



The Scottish Parliament
Pàrlamaid na h-Alba

Published 6 July 2022
SP Paper 213
6th Report 2022 (Session 6)

Standards, Procedures and Public Appointments Committee

Report on inquiry into Future Parliamentary procedures and practices



Published in Scotland by the Scottish Parliamentary Corporate Body.

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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; and
 - (e) matters relating to the regulation of lobbying.
 - (f) matters relating to local government elections, Scottish general elections, implementation of the Referendums (Scotland Act) 2020 and Freedom of Information and open government 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 Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion.



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Key recommendations and conclusions

1. The Committee considers that one of the lessons of the pandemic is that change should not be shied away from. The ways in which the people of Scotland work and engage has changed profoundly since the beginning of 2020 and the Parliament would be out of step with those changes if it reverted to previous practices. It is important in the Committee's view to be mindful of the kind of institution the Parliament will want to be in ten years' time, rather than the institution it was prior to the pandemic.
2. The Committee heard many and varied views as part of this inquiry into future parliamentary procedures and practices. In particular, it recognises that there are a range of views among MSPs on the extent to which the Scottish Parliament should continue with hybrid meetings and provide for Members to participate remotely in parliamentary proceedings. While some Members had a preference for a return to pre-pandemic ways of working, other Members perceived an opportunity for greater flexibility which could help support the Parliament become more accessible and inclusive.
3. Given the diversity of opinion, the Committee has sought to make recommendations which recognise the views of the majority of MSPs. The conclusions and recommendations in this report confirm the continuation of hybrid meetings and provide for and enable iterative change in the future. The Committee recognises that the virtual and hybrid meetings necessitated by the pandemic have represented a significant departure from the core principle that a legislature is a place where elected representatives come to deliberate, debate and decide, but it also recognises that there now exist new forms of technology that can enable different ways of working. Rather than return fully to previous practices, the Committee considers that there is the potential to build on gradual and progressive change as technology improves, that can bring the Parliament closer to the people of Scotland in accordance with the key principles that have underpinned the work of the Parliament since 1999.
4. The key conclusions and recommendations of the Committee are set out in the following summary. Most of them confirm that hybrid arrangements for the Chamber and committees that provide for Members and witnesses to participate remotely should continue, allowing for flexibility. Where changes in procedure are proposed, notably in relation to proxy voting, it is suggested that this is the subject of a pilot that can be fully evaluated before any permanent changes to the Parliament's rules and procedures are made.
5. **The Committee notes that, in comparison to the other legislatures that it heard from, the Scottish Parliament introduced more measures to ensure that its Members were able to participate in parliamentary business, that all types of parliamentary business could continue and that all MSPs were able to vote. While the platforms used to provide hybrid meetings could not replicate in-person parliamentary business, and the informal engagement that would normally take place in the building was reduced, the Parliament was able to fulfil its core function of scrutiny of the Scottish Government.**
6. The Committee considers that the evidence it has heard from other

legislatures clearly demonstrates that each legislature has been taking decisions in light of its own experience of the pandemic and the broad preference of its members. While there were some enduring changes in the four legislatures that the Committee heard from, these were limited to improvements in areas such as voting systems, minor changes in practices and sitting patterns and some improvements in technological capacity rather than significant revisions to parliamentary procedures and practices.

7. While the evidence heard by the Committee highlighted a range of concerns about hybrid arrangements in legislatures, it recognises that the platform used currently in the Scottish Parliament to support Chamber business is one that has primarily been enabling. The Committee acknowledges that a hybrid Parliament has faced challenges in conducting effective scrutiny. However, the platform has provided for members to continue to participate in Chamber business throughout the pandemic and for scrutiny to continue. This has been an important achievement which should endure.
8. However, as the evidence collected by the Committee shows, the existing hybrid platform does not replicate in-person participation in parliamentary business. The dynamic in debate can be lost with fewer interventions, while those participating remotely have little sense of the atmosphere in the Chamber and feel physically distanced from proceedings. The informal contacts between parliamentarians are reduced and there is a risk that those who participate remotely on a regular basis could feel isolated and not have the same opportunities as other Members who were present.
9. The Committee considers that provision in the Scottish Parliament to vote remotely, while at times cumbersome, has been extremely important in allowing members to vote at the same levels as prior to the pandemic and this should continue. This is in marked contrast to other legislatures where the number of Members able to exercise their vote personally was diminished.
10. On the basis of the evidence heard, the Committee considers that there are strong arguments about the potential for hybrid arrangements to make the Parliament more inclusive and accessible: developments which accord with the founding principles of the Parliament. This is a further reason for continuing hybrid arrangements as a means of encouraging a more diverse range of people to stand for election to the Parliament. It will provide the Parliament with the flexibility in the future to offer alternative means of participating in parliamentary business, rather than requiring elected members to fit into established methods of working notwithstanding their personal circumstances.
11. The Committee considers that the impact of hybrid meetings should be monitored over the longer term to assess the extent to which they provide for equal participation in parliamentary business, promote diversity and support participation levels.
12. The Committee recognises the improvements in technology that have supported the continuation of parliamentary business throughout the pandemic. It notes that, should the pandemic have occurred ten years ago, the Parliament would not have been able to respond in the way that it has done. Technological improvements enabled the Parliament to continue to

operate through the pandemic and future technological improvements are likely to support more optimal remote participation in hybrid meetings. The Committee requests that the SPCB regularly updates the Committee on further investment in technology and infrastructure.

- 13. The Committee very much welcomes the specific plans to introduce a new platform for hybrid meetings and, as indicated earlier, considers that this will help to improve the ability of Members to debate by allowing interventions to be made or taken by both Members in the Chamber and those participating remotely.**
- 14. The Committee concurs with the argument that abandoning hybrid arrangements at this point in time would inhibit and constrain the further development of technology. The Committee believes that the Parliament should commit not only to retaining the facility for hybrid meetings, but that it should also aim to continually improve the infrastructure and use of technology to deliver those meetings. This, in turn, will support a culture that supports iterative change and innovation, rather than one which retains existing ways of working because they are familiar.**
- 15. The Committee believes that the Parliament is currently most effective when its Members come to Holyrood to represent their constituents and participate in person in Chamber business. It agrees with the views expressed that the normal expectation should be that Members should participate in debates and ask questions in-person in the Chamber.**
- 16. However, it recognises that there are a number of circumstances in which Members should have the option to participate remotely. These circumstances may include situations in which illness, bereavement, caring commitments, travel or weather disruption, or personal commitments inhibit their ability to come to the Parliament.**
- 17. Unless exceptional or urgent, constituency work and inter-parliamentary business should be undertaken on non-sitting days.**
- 18. The Committee has noted that, since the removal of the public health restrictions, the overwhelming majority of Members have been participating in Chamber and committee business in person, reflecting the commitment of individual Members and political parties to returning to in-person proceedings. For this reason, the Committee considers that it would be not be proportionate to introduce a system under which Members had to request to participate remotely in Chamber business. Moreover, there was no consensus on how such a system should be managed or enforced. However, the Committee intends to keep this issue under review and monitor in-person participation in Chamber and committee business.**
- 19. The Committee heard strong arguments for requiring Ministers to always be present in person in the Parliament. The Committee agrees that this is important for scrutiny and calls on the Scottish Government to ensure that Ministers are present apart from in exceptional circumstances when being scrutinised by the Parliament.**
- 20. The Committee is of the view that committees, like the Chamber, should**

continue to have the capacity to hold hybrid meetings. In addition to providing flexibility to Members in certain circumstances, this would also allow witnesses to participate remotely.

