland's Learning Partnership to ascribe a value to the benefit that you would get from that provision?

**Jean Urquhart:** I would be very happy to do that.

**The Deputy Convener:** We have no further questions. You are being let off very lightly, Jean.

Thank you very much for being ready and prepared to answer any questions. The committee will decide later in the meeting whether to accord recognition to the group.

I suspend the meeting for a moment to allow Jean Urquhart to leave and Malcolm Chisholm to sit at the table.

09:20

*Meeting suspended.*

09:21

*On resuming—*

**The Deputy Convener:** Good morning, Malcolm, and welcome to the meeting. Thank you for coming here to answer questions. I invite my colleagues to ask Malcolm questions about his proposed cross-party group.

**Fiona McLeod:** I have a few questions for Mr Chisholm. We are very conscious that there are

many health-related cross-party groups. The committee is asking prospective new groups to say why they need to be a stand-alone group rather than joining another group. It would be interesting to hear an explanation of that.

**Malcolm Chisholm (Edinburgh Northern and Leith) (Lab):** I am certainly very conscious of the fact that there are several health cross-party groups. I know that Helen Eadie is convener of one of them. I am convener of three others: the cross-party group on health inequalities, the cross-party group on cancer and the cross-party group on mental health. From my experience of those and other health cross-party groups over the years, I do not think that I can recall one meeting that has focused on rare diseases, which make up a group of conditions that are often forgotten about in health policy—drugs for their treatment are sometimes called orphan drugs—and I think that that is reflected in the agendas of cross-party groups.

The issue is particularly relevant at this time; a European Union directive insists that the United Kingdom have a plan for rare diseases, which is being formulated in this calendar year. In addition, the subject has come to the fore in the context of all the debates about the availability of drugs and, specifically, issues to do with orphan drugs. There would always be a place for a cross-party group on rare diseases, but it is particularly appropriate for us to have such a group at this time.

**Fiona McLeod:** Thank you.

I notice that although your application includes a list of the MSPs who support the proposal and a list of the organisations that would be members of the group, as yet you have identified no individual members. Have you decided that you do not want individual members, or are you not in a position to invite people to join?

**Malcolm Chisholm:** We have certainly not decided that; it is simply that I know that many organisations were keen to be members. I am sure that the group will have individual members as well, although some of them will be associated with those organisations. Many people who suffer from the diseases in question will be members of, or associated with, those organisations.

**Fiona McLeod:** I have one final question—it is the one that I asked Jean Urquhart. Can you put a financial slant on Rare Disease UK's provision of the proposed group's secretariat support?

**Malcolm Chisholm:** In many cases, the secretariat that is provided for cross-party groups is provided by voluntary organisations that work in the field. Understandably, they regard it as being part of their work to engage with MSPs. I have asked that question and Natalie Frankish, who is the worker for Rare Disease UK in Scotland and

who will, in effect, be the secretary of the group for Rare Disease UK, says that she thinks that it would be two days a month. I do not know whether she can translate that into a financial benefit, if that is what you want. That is what she told me when I asked the question.

**Fiona McLeod:** As we said in relation to Jean Urquhart's application, it would be useful for us—

**Malcolm Chisholm:** How does that work? Do we just have to work out one fifteenth of her salary? I do not quite know what is expected. I find this quite a difficult issue.

**Fiona McLeod:** I understand that that is what most organisations do. They work out that the work will take, for example, two days per month, and they say what they would pay the person for two days per month, which is the material benefit.

**Malcolm Chisholm:** If that is what is required, that is what is required, although that will make what she earns rather public. However, if that is what has to happen, that is fine.

**The Deputy Convener:** I imagine that not only that aspect would be looked at. Postage and other things that the organisation might provide would also be counted.

**Malcolm Chisholm:** Yes—such things would obviously be considered as well.

**The Deputy Convener:** Those things would include the cost of stationery and any other additions that would be necessary for organising a meeting. Parliament does not provide those, so someone has to provide them, which costs them.

**Malcolm Chisholm:** I know that I am not supposed to ask you questions, convener, but what is the thinking of the committee in relation to requiring that a financial sum be attached?

