

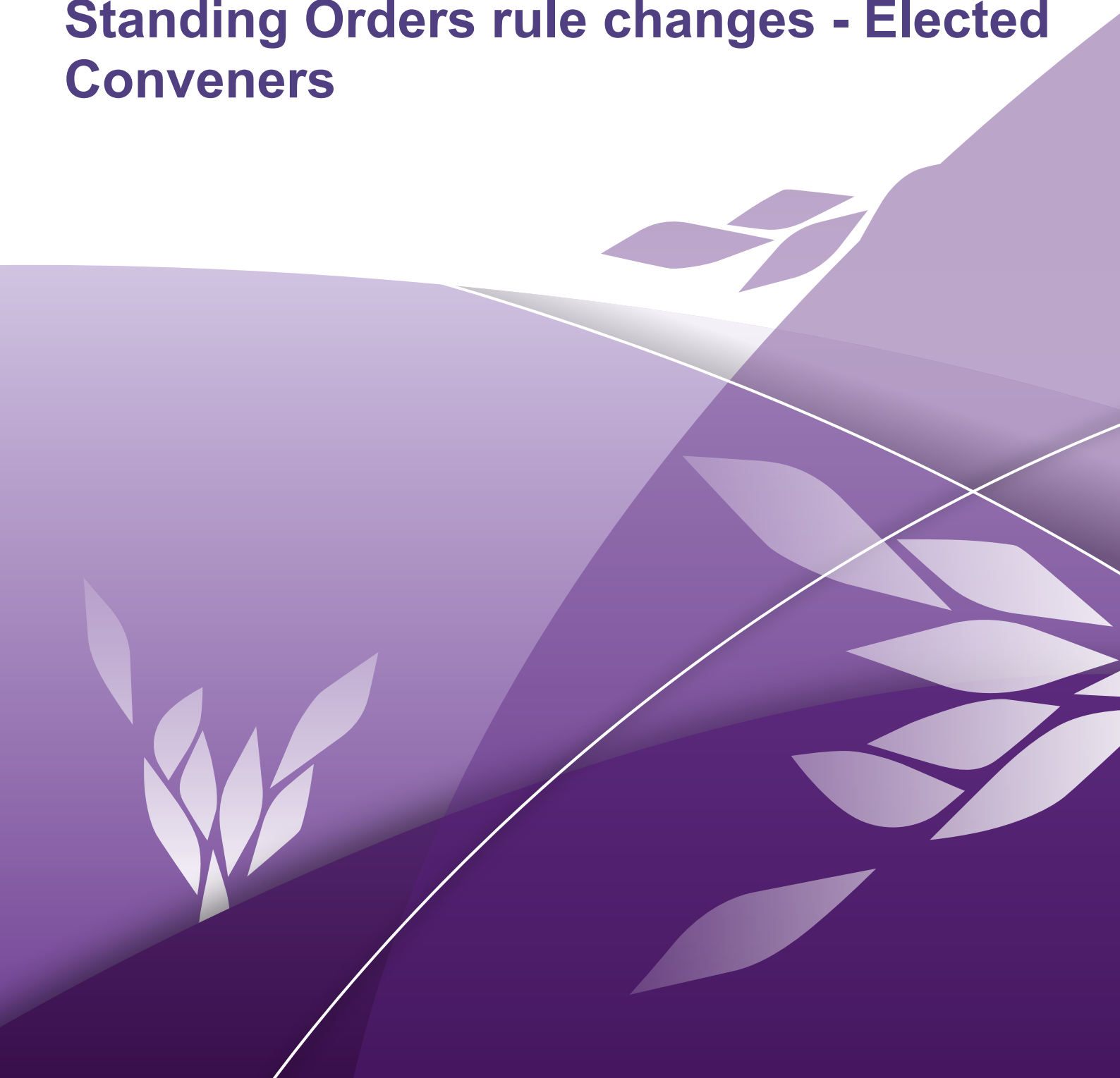


The Scottish Parliament
Pàrlamaid na h-Alba

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Standards, Procedures and Public Appointments Committee

Standing Orders rule changes - Elected Conveners



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Textphone: 0800 092 7100
Email: info@parliament.scot

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Standards, Procedures and Public Appointments Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- (a) the practice and procedures of the Parliament in relation to its business;
- (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- (c) the adoption, amendment and application of any Code of Conduct for members;
- (d) matters relating to public appointments in Scotland;
- (e) matters relating to the regulation of lobbying; and
- (f) matters falling within the responsibility of the Minister for Parliamentary Business.

2. Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion."



SPPA.Committee@parliament.scot



0131 348 5176

Committee Membership



Convener
Martin Whitfield
Scottish Labour



Deputy Convener
Ruth Maguire
Scottish National Party



Emma Roddick
Scottish National Party



Sue Webber
Scottish Conservative
and Unionist Party



Annie Wells
Scottish Conservative
and Unionist Party

Introduction

1. In its report on [Strengthening committees' effectiveness](#), the Standards, Procedures and Public Appointments Committee recommended the following model for electing conveners, based on the model that operates in the Senedd:
 - Nomination should take place once the Parliament has agreed the party to which convenership of each committee should be allocated.
 - Only a member of the party that the convenership is allocated to can nominate
 - The nomination must be supported by a member of another party
 - If only one member is nominated and no objection is made to that nomination the nominated member is elected.
 - If an objection is made or more than one member is nominated a secret ballot is held
 - The secret ballot is held outwith the Chamber, with the results of that ballot confirmed to the Chamber at a later point in the meeting.
 - If more than one chair role is being considered in a single meeting, no member may be nominated for more than one role
 - Mid-session vacancies are filled by the same model.
 - Committee members can vote to recommend removal of a convener, but that removal only occurs if a motion is agreed by the Parliament.
2. The Parliament debated the Committee's report on Strengthening committee's effectiveness on 6 November 2025 and agreed to consider proposed rule changes based on the above model.

Proposed rule changes

3. Proposed Standing Orders are attached as Annexe A. These have been drafted to follow the model for other elected positions, such as for Presiding Officer and members of the Scottish Parliamentary Corporate Body, of setting out the nomination process in one Chapter of Standing Orders with the actual election process being set out in Chapter 11 on Decisions and voting. They also seek to leave intact procedures for the choice of convener by committees other than subject or mandatory committees and for the choice of Deputy Conveners and Temporary Conveners.
4. This section of the report describes what the proposed rule changes would do in delivering an overall system for the election of subject and mandatory committee conveners.

Rule 6.3: Membership of committees

5. Changes are proposed to rule 6.3 to reflect that, once elected, the convener of a subject or mandatory committee will become a member of that committee. A change is also suggested to disapply from such conveners the provisions in relation to the duration of membership of a committee. Provision in relation to the duration for which a convener holds office is made elsewhere in the proposed changes.

New rule 11.10B: Election of conveners of subject and mandatory committees

6. This would be an entirely new rule, to be inserted into Standing Orders after the rule setting out the process for election of Members of the Scottish Parliamentary Corporate Body. The rules make provision for the manner in which votes should be cast in the election of a convener depending on the number of candidates in the election.
7. Where there was only one candidate, the options would be to vote for or against that candidate or to abstain. If the candidate receives a simple majority of votes then they would be elected as convener. If there are 2 candidates, members may vote for one of the candidates or to abstain. If one candidate receives more votes than the other candidate they would be elected as convener.
8. If there are more than 2 candidates, the rules propose the use of a system of transferable votes. This is a different system than is used for the election of other roles, such as Presiding Officer and deputy Presiding Officers. This approach is suggested as it would ensure that a result could be delivered in one round of voting rather than the successive rounds that apply for Presiding Officer and deputy Presiding Officer. A key reason for this is that, as the election of committee conveners would happen outwith the Chamber and the results of successive votes would therefore not be announced to all Members at the same time as is the case for those other elections.