- 21. The Committee believes that Members being present supports effective and collaborative work in undertaking scrutiny and for this reason considers that the normal expectation should be that Members come to the Parliament to participate in committee meetings.**
- 22. However, the Committee believes that in the same circumstances identified in relation to the Chamber, namely situations in which illness, bereavement, caring commitments, travel or weather disruption, or personal commitments inhibit Members' ability to come to the Parliament, it would be acceptable for them to participate in a committee meeting remotely. As indicated above, unless exceptional or urgent, constituency work and inter-parliamentary business should be undertaken on non-sitting days.**
- 23. While the Committee considers that there are strong arguments for witnesses who represent professional or governmental bodies to give evidence in person, it believes that the capacity to participate remotely is beneficial to certain individual witnesses. This includes, inter alia, witnesses with disabilities, witnesses who feel intimidated by the parliamentary setting or witnesses from more remote parts of Scotland. Providing for such witnesses to participate remotely will allow the Parliament to be more accessible and inclusive.**
- 24. The Committee considers that Ministers should seek to make themselves available in person to Committees, in line with the recommendation made above in relation to the Chamber.**
- 25. The Committee recognises that differing nature of committee remits and the role of committees in agreeing their own work programmes. For this reason, it does not consider that there should be any prescriptive rules governing hybrid arrangements for committees. However, it does note the Conveners Group support for the production of guidance to accompany the formalisation of long-term hybrid capability for committees and suggests that the Guidance on Committees be updated.**
- 26. The Committee welcomes the introduction of the new platform for remote participation in committee meetings as well as in the Chamber. However, it believes that further investment in the infrastructure in the Parliament's committee rooms would support the management of committee meetings where witnesses or Members are participating remotely. Notably, the Committee suggests that solutions should be explored to improve the screens for viewing proceedings in committee rooms for both Members and the public, and that the individual consoles at the committee tables could be upgraded to ones that incorporated screens and which provided for voting in committees.**
- 27. The Committee is not of the view that there should, at this point in time, be any further suspension of the rules in relation to committee substitutes. It believes that it is important for the delivery of a Committee's work programme that there is continuity in membership, including those members that**

substitute, and for this reason it considers that the existing rules on substitutes should remain in place.

28. **The Committee welcomed that assurances from the SPCB relating to the removal of barriers to participation and that indication that consideration will be given to the provision of general guidance on accessing facilities.**
29. **The Committee considers that there is a value in piloting a proxy voting scheme. It therefore intends to consult on how such a scheme would function with a view to proposing a temporary rule which would provide for a scheme that would permit Members, in certain defined circumstances including parental leave and long-term illness, to nominate a proxy.**
30. **The Committee suggests that such a scheme should be allowed to run for a period of around 12 months and that any permanent rule changes to provide for proxy voting should only be considered following a full evaluation of the scheme.**
31. **The Committee believes that continuing to provide for MSPs to participate remotely in parliamentary proceedings will contribute to ensuring the resilience of the Parliament in the future. Should the need to revert to fully virtual meetings arise, this will be much more straightforward if hybrid meetings continue, and Members are used to participating remotely and staff have the expertise and the technology to facilitate such meetings.**
32. **It was put to the Committee during the course of this inquiry that it should be thinking about what the Parliament should look like in ten years' time.**
33. **The Committee believes that the Parliament should commit to a culture of iterative change to allow it to be more representative, more open and more accessible in ten years' time.**
34. **While emphasising that in-person participation in parliamentary business should be the normal expectation, the Committee has concluded that hybrid meetings should continue in order to provide Members the opportunity to participate remotely in certain circumstances.**
35. **Furthermore, the Committee believes that committing to continuing hybrid arrangements is consistent with the Parliament's founding principles of accessibility and equal opportunities as it will allow the Parliament to be more inclusive in the future. The Parliament will be able to engage with people in the same ways as they engage using new forms of technology.**
36. **Looking to the future, the Committee hopes that the capacity for Members to participate remotely in parliamentary business will attract a more diverse range of candidates to stand for election to the Parliament. It also hopes that the Parliament can be more inclusive, seeking evidence from witnesses all over Scotland who reflect Scottish society more fully.**
37. **To borrow the words of one witness: do we want to just look back to the past or do we want to commit to a vision of the future? The Committee believes that, in allowing for remote participation in hybrid meetings, the Parliament is committing to embracing technology to deliver a more inclusive, accessible and equal Parliament in the future.**

Introduction

38. In March 2020, the rapid spread of COVID-19 and the introduction of public health restrictions required the Parliament to close its doors to the public for a sustained period of time and find alternative means for Chamber and committee meetings to take place with fewer Members present in person. For over two years, the Parliament adapted its approach to ensuring that parliamentary business and scrutiny of the Scottish Government could continue as the pandemic has surged and waned.
39. In adjusting to the constrained circumstances, the Scottish Parliament quickly developed the capacity to hold virtual and hybrid committee and Chamber meetings. The Debating Chamber of the Scottish Parliament, the location for meetings of the Parliament, was redefined to encompass those Members participating by video conference on a platform provided by the Parliament. Effectively, the physical parameters of the Chamber and committees were extended to bring in MSPs to participate in parliamentary business remotely.
40. Since late April 2022, the lifting of public health restrictions has made it possible for the Chamber and committees to meet at full capacity in person again. However, the Committee recognises that there may be situations in the future – some of which may be linked to a pandemic or another scenario – under which the Parliament may need to meet either wholly virtually or in a hybrid format with some MSPs participating in person and others participating remotely.
41. In February 2021, the Session 5 Standards, Procedures and Public Appointments (SPPA) Committee published a report to the Parliament recommending a series of Standing Order rule changes designed to respond to any such scenarios and ensure the future resilience of the Scottish Parliament.¹ Most notably, the changes agreed by the Parliament included permissive provisions to allow the Chamber and committees to meet in either fully virtual or hybrid formats and introduced a provision which allowed for temporary rule changes. The Session 5 SPPA Committee suggested that consideration should be given by the Session 6 Parliament as to how hybrid and virtual meetings could be improved and whether there is a need for the development of criteria and/or guidance related to the circumstances in which such meetings are held once the Covid-19 pandemic situation has improved.
42. In order to shape the focus of an inquiry, the Committee held a debate in the Chamber on 16 December 2021.² The key issues to emerge from the debate included:
- **The impact of the hybrid format on debate:** there was considerable discussion on the lack of potential to make or take interventions and the consequent impact on debate. Concern was expressed about the sterility of debate and the constraining effect that the hybrid format had on scrutiny.
 - **The need to promote procedural improvements prior to the pandemic:** there was some discussion about longstanding improvements that were necessary to improve scrutiny. A particular focus was on the format of, and arrangements for, oral questions and the quality and speed of written answers

from the Scottish Government. There was also some discussion on how “relevant” could be defined in practice.