**The Deputy Convener:** The committee has a policy that a sum should be assigned. I see, out of the corner of my eye, a hand going up.

**Richard Lyle (Central Scotland) (SNP):** That practice was not suggested in the beginning, but a template was laid down by Margaret McCulloch when she started her cross-party group. I do not think that what a person earns needs to be detailed exactly, but it should be stated what it would cost to run the group—£1,000 a year or whatever.

**Malcolm Chisholm:** It would be good to have the clarification that we need on the matter. It is one thing to add up the cost of the materials that would be required—that would amount to a relatively small sum of money—but a 15th of somebody's salary is a much larger sum.

**The Deputy Convener:** I will ask the clerks to write to you with clarification. My understanding is

that the sum would also include the hospitality budget for teas, coffees and so on. I am sure that the committee clerks will be most helpful in that regard and will send that information to you.

**Malcolm Chisholm:** Thank you very much.

**The Deputy Convener:** There are no further questions. Thank you for your attendance this morning, Malcolm. The committee will decide whether to accord recognition to the group and you will then be notified. I cannot pre-empt what my colleagues are going to say, but I imagine that the fact that answers to the questions are awaited will not cause a problem.

Agenda item 5 is the opportunity for the committee to discuss the evidence that it has heard from Jean Urquhart MSP on the proposed cross-party group on adult learning, and from Malcolm Chisholm MSP on the proposed cross-party group on rare diseases.

**Richard Lyle:** I seek clarification on whether I can take part in the decision on the cross-party group on rare diseases. I also see that George Adam has signed up for the cross-party group on adult learning. Given that we have signed up to be members of those cross-party groups, would it be better for us not to take part in the decisions on them?

**The Deputy Convener:** I will take advice on that from our clerks.

**Gillian Baxendine (Clerk):** That is for members to decide—there is no rule on it. It is down to whatever you feel is appropriate.

**Richard Lyle:** In that case, I am happy to decide.

**The Deputy Convener:** Do any other members have questions or comments to make, or do you simply want to agree to accord recognition to the cross-party groups? Are members content to accord recognition to the cross-party group on adult learning?

**Richard Lyle:** I have not signed up for that cross-party group, but I think that it is required. I agree with the suggestion to pass the application.

**Margaret McDougall:** I, too, agree.

**Members indicated agreement.**

**The Deputy Convener:** That is excellent. We agree that the proposed cross-party group on adult learning be accorded recognition.

I put the same question on the proposed cross-party group on rare diseases.

**Fiona McLeod:** I have a slight reservation about the group in that it seems very focused on a current event that is going to last about a year. That is my only reservation. It would be a cross-

party group whose purpose would be perhaps too narrow and very specific, and that is not what we are trying to encourage. However, it may grow.

09:30

**The Deputy Convener:** It could just be a finite-term working group, which the Parliament might want to encourage as well. That would help to reduce the number of cross-party groups if there were light at the end of the tunnel and there were no longer a requirement for a group. When we write to Malcolm Chisholm on the issues that have been raised, we can ask him that question. In the meantime, are members content to give the proposed cross-party group on rare diseases approval in principle?

**Members** *indicated agreement.*

**The Deputy Convener:** I see heads nodding. That is agreed.

It will be interesting to get feedback on the points that we are raising about the cross-party group on rare diseases. That will be educational for members and will ensure that we are clear when we ask these questions in public.

**Fiona McLeod:** Before we move on, convener, may I make a general comment on the applications and the comments that we received from the applicants?

**The Deputy Convener:** Yes, certainly.

**Fiona McLeod:** The question on our form about the financial benefit or other benefits is quite clear, and somewhere in our work programme we will consider the provision of guidance to go with the application forms. It will be interesting to discuss that guidance, because I thought that our form was quite clear about, for example, material assistance such as secretariat support. I would not have thought that that would have caused the problem that it did today.

**The Deputy Convener:** I would not have thought so either, but there we are.

That ends the public part of the meeting.

09:31

*Meeting continued in private until 10:12.*

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