9. The rules also explain what would happen in the event that the number of votes cast did not result in a position where one candidate had received a majority of votes. In the case of an election for one candidate, this would be a simple majority, as described in existing Rule 11.11. In the case of elections where there are 2 candidates, a majority would be achieved by one candidate receiving more votes than the other candidate and where there are 2 or more candidates, a majority would be achieved by one candidate receiving more than the total number of votes for all the other candidates, with a process of redistribution of preferences applying where such a majority was not secured on the basis of first preferences.
10. If any ballot carried out under the rules did not produce a conclusive result, it would be a matter for the Parliamentary Bureau to schedule a further election.

Rule 12.1: Conveners of committees

11. The changes to Rule 12.1 propose the addition of new paragraphs 2A to 2L which set out the process for the election of committee conveners to be included in a business programme, the nomination requirements, that a convener becomes a member of the relevant committee once elected and the basis on which a convener will hold office, including provision for a convener to be removed by the Parliament on a motion of the committee.
12. Changes to paragraphs 6 to 8A are proposed to ensure that provision for the election of conveners of committees other than subject and mandatory committees remain intact.
13. A change is also proposed to paragraph 13 to remove a reference to a meeting being chaired by the deputy convener for the purpose of choosing a new convener.

Conclusion

14. The Committee considers that the proposed Standing Order changes would enable the election of conveners of subject and mandatory committees to be introduced in a proportionate and effective manner without delaying the establishment of a committee, particularly after a Scottish Parliamentary election.
15. Should the Parliament agree to the Standing Order changes proposed in this report, we recommend that there should be a review of the operation of the rules early during the first half of Session 7. We consider this review would also provide an opportunity to consider the rules regarding deputy, temporary and acting conveners of committees in the overall context of delivering effective committee scrutiny.
16. We recommend that the Parliament agrees to the Standing Order rule changes set out in Annexe A to this report.

Annexe A: Proposed Standing Order Rule changes

Rule 6.3: Membership of committees

In paragraph 6.3.1 after "committee", insert ", other than the convener of a subject or mandatory committee,".

In paragraph 6.3.2 after "members" insert ", including the convener".

In paragraph 6.3.5 after member where it first appears insert ", other than the convener of a subject or mandatory committee,".

After rule 11.10A

Insert—

11.10B Election of subject and mandatory committee conveners

1. This Rule applies to any election of a convener of a subject or mandatory committee held by virtue of Rule 12.1.2B.
2. The vote at an election shall be by secret ballot.
3. The Presiding Officer shall designate a person to carry out the function of supervising the vote and shall notify members of that designation.
4. The result of any vote under this Rule is valid only if the number of members who voted is more than one quarter of the total number of seats for members. For this purpose, in calculating the number of members who voted account shall be taken not only of those voting for or against a candidate, but also of those voting to abstain. If the result of any vote at an election is invalid under this Rule, no candidate shall be elected at that election.
5. Each candidate may appoint a member to act as a scrutineer on that candidate's behalf. Each scrutineer may monitor the counting of votes by the Clerk and may request the Clerk to perform a count again. The Clerk may refuse such a request only if the Clerk considers it unreasonable.
6. Any member may obtain a ballot paper from the Clerk. Any member who obtains a ballot paper shall immediately mark that member's vote or votes on that ballot paper and then put the ballot paper in the ballot box provided for that purpose by the Clerk.
7. Where there is only one candidate, a member may vote for or against that candidate or to abstain. The candidate shall be elected if a simple majority of votes in the candidate's favour is obtained.
8. Where there are 2 candidates, a member may vote for one of those 2 candidates or to abstain. A candidate shall be elected if they receive more votes than the other candidate.
9. Where there are more than 2 candidates, a member may vote by ranking as many of the candidates as they wish to in order of preference. A candidate shall be elected—

(a) if they receive more than the total number of first preference votes for the other candidates; or

(b) following the redistribution of preference votes as set out in paragraph 10, they receive more than the total number of votes for all the other candidates.

10. Where no candidate receives more than the total of first preference votes for all the other candidates, the candidate who has received the smallest number of first preference votes (or candidates if they receive an equal number of first preference votes) shall be eliminated and their votes distributed among the remaining candidates according to next preferences. This process of elimination and redistribution of votes shall be repeated until one candidate obtains more than the total number of votes for the other candidates.