- **Acceptance that there probably would not be a return to the pre-pandemic arrangements:** the majority seemed to consider that it was unlikely that there would be a return to all Members having to physically be in the Chamber or a committee meeting for every single parliamentary meeting, or that every vote would take place physically in the Chamber or a committee meeting.
- **Recognition of benefits of virtual participation:** the majority of those participating in the debate perceived advantages in a more flexible approach to the format for parliamentary business. These advantages included: the ability to balance parliamentary work and family/private life; including caring commitments; the ability to participate in parliamentary business notwithstanding weather conditions or illness; reduction in travel requirements and carbon footprints; the support that virtual formats could provide for the participation of Members with disabilities; the reduction in factors which might discourage people from standing for election who might previously have considered the parliamentary week unsustainable; and providing more flexibility to undertake constituency work.
- **Voting:** the issue of proxy voting was raised, and the benefits for MSPs in being able to appoint a proxy in certain circumstances. Mention was also made about the flexibility of the current virtual voting system and continuing its use.
- **Criteria for participating remotely:** there was some discussion about requiring Ministers to be in the Chamber to answer questions or participate in debates. However, there was also a recognition that Ministers faced the same challenges as other Members. The importance of Ministers being physically present was highlighted in relation to accountability and one Member emphasised the importance of any permanent changes not being abused.
- **Improvements in technology:** this issue did not dominate the debate, but significant concerns were expressed about the reliability and functionality of the platforms used and the continuing problems with them. The platforms were criticised for their lack of involving members who participated virtually: for example, the limited view of other Members and the clock in the Chamber. While the platforms have allowed the Parliament to continue to function, improved functionality and reliability should be core concerns in identifying the better platforms for the future.
- **Improvements in access to the Parliament and witness participation:** while the pandemic has curtailed many of the events and opportunities for the public to engage with parliamentarians and the Parliament, there was a recognition that virtual formats had facilitated the participation of witnesses in committees. This included those living more remotely, those who might have found the time commitment of travelling to Edinburgh burdensome, those with disabilities, and those who might have found it intimidating to participate physically in a committee meeting.
- **Financial costs and wider implications for others working in the**

Parliament: there was an acknowledgement of the additional costs of virtual participation, as well as some of the savings made if Members travelled less. It was also suggested that any permanent changes should take into account the impact on Members' staff.

- **Learning from elsewhere:** during the debate, the approach taken by other legislatures was raised.

43. A range of issues were debated and the Committee agreed to consider the following areas as part of its inquiry:
- The ways in which scrutiny and debate can best be conducted in hybrid and virtual formats
 - An assessment of the impact of virtual participation by MSPs and by committee witnesses
 - The resource implications of virtual participation
 - Wider changes to procedures and practices that would improve parliamentary scrutiny
 - The development of guidance for remote participation by MSPs and Scottish Ministers
 - How other legislatures have adapted during the COVID-19 pandemic and what can be learnt from the approaches they have taken
 - Different methods of voting, including proxy voting
44. The inquiry took place in the first part of 2022 and the Committee gathered the views of MSPs in four focus group discussions and a survey of MSPs, which received 24 responses. The Committee also heard evidence from representatives of other legislatures, academic experts, and stakeholders who engage regularly with the Parliament. All of this evidence is can be accessed via Annexe B.
45. The Committee then wrote to various bodies to seek their views on the inquiry. These included the Scottish Parliamentary Corporate Body given its responsibility in relation to resources and providing support to MSPs to enable them to carry out their parliamentary duties; the Parliamentary Bureau in the context of its responsibility for proposing the Parliament's business programme; the Conveners Group in light of its role in relation to the functioning of committees. The responses can be accessed via Annexe B.
46. The Committee would like to thank all of those who took the time to engage with the inquiry. The Committee hopes that a Chamber debate on this report will provide further opportunities for Members to engage on the issues that were covered in the inquiry.
47. The following report reflects on the changes that have taken place in relation to the ways in which parliamentary business has been conducted over the last two years, both in the Scottish Parliament and other legislatures, before considering the more specific evidence on how the Scottish Parliament's Chamber and committees

should operate in the future. The report concludes with some reflections on the potential for technology in the future.

48. The following sections of this report cover the experience of the pandemic before focusing on the continuing use of hybrid formats in the Chamber and the committees. The report also considers proxy voting and the future resilience of the Parliament. It concludes by reflecting how technological change can contribute to support the Parliament in being more accessible and promoting equal opportunities.

The experience of the pandemic in the Scottish Parliament and other legislatures

The changes to the Parliament's procedures and practices during the pandemic

49. As an institution, the Scottish Parliament adapted quickly following the first "lockdown" at the end of March 2020.³ The overriding objective of the Parliamentary Bureau at that time was "to ensure that parliamentary scrutiny could continue to the greatest extent possible, to support efforts to tackle the virus and hold the government to account."⁴
50. In the first two years of the COVID-19 pandemic, the Scottish Government used the made affirmative procedure over 100 times. This procedure allowed the Scottish Government to bring changes which formed part of the Covid-19 response into force with immediate effect. This was a procedure that previously had only been used a handful of times each year and it therefore represented a significant change to normal procedures for secondary legislation.
51. While there were some initial changes to items of business dealt with, this objective was achieved with business in the Chamber largely returning to its pre-lockdown pattern, including time being provided for opposition and Members' business by mid-September 2020.
52. In addition, a digital voting system was introduced in September 2020 to allow all Members, whether participating in Chamber business physically in the Parliament or via a remote platform, to vote. This voting system is considered in more detail later in this report.
53. Over the autumn of 2020, Chamber and committee business was largely maintained in its pre-pandemic pattern, albeit with business taking place in either a fully virtual or hybrid format. However, at the beginning of 2021, a further "lockdown" and renewed public health restrictions further limited the number of Members able to physically be in the Parliament until the end of March before the Scottish Parliament Election in May.
54. The capacity of the Chamber was altered to comply with various social distancing requirements from the outset of the pandemic until the end of April 2022. The Chamber was adapted to add additional seating, including the installation of a number of desks in the public gallery. The table below shows the number of Members who were able to participate in person in Chamber business depending on the social distancing requirements that were in place at the time.

Number of Members in the Chamber	Social distancing requirement in place
53	2m social distancing (original Chamber desk configuration)
70	2m social distancing (following installation of additional desks)
101	1m social distancing (with additional desks)

55. At the beginning of Session 6, the Parliament met fully in person in order to elect the Presiding Officer and the Deputy Presiding Officer. To do this, the whole of the

Parliament was deemed to be the Chamber and Members were accommodated in various locations within the Parliament while the secret ballots took place. While a temporary rule was agreed to allow Members to participate in this vote and take the oath of allegiance remotely, only one Member did so.

56. From the beginning of the current session of the Parliament until the end of April 2022, the Chamber and committees continued to meet in a hybrid format and two fully virtual meetings were held during the Christmas recess and some committee meetings taking place virtually. With the relaxation of most public health restrictions following the Easter recess, the Chamber and committees were able to meet fully in-person. The majority of Members started participating in Chamber business in person, although a significant number continued to participate in Chamber business on the remote platform in order to vote. Similarly, the majority of Members reverted to attending committee meetings in person.

The experience of MSPs of the changes to the Parliament's practices and procedures

57. Prior to the pandemic, the typical working pattern for MSPs when the Parliament was in session was for MSPs to come to Edinburgh for Tuesday, Wednesday and Thursday for parliamentary business, with committees meeting in the morning and Chamber meetings in the afternoon. On Monday and Fridays, Members worked in their constituencies although for Members living further away from Edinburgh, Mondays and Fridays might also be used for travelling back to their constituencies.
58. The need to be present in the Chamber, particularly to vote could, on occasion, prove challenging to MSPs. Members described having to miss significant family events, including funerals or graduation ceremonies, or being unable to represent the Parliament in inter-parliamentary meetings with other legislatures due to the need to be present at Holyrood to vote.
59. While the onset of the pandemic resulted in an increase in constituency work and challenges for constituency offices to continue their work in the context of public health restrictions, over the longer term many Members indicated that hybrid working had provided them with improved flexibility in balancing their constituency work and parliamentary work with personal commitments. In addition, due to the reduced numbers that could be accommodated at Holyrood, Members were travelling less.
60. A number of Members reflected that the potential for remote participation in parliamentary business had been positive in terms of reducing the Parliament's carbon footprint. It also changed the way that they engaged with constituents as they could hold or attend meetings on virtual platforms.
61. However, concern was expressed about the relative experience of those MSPs participating in parliamentary business in person and those participating remotely. In particular, it was felt that there were fundamental differences in the experience of participating remotely that disadvantaged those who participated via the remote platform. Notably, it was not possible to make or take an intervention in a Chamber debate. In addition it was difficult to have a sense of reactions in the Chamber or to

“read the room” as Members participating remotely could only see themselves and not see or hear reactions in the Chamber or committee. The audio quality was poorer and there were perennial problems with connectivity.

62. It was also highlighted that it was more difficult to chair a meeting and some Members suggested that those participating remotely might take longer in asking or answering a question or making a contribution in a debate.
63. The potential for unintended consequences was also pointed out. For example, concerns were expressed about the impact on MSPs who, for whatever reason, attended the Parliament infrequently not having the same opportunities as those who were able to attend on a more regular basis.
64. The importance of being at Holyrood was stressed for developing the relationships that were so important for MSPs. This included party colleagues and other MSPs across the political divide. It was highlighted that casual conversations could be important in developing initiatives or resolving problems. Reference was also made to the opportunity to have contact with Ministers in the Chamber and being able to take constituency issues to them directly. Some Members reflected that it had been particularly challenging for new Members to start the session when it was not possible to participate in parliamentary business in-person on a regular basis.
65. Thus, the period in which public health restrictions were in place had a profound impact on MSPs. Some, like many people in the broader population, found it easier to balance competing parliamentary commitments and their personal lives. Virtual platforms became a fundamental way of working for MSPs, whether they were participating in parliamentary proceedings or engaging with constituents. While these platforms enabled MSPs to continue to fulfil their roles, it was not always optimal. The recent lifting of restrictions has allowed MSPs to attend the Parliament and participate in business in the same way that they did before the pandemic, but the facility to participate remotely is still provided and the continuing use of the remote voting platform is one enduring example of the flexibility that the changes brought about by the pandemic have provided.

The changes to the procedures and practices of other legislatures during the pandemic

66. The Committee took evidence from representatives of the House of Commons, the House of Lords, Dáil Éireann and the Flemish Parliament. From this evidence it became clear that none of these legislatures intended to make significant changes to their procedures to build on the changes that they had put in place during the pandemic.
67. The Rt Hon Karen Bradley MP, Chair of the Procedure Committee, House of Commons, explained the approach that the House of Commons had taken during the pandemic early part of the pandemic. She observed:

” There is no doubt that our scrutiny was not as good during Covid, but we should look at the reality. If we had not introduced that hybrid Parliament straight after Easter 2020, we would have had no scrutiny. The idea that that was a bad thing is just plain wrong. We were one of the few Parliaments that sat through the whole pandemic and was able to do some scrutiny.⁵

68. She also explained how the proxy voting system was extended to allow Members to vote:

” We ended up with the whips taking the votes—that was true in all parties—because we simply did not want to have people in the House of Commons any more than was necessary. Social distancing, the state of the pandemic at the time and the fact that we were trying to control the virus meant that we were dissuaded from being physically in the building. As I have said, a person could physically turn up and speak if they wished to, or they could speak virtually if they preferred to, but the whips took the proxy votes at that time.⁶

69. While an app was developed for voting in the House of Commons, the preference had been to move to the use of pass readers to scan a parliamentary pass for voting in the lobbies. Similarly, hybrid participation in the House of Commons Chamber and select committees had not been continued. The Rt Hon Karen Bradley MP noted that she did “not get the sense that, at the moment, the house has a majority in favour of virtual participation in any other part of our business.”⁷

70. Lord Gardiner of Kimble, Senior Deputy Speaker, House of Lords, told the Committee that there was a strong feeling in the House of Lords “that the scrutiny and the proceedings were not as dynamic and immediate”⁸ when conducted in a hybrid format. The House of Lords also had a virtual system – PeerHub – which had enabled all peers to vote, but was moving to the use of pass readers in the new session. Lord Gardiner explained that the autonomy of select committees allowed them to decide how best to conduct their own business, so they could decide autonomously whether to meet physically, virtually or in a hybrid format and that the committee rooms had been upgraded to facilitate remote participation. The key change looking to the future was to provide for the virtual participation of Members with long-term disabilities.

71. Denis Naughten TD, Member of the Dáil Éireann, gave evidence to the Committee on the experience of the Dáil Éireann. He explained that, under the Irish constitution, both Houses of the Oireachtas were required to “sit in or near the City of Dublin or in such other place as they may from time to time determine.”⁹ As constitutional change in Ireland requires a referendum following approval by both Houses of the Oireachtas, the Dáil had had adopted a dual-campus approach during the pandemic, with plenary sittings taking place in the Convention Centre in Dublin and committee meetings in Leinster House. During the main restrictions, only one third of members could participate at any one time.

72. Denis Naughten TD also informed the Committee that the “Ceann Comhairle—the Speaker of the Dáil—established, in March 2021, a family-friendly and inclusive Parliament forum, in which we had the staff of the Oireachtas, as well as members, looking at how we could make Parliament far more family friendly.” He told the

Committee that:

” One of the issues that was looked at was the introduction of hybrid sittings for the Dáil, the Seanad and committee business, whereby members would choose to participate in some business either remotely or physically. That would require extending the designation “Parliament” to other physical locations, so we are looking at introducing regional hubs in existing state buildings, where members from surrounding constituencies could participate in Dáil, Seanad or committee business without the need for them to be physically present in the Parliament complex in Dublin.¹⁰

73. Denis Naughten TD said that there was a demand from the Members of the Dáil to go back to physical voting in the Chamber and that there did not seem to be a demand for remote voting. Instead, the preference seemed to be for confining “voting to a specific period in the parliamentary week, to allow members to plan their time around it.” The Dáil was therefore trying to dispose of all voting on a Wednesday afternoon or evening, thereby concentrating the business that “requires people to be physically present in Parliament in that particular period to provide a level of flexibility.”¹¹

74. The Flemish Parliament switched to virtual and hybrid meetings during the pandemic, although plenary sessions continued to be physical meetings but with reduced numbers of Members present. The Members who were not physically in the Chamber were not able to participate in proceedings remotely. This meant the number of Members able to participate in debates in plenary was only 39 (of 124 Members) at one point, although that increased to 70 with the easing of social-distancing restrictions. However, all members were able to vote on a voting platform either remotely or in the Chamber. Committee meetings were mainly virtual meetings, although the committee chair was physically in the Parliament with a clerk. While only one committee room could be used for virtual meetings at the beginning of the pandemic, this was increased to six.