11. Where, as a result of the process in paragraph 10, there is one remaining candidate who has not received more votes than the total number of votes cast for all the other candidates, no candidate shall be elected.

12. Where there are more than two candidates and they all receive the same number of first preference votes no candidate shall be elected at that election.

13. A candidate may withdraw that candidate's candidature at any stage.

14. At the completion of the voting period, the Clerk shall count the votes and inform the Presiding Officer-

(a) where there is one candidate, the number of votes for the candidate, the number of votes against the candidate and the number of votes to abstain;

(b) where there are 2 candidates, the number of votes for each candidate and the number of votes to abstain; and

(c) where there are more than 2 candidates, the number of first preference votes for each candidate, the number of votes to abstain and, where there has been a redistribution of preference votes following the process in paragraph 10, the number of votes for each candidate.

15. In counting the votes, the Clerk may disregard any ballot paper if, in the Clerk's opinion, it does not clearly indicate the voter's choice.

16. The Presiding Officer shall announce to a meeting of the Parliament the name of the candidate who has been elected and the details of the votes as specified in paragraph 14.

17. Where no candidate is elected at an election held in accordance with this Rule, the Presiding Officer shall announce that fact to a meeting of the Parliament. The Parliamentary Bureau shall arrange for another election to be held as soon as possible in accordance with Rule 12.1.2B. In the case of an election to which paragraph 11 applies, only the candidate who received the highest number of votes will be eligible to be a candidate in another election.

18. Following a declaration that a candidate has been elected or that no candidate has been elected, the Clerk shall destroy all the ballot papers.

Rule 12.1: Conveners of committees

After paragraph 12.1.2 insert-

2A. Paragraphs 2B to 2L apply to conveners of subject and mandatory committees.

2B. The convener of each subject and mandatory committee shall be elected by the Parliament following establishment of a committee under Rule 6.1. The election of a committee convener shall take place no later than 10 sitting days after the motion to establish the committee has been agreed by the Parliament or the role of convener has become vacant.

2C. The location of the vote and the date and time of the voting period for election of a convener or conveners shall be appointed by the Parliament on a motion of the Parliamentary Bureau.

2D. Where the Parliament has decided under Rule 12.2(a) the political party whose members shall be eligible to be the convener of a committee, a member of that party may nominate another member of that party to be the convener. A nomination shall be valid only if it is seconded by a member of another political party or a member not representing any political party.

2E. Where the Parliament has decided under Rule 12.2(b) that the convener shall be chosen from members not representing any political party, any member can nominate such a member. A nomination shall be valid only if seconded by another member who is not of the same party (if any) of the member nominating.

2F. Where there is more than one election for a convener running concurrently, a member may not be nominated to be the convener of more than one committee.

2G. A member may, not later than 1 hour before the beginning of the voting period, nominate a candidate for election under Rule 12.1.2D or Rule 12.1.2E by submitting a written nomination to the Clerk.

2H. At a meeting of the Parliament the Presiding Officer shall announce the name or names of the candidate or candidates validly nominated.

2I. If only one nomination is received and no member objects to that nomination, the nominated member will be elected as convener of the relevant committee.

2J. If an objection is made or more than one member is nominated an election shall be held in accordance with Rule 11.10B.

2K. Once elected the convener shall become a member of the relevant committee.

2L. The convener shall hold office and be a member of the committee for the duration of the committee unless—

(a) the convener resigns from that office by intimating resignation to the Presiding Officer on behalf of the Parliamentary Bureau;

(b) the convener is removed from that office by the Parliament on a motion of the committee; or

(c) the convener ceases to be a member of the Parliament otherwise than by virtue of dissolution.

In paragraphs 12.1.6, 12.1.7, 12.1.8 and 12.1.8A after "committee" where it first appears insert ", other than a subject or mandatory committee,".

In paragraph 12.1.13 delete "and that meeting shall be chaired by the deputy convener for the purpose of choosing a convener".