75. However, it was not anticipated that any of the changes would be continued. Gerit Vermeylen, Director of Legislative Services, Flemish Parliament, told the Committee that the Flemish Parliament had switched back to its original voting system. While some Members were in favour of remote voting, he did not think that there was majority support for remote voting and that physical presence would continue to be necessary for Members to participate in voting in the future.¹²

76. The Committee notes that, in comparison to the other legislatures that it heard from, the Scottish Parliament introduced more measures to ensure that its Members were able to participate in parliamentary business, that all types of parliamentary business could continue and that all MSPs were able to vote. While the platforms used to provide hybrid meetings could not replicate in-person parliamentary business, and the informal engagement that would normally take place in the building was reduced, the Parliament was able to fulfil its core function of scrutiny of the Scottish Government.

77. The Committee considers that the evidence it has heard from other legislatures

clearly demonstrates that each legislature has been taking decisions in light of its own experience of the pandemic and the broad preference of its members. While there were some enduring changes in the four legislatures that the Committee heard from, these were limited to improvements in areas such as voting systems, minor changes in practices and sitting patterns and some improvements in technological capacity rather than significant revisions to parliamentary procedures and practices.

The Scottish Parliament: should the changes to procedures and practices be continued?

78. During the course of this inquiry, a key focus of the evidence was on whether hybrid Chamber and committee meetings should continue in order to allow Members to participate remotely and, if so, should there be any constraints on the circumstances in which they could participate remotely.
79. The following section of this report first considers the implications of hybrid working and the technological changes that have been put in place and the potential benefits from continual improvements to these. It then addresses the question of whether Members should be able to continue to participate remotely in Chamber and committee meetings.

The implications of hybrid working and voting

80. As indicated earlier in this report, the Scottish Parliament agreed permissive changes to its procedures at the end of Session 5 which allowed for Members to participate remotely in Chamber and committee meetings. This provided the Parliament and its elected members with flexibility until the public health restrictions were lifted at the end of April 2022 and Members were able to participate in person in parliamentary business. Since the end of April, while a few Members (including government ministers) have participated virtually, usually for health reasons, Members have almost always participated in person in Chamber and committee meetings. However, a significant proportion of members are still using the remote platform to vote remotely.
81. The Committee collected evidence on the implications of hybrid meetings more generally for legislatures. Among those that the Parliament heard from, there was a concern about significant levels of hybrid participation, as well as the implications for an individual Member of regularly participating remotely in parliamentary Business and the impact that would have on the development of professional relationships and informal contact within the Parliament.
82. Professor Meg Russell, University College London, emphasised the importance of the physical presence of parliamentarians, stating, “parliaments are places that should include people who are present, so you should be cautious about how far you adopt virtual arrangements for the long term.” She stressed the importance of the informal contacts that occurred, noting that “although legislatures are very public and formal places with lots of rules and procedures, what goes on informally and behind the scenes matters a great deal. If people are not present, they are not able to participate in those informal communications, negotiations and so on.”¹³
83. Professor Russell’s view was echoed by Denis Naughten TD. He said:

” We need to remember that politics is the art of compromise and a lot of parliamentary work is not done on the floor of the chamber; it can be done over a cup of coffee. For example, this week, I have engaged separately with three ministers on three different pieces of legislation for which I am pushing a particular approach. I met one of them in the lobby in the chamber before voting, I met one outside the committee room after discussing a piece of legislation, and I met another over a cup of coffee in the canteen. That aspect is important in trying to get compromises and solutions during the passage of legislation. They do not happen in the chamber itself. That is an important part of Parliament—it is not just about the chamber; it is also about the complex itself and the engagement that takes place bilaterally and multilaterally before legislation is presented on the floor of the house. ¹⁴

84. The Parliamentary Bureau also emphasised the importance of informal spaces and interactions for Members, stating:

” The Bureau would highlight the importance of Members being able to establish relationships and shared areas of interest, both within and across parties, as well as the opportunities for engagement with stakeholders via events and exhibitions. Business Managers consider that the first year of this Session has demonstrated those challenges, particularly for new Members who will have had less opportunity to establish such relationships than the groups of newly elected Members will have experienced in previous Sessions. ¹⁵

85. Remote participation was widely perceived as reducing the dynamism of debates. Professor Russell commented that “it is a shame if you lose the spontaneity of people being able to stand up and respond to each other.” ¹⁶ Similarly, Gerit Vermeylen noted that in the Flemish Parliament there was “a strong feeling among a lot of members of Parliament that the quality of debates suffers as a result of the use of those hybrid possibilities” and that there was more “feeling in a debate that takes place in a virtual environment than there is in one that takes place in a physical environment.” ¹⁷

86. In reflecting on the nature of parliamentary debate, Professor Sarah Childs, University of Edinburgh, suggested that there was a need for a “public conversation, as well as an institutional conversation, to be had about what makes for an effective chamber moment.” She commented:

” I am, of course, not in favour of very long speeches that people cannot interrupt or that feel as though one is being spoken at rather than there being discursive dialogue and deliberation. Those are important principles of chamber moments, but we can accept that members in any Parliament can do their job differently and be good parliamentarians. That is something that we have not talked about as a society, because we have very traditional views— for example, the idea of the speech-making elder statesman in an institution. I would like to think that we can, in newer institutions, be more diverse, such that it is recognised that the good parliamentarian takes many forms. ¹⁸

87. Dr Andy Williamson, Democratise, told the Committee that in his experience different countries had different cultures in relation to debate, noting that in both Germany and Spain the format for debate consisted of a list of speakers without the

practice of interruptions or heckling. In comparison to these countries, he noted that, “In Scotland, we have a system of debate that is responsive and interactive. He indicated that there was less inclination in most Parliaments to provide for hybrid proceedings in plenary than in committees given the difficulties in replicating debate:

” For all my promotion of digital transformation—hybrid meetings are a great idea and, certainly, in an emergency situation are absolutely vital—that does not replace the in person plenary. In the research that I have been doing with the Inter-Parliamentary Union and the centre for innovation in Parliament, we have seen from around the world that 66 per cent of Parliaments use hybrid or virtual tools for committees and that only 33 per cent use them for plenary meetings. One of the reasons for that is that hybrid just does not replicate in-person plenary because it is too difficult to have spontaneous debate. Interactions are, as has already been mentioned in this session, immensely challenging. Hybrid only really works in a parliamentary system with speaker lists and a very ordered structure, with no interruptions. Then, hybrid is business as usual, in effect. ¹⁹

88. While the majority of Members who responded to the Committee’s survey believed that hybrid arrangements had been positive in allowing for Chamber meetings to continue throughout the pandemic, the format was perceived to have constrained debate. In particular, views were expressed about the difficulty in making effective and timely interventions. Many members commented that there was no substitute for in-person debates.

89. Members who participated in the focus groups sessions organised by the Committee expressed concerns about potential unintended consequences of Members participating in a hybrid format on a regular basis. Notably, it was thought that this could result in a diminution of opportunities for those that participated remotely as they were less present in the Parliament and would have fewer opportunities to build relationships both within their own parties and across the political divide.

90. The Parliamentary Bureau also indicated that it was of the view that a hybrid format was not optimal for parliamentary proceedings:

” things can be missed if Members are participating remotely. For example, non-verbal communication and the ‘temperature’ of the Chamber can be difficult to judge when participating remotely which may put the remote Member at a disadvantage compared to those who are present in person. ²⁰

91. However, the Parliamentary Bureau also highlighted the intention to move to a new platform in September 2022 which would allow interventions to be made and taken, whether a Member was present in the Chamber or participating remotely. There were also other improvements that would be put in place to improve the experience of participating remotely.

92. Dr Ruth Fox, Director, Hansard Society, identified the core question from the perspective of a Parliament being about whether a permissive or restrictive approach was taken to virtual participation. She asked:

” Do you want virtual participation to be a short-term solution to a particular logistical or operational problem—for example, members being unable to travel to the Parliament, because of the weather, transport breakdowns or travel problems—or do you want it to be a longer-term option that some or a significant number of members who might not otherwise be able to be parliamentarians can take up as a way of engaging and being involved? ²¹

93. Dr Fox recognised that remote participation could support a Parliament in attracting Members who might not otherwise be able to be parliamentarians, but recognised the consequences of this becoming a long-term proposition. She observed:

” ...participation might offer you a solution, but there is a very significant trade-off... The culture of the institution would change considerably. It would not necessarily change considerably if this were a short-term stopgap measure used from time to time to enable members to participate or vote. For example, they might get Covid and have to isolate for a week, or they might have a short illness that meant that they could not travel to the Parliament. Having such an option would avoid their being disenfranchised from proceedings—and also from voting, if you also provided a virtual or a proxy voting option. In those circumstances, the cultural loss for the institution would be smaller. ²²

94. Professor Russell emphasised the importance of equality stating that, “Equality is fundamental to democracy, and Parliaments as democratic institutions have, as a core principle, equality and everyone having equal rights of participation.” She warned:

We must be very careful that we do not set up a situation in which, on paper, it looks as though there is a nice broad spread of participation but, in fact, the people who are really at the heart of things and taking the decisions are not a representative group—it might be the case that more of them are male or are non-parents or people of a particular age or in a particular wealth band or whatever. That would be a retrograde step. We need to have the full participation of everybody on an equal basis. The risk with virtual participation is that we slip into some people not being there when the decisions are taken, because, if the real decisions are taken behind the scenes and they just log in for the formal meetings, their voices will not be fully heard. ²³

95. Denis Naughten TD referred to the importance of interpersonal relationships and the challenges of developing those relationships during the pandemic. He saw a need for an:

” ...element of collegiality to be able to vote with colleagues when difficult decisions have to be made. That kind of relationship can be built up only when interpersonal relationships have already been built. One thing that has come out of Covid19 is that surveys have shown that 44 per cent of people have reported that they have found it harder to build trust with co-workers while working remotely. That also applies to Parliament. We had our parliamentary election in the month before Covid hit Ireland, so there is definitely such a deficit, particularly among newer members. ²⁴

96. Professor Russell advised of the need to define “hybridity”. She argued that it would

be more defensible if all members participated in person some of the time and virtually some of the time:

” It could mean that everybody would work from home and dial in via videolink one day a week, say, or one week a month. That would be a very different arrangement from one in which, say, half the members were always present and the other half were never there. The second of those models would become particularly problematic if the half who were there were the men and the ones who were staying at home with the caring responsibilities were the women. I think that we need to go beyond the word “hybrid” and ask what the rules would be for that hybridity and how exactly it would work.²⁵

97. Professor Sarah Childs highlighted the need to consider potential detriments deriving from hybrid arrangements:

” For me, the central point is that one needs to be clear about whether there is any meaningful detriment. That might be at the individual level, but it also might be at the institutional level. There could be individual advantages of hybridity, notwithstanding what you said. I think you are right—it would be disingenuous to suggest that the in person and the informal are not acutely critical to how well one can do the job. However, at the institutional level, the quality of scrutiny and advocacy might be enhanced by some members being able to participate in a hybrid way, so that they are present. There is that tension between inclusion—a diverse inclusion—and those voices not being present if one closed down hybridity. I think that that is what institutions need to explore.²⁶

98. Professor Sarah Childs also highlighted a concern around hybrid meetings allowing for executive influence over parliamentary business:

” On the concerns around hybridity, the extent to which moving to hybridity raises issues of executive dominance and the ability of Governments to control the time and space for interactions is very important.²⁷

99. As already indicated, in addition to providing for remote participation in parliamentary meetings, the Scottish Parliament’s virtual voting platform allowed Members to vote from outwith the Chamber, so long as they are present virtually in the meeting. There was almost universal agreement among the MSPs who responded to the survey that virtual voting has been a positive development and that it should continue.

100. However, there were a number of comments on the need to improve the voting platform as it could be cumbersome. The Scottish Conservative and Unionist Party highlighted the longer period of time necessary for remote voting and called for improvements to the voting system so that the time taken for remote voting was comparable with the time taken prior to the pandemic.²⁸

101. The Scottish Parliamentary Corporate Body (SPCB) noted that while remote participation by Members had reduced since the Parliament had been able to return to full occupancy levels, early indications suggested it continued to be the case that a significant proportion of Members were still making use of the remote voting system. It explained that, “Given that Members are required to be present (either physically or virtually) in a parliamentary meeting to be entitled to vote, the

continuation of remote voting is predicated on the continued ability of Members to participate remotely.”²⁹

102. The SPCB indicated that work was ongoing to improve the voting system. This could include the introduction of new equipment in the Chamber to allow Members to vote from their desks using the same voting platform as those accessing remotely. The Parliamentary Bureau also recognised that there has been “ongoing development and improvement of the digital voting system since it was introduced and that this approach should continue to identify any potential improvements in the operation of the system.”³⁰ The Scottish Parliamentary Labour Party stated that it supported “the continued use of the digital voting system and welcomes that this is being upgraded to reduce the voting time to make the system more efficient.”³¹
103. From a sampling of voting figures in June 2022, March 2021 and January 2020, the numbers of Members voting at Decision Time has been broadly the same suggesting that the voting platform has allowed for the Members to participate in votes to the same degree as they did prior to the pandemic.

104. **While the evidence heard by the Committee highlighted a range of concerns about hybrid arrangements in legislatures, it recognises that the platform used currently in the Scottish Parliament to support Chamber business is one that has primarily been enabling. The Committee acknowledges that a hybrid Parliament has faced challenges in conducting effective scrutiny. However, the platform has provided for members to continue to participate in Chamber business throughout the pandemic and for scrutiny to continue. This has been an important achievement which should endure.**

105. **However, as the evidence collected by the Committee shows, the existing hybrid platform does not replicate in-person participation in parliamentary business. The dynamic in debate can be lost with fewer interventions, while those participating remotely have little sense of the atmosphere in the Chamber and feel physically distanced from proceedings. The informal contacts between parliamentarians are reduced and there is a risk that those who participate remotely on a regular basis could feel isolated and not have the same opportunities as other Members who were present.**

106. **The Committee considers that provision in the Scottish Parliament to vote remotely, while at times cumbersome, has been extremely important in allowing members to vote at the same levels as prior to the pandemic and this should continue. This is in marked contrast to other legislatures where the number of Members able to exercise their vote personally was diminished.**

The potential of hybrid meetings to promote

accessibility and equal opportunities

107. The founding principles of the Scottish Parliament are Accessibility; Accountability; Equality of Opportunities; and the sharing of power between the executive, the parliament and the people.
108. From its inception, it was foreseen that the Parliament would “adopt modern methods of working; that it would be accessible, open and responsive to the needs of the public; that participation by organisations and individuals in decision making would be encouraged; that views and advice from policy specialists would be sought as appropriate.”³² In designing the Scottish Parliament, the architect Enric Miralles sought to invite the people of Scotland into the building, seeing it as a place for shared conversation.³³
109. Some of the evidence heard by the Committee pointed to the opportunities in promoting a more diverse Parliament by providing for remote participation. Professor Childs said:
- ” From a diversity perspective, it is about exploring the possibilities to better address the difficulties that some people will have in participating in a completely physical institution and weighing up the advantages that one can get from enabling hybridity—for example, by enabling attendance by people who cannot travel for whatever reason or who cannot be in an institution for five days in a row, or for whatever number of days you are present in any one week.
- I want to bring in that alternative reading to see what can be advanced through technological solutions. We must also recognise that there is a balance to be struck between the individual’s participation and the institution’s efficacy and effectiveness, including the quality of representation. I am very much in favour of a permissive situation in which some of those questions are explored technologically to see what could happen.³⁴
110. Dr Williamson stressed the need to “do anything that we can to make the Scottish Parliament more accessible to more people. We want our representatives to look like us, but they do not unless you are a white, middle-aged male.”³⁵ He argued that change could be brought about by providing for hybrid meetings and enabling MSPs to work in ways that fit in more around their lives, including around childcare, caring responsibilities and where they live.
111. The Rt Hon Karen Bradley MP told the Committee that the capacity to participate virtually had resulted in more women MPs participating in parliamentary business in the House of Commons:
- ” “...the statistics were clear. More women were participating virtually, compared to their average participation in the House of Commons, as were more people with long-term health conditions, who would not have been able to be anywhere near Parliament and cannot come even today when Covid is not the public health emergency that it was in the lockdown era. We had people who could not travel. We all know of such instances; my committee heard some very powerful evidence on that.³⁶

112. She argued that there could be a need to look fundamentally at the way the UK Parliament operates “to make it culturally and physically a better place for all people to participate.” She argued that:

” We want people who make the Parliament look like the rest of the country, so that people can look at the Parliament and say, “Yes—that person is like me. I could be one of them.” This is not just about hybridity; it is about everything that we do.³⁷

113. Professor Childs perceived an opportunity to “transform the conditions under which parliamentarians can undertake their work, that can transform perceptions of the institution as being one that is open and that facilitates presence and effective participation.” She argued that this could be symbolic, signalling the “Parliament as an institution that is a role model and that is leading in society by being a place that is for everyone.” She concluded:

” A permissive hybridity enables a right to participate that we would see in many other places of work. That matters because this is a public place of democracy. It should signal that, whatever your circumstances, the institution will do its best to be open to you. That is very much about all the groups that you have mentioned, but it is really about creating that parity and the fundamental right to participate in politics. That equality is essential to a healthy democracy.³⁸

114. **On the basis of the evidence heard, the Committee considers that there are strong arguments about the potential for hybrid arrangements to make the Parliament more inclusive and accessible: developments which accord with the founding principles of the Parliament. This may present a further reason for continuing hybrid arrangements as a means of encouraging a more diverse range of people to stand for election to the Parliament. It will provide the Parliament with the flexibility in the future to offer alternative means of participating in parliamentary business, rather than requiring elected members to fit into established methods of working notwithstanding their personal circumstances.**

115. **The Committee considers that the impact of hybrid meetings should be monitored over the longer term to assess the extent to which they provide for equal participation in parliamentary business, promote diversity and support participation levels.**

Technological changes

116. Prior to the pandemic, the Parliament had very limited infrastructure for supporting virtual meetings and substantial investment in infrastructure was required.
117. There was a widespread acknowledgement that the use of technology had enabled parliamentary proceedings since the beginning of the pandemic. In evidence to the Committee, Dr Williamson highlighted the “technological revolution that we have

experienced that has accelerated massively in the past two years as a result of the pandemic and things that Parliaments have had to do.” He argued that this had:

” ...changed the fundamental fabric of how Parliament works and has transformed Parliaments into digital-first institutions whose legislative management systems are better, whose communication systems are better and whose ability to be open and to connect with the public is enhanced. There are opportunities as well as challenges.³⁹

118. The Session 5 SPPA Committee report provides more detail of how legislatures adapted to the health restrictions and noted that the Scottish Parliament had been relatively successful in developing the infrastructure to support hybrid and virtual meetings of both the Chamber and committees and ensuring that all types of Chamber and committee business could be conducted in a hybrid format. In its submission to the Committee, the SPCB summarised what had been achieved:

” ...we introduced our virtual and hybrid technology and infrastructure at pace as an emergency response to the Covid-19 pandemic. This allowed the Parliament and its committees to continue to meet throughout. Over time we made a series of changes that allowed Members to participate remotely in the full range of parliamentary business items, most significantly, through the introduction of the digital voting system.⁴⁰

119. The SPCB also explained the ongoing work that was being undertaken to improve the hybrid platform with the intention of enabling interventions during debates regardless of whether Members participate in person or remotely, noting that the new platform would be operational after the summer recess.

120. The Committee benefited from an early demonstration of the new platform and notes that in addition to supporting interventions, the new platform will be more streamlined and reduce the resource required to support hybrid meetings. These improvements were summarised by the SPCB:

” The new platform currently being prepared for use after the summer recess is designed to improve Members’ experience both in the Chamber and while remoting in. Members will be able to access it using their existing equipment. BIT staff remain available to advise on home and office set up. As well as improving the nature of debate, when embedded this change will reduce the additional staff resource that has been required during the pandemic response. However, the SPCB notes it is now supporting two new parliamentary services – remote voting and the hybrid platform - and that this requires to be resourced. Work processes and staffing resources will be kept under review to ensure that the new platform is delivered in the most efficient way and that spending is proportionate to ongoing service demands or to address resiliency.⁴¹

121. There was also a discussion in evidence about the effect of decisions by legislatures not to continue with the technological improvements that had been introduced to facilitate remote participation during the pandemic. Professor Russell commented that:

” Another interesting trade-off here ... is that, if you do not continue experimenting with the technology, you will never find the solutions to allow the spontaneity that we are currently lacking. There was some phenomenal development by people behind the scenes in Parliaments in the UK and around the world to get these arrangements up and running, but it was only done through pure necessity. If we do not need it, maybe we will not prioritise making it work in quite the same way, which is a conundrum. ⁴²

122. Dr Fox observed that, “Some of the problems that you see virtually are also replicated in debate, just in a different form. It might well be that, as technology develops and moves on and as we all become more accustomed to it, forms of communication and the way in which we engage will naturally change, too.” She warned that:

” There is a risk that, if all the Parliaments around the world were to take a view to restrict or turn off virtual proceedings, technological development could be hindered, and we will not see the possibility of improvements that we might have seen, had things continued. ⁴³

123. The Committee also heard from civil society bodies that engaged regularly with the Parliament. Kimberley Somerside, Voluntary Health Scotland, commented on the potential for further developments in relation to remote participation:

” With regard to what the Parliament could do, it would be great if, in the future, the Parliament could take a lead in this area by being flexible, creative and ambitious. A lot of organisations are going through the exact same challenges that the Parliament is going through, and they will be looking to the Parliament for a lead ... I would urge the Parliament to have more ambition, if possible. ⁴⁴

124. Mhairi Wylie, Highland Third Sector Interface and TSI Scotland Network, stated that a hybrid model “actually demonstrates that we have a much more accessible Parliament that is operating, and trying to engage with people, in new and different ways. To some extent, it is innovation that may be making people feel a bit uncomfortable.” ⁴⁵

125. The Committee recognises the improvements in technology that have supported the continuation of parliamentary business throughout the pandemic. It notes that, should the pandemic have occurred ten years ago, the Parliament would not have been able to respond in the way that it has done. Technological improvements enabled the Parliament to continue to operate through the pandemic and future technological improvements are likely to support more optimal remote participation in hybrid meetings. The Committee requests that the SPCB regularly updates the Committee on further investment in technology and infrastructure.

126. The Committee very much welcomes the specific plans to introduce a new platform for hybrid meetings and, as indicated earlier, considers that this will help to improve the ability of Members to debate by allowing

interventions to be made or taken by both Members in the Chamber and those participating remotely.

127. **The Committee concurs with the argument that abandoning hybrid arrangements at this point in time would inhibit and constrain the further development of technology. The Committee believes that the Parliament should commit not only to retaining the facility for hybrid meetings, but that it should also aim to continually improve the infrastructure and use of technology to deliver those meetings. This, in turn, will support a culture that supports iterative change and innovation, rather than one which retains existing ways of working because they are familiar.**

Future arrangements for the Chamber

128. While social distancing restrictions were in place and the number of people who could physically be present in the Chamber was limited, business managers were responsible for organising which of their members came to the Parliament to participate in Chamber business. It was therefore for each political party to manage who could attend Parliament and take up the places in the Chamber allocated to that party. All other members were able to participate remotely.
129. As indicated earlier in this report, the overwhelming majority of Members speaking in Chamber business are now physically in the Parliament. It remains the role of each party to nominate which of its Members will speak in debates in the Chamber. Thus, the political parties have had a longstanding role in managing the participation of their members in Chamber business.
130. The practice of informal pairing has also been used by the political parties for a number of years. This allows parties to come to informal agreements with each other to pair Members who are unable to participate in parliamentary business. The duration of such arrangements might be short-term, but also might cover a longer period such as a maternity leave.
131. There was some discussion in evidence about whether there should be criteria for remote participation and who – if anyone – should be responsible for managing compliance with them. Dr Fox raised a series of questions about how a system should be managed:
- ” You can think about the management of the system, if you like, at different levels. If you deploy restrictive criteria, who manages that and who certifies it if some form of certification is required? Should it be the parties or should it be the Speaker or Presiding Officer or a cross-party body? For political parties, I can imagine that it might be quite difficult for members if there are personal or health reasons that they do not want the party whips to know about; there could be an issue there. It might naturally rest better with the Presiding Officer, or you might have a system of self-certification.⁴⁶

132. The evidence from the focus group sessions showed that there were mixed views on the circumstances in which a Members should be able to participate in proceedings virtually. Some members were of the view that MSPs should be in the Chamber to ask a question or participate in a debate apart from where there were geographical, illness or family commitments.
133. Similarly, the survey evidence indicated that while there was widespread support for hybrid meetings remaining an option for the future, there were differing views on whether remote participation should be a standard feature and available to any member, or whether there should be prescribed circumstances. Just over half of the Members who responded to the survey indicated there should be a list of 'valid reasons' for MSPs to participate remotely. Suggested criteria included illness, family commitments, and geographical distance. However, there was no consensus on whether such a system needed to be managed, for example by party whips or by the Presiding Officer. Furthermore, it was pointed out that there could be sensitive personal or health reasons as to why a Member might wish to participate remotely.
134. The Chamber was perceived as central to parliamentary proceedings and that participation in the Chamber was fundamental to successful debate and scrutiny. Some were of the view that Members should be in the Chamber as it was their job.
135. The response from the Scottish Conservative and Unionist Party did not support criteria for participating virtually; instead stating:
- ” ...it should also sit on their consciences if they are not performing their duties. We are sure their corresponding parties and voters will notice.”⁴⁷
136. The Scottish Parliamentary Labour Party was of the opinion that the default position should be that Members were in the Chamber whenever possible. However, it also considered that “the flexibility provided by remote participation should remain and that this can be used as a way to enable Members to participate in business while, for example, managing caring responsibilities and other commitments, as well as any health issues.”⁴⁸
137. The Parliamentary Bureau indicated that while it would not be desirable for there to be more Members participating remotely than participated in person, it did not consider that there should be specific criteria for remote participation. In addition, it was not of the view that a Member should choose to participate only virtually on a very regular or permanent basis, other than in instances of ill health. The Committee noted that the Parliamentary Bureau concluded that remote participation was a matter of judgement for each Member. The Parliamentary Bureau further indicated that “Business Managers have a role in ensuring that attendance in the Parliament is maintained at an appropriate level” but did not quantify that level of participation.
138. The Parliamentary Bureau did not agree that there should be any time limits set for a Member indicating that they wished to participate remotely. It explained:

” It is recognised that, while not being prescriptive about time limits, the more notice given of intended remote participation the better, but that the circumstances in which Members may wish to participate remotely may arise at short notice. For example, if a Member had had to make provision for childcare or other caring responsibilities at short notice, if a varying health condition might mean that a Member was not able to travel to the Parliament or if there was local transport disruption. while not prescriptive. ⁴⁹

139. The Committee considered whether Ministers should be required to be in the Chamber when speaking in that capacity. A slim majority of Members who responded to the survey indicated that Ministers should always be present in the Chamber with some of those considering that this should be a requirement. At the focus group sessions, a number of Members expressed the view that there should be higher expectations in relation to Ministers and Cabinet Secretaries appearing in the Chamber in order to ensure effective scrutiny. In particular, it was highlighted that Ministers should not be participating virtually from their parliamentary offices.
140. Others commented that all Members should be treated in the same way and that different rules might result in some Members never seeking or taking ministerial office due to their personal circumstances. It was pointed out that Ministers might have medical conditions that they did not want to share with people and that the introduction of a barrier could result in de facto discrimination against those who could not participate.
141. In evidence to the Committee, Gerit Vermeylen indicated that he did not consider that it made a difference whether Ministers were physically present, noting, “They can also be held accountable in the virtual way of working. It might be a cultural thing, but I really do not see any reason why it can make a difference.”
142. It was also pointed out by Members that the hybrid arrangements can provide flexibility to Ministers or Cabinet Secretaries when they faced personal or health issues just like any other elected member. For example, the flexibility of being able to participate remotely on occasion would allow them to balance personal and parliamentary commitments, caring commitments or illness. It was also pointed out that placing different requirements on Ministers could deter Members with a disability, health issue or family commitments from seeking or accepting a ministerial appointment if they were not always able to be present in the Chamber.
143. The Scottish Conservative and Unionist Party commented that Ministers should be in the Chamber when their portfolio was being debated or questioned. The Scottish Parliamentary Labour Party indicated that its “expectation would be that Ministers should attend in person to deliver a statement, answer questions, give evidence or lead a debate. In any instance this is not possible it would be the preference that another Minister would attend in their place.” ⁵⁰
144. The Parliamentary Bureau considered the position of Ministers vis-à-vis other Members given the accountability of the Government to the Parliament. It set out its position in correspondence to the Committee:

” Some Business Managers consider that if a Minister is not able to attend in-person, it would be preferable for another Minister to stand in for them, noting that some advance notice of this would be helpful so that there was an opportunity for the Minister stepping to have the information necessary to respond to a debate or questions. It was also noted that, in case of illness, this approach may mitigate expectations that a Minister (or any other Member) should participate remotely when they are not well enough to do so.⁵¹

145. **The Committee believes that the Parliament is currently most effective when its Members come to Holyrood to represent their constituents and participate in person in Chamber business. It agrees with the views expressed that the normal expectation should be that Members should participate in debates and ask questions in-person in the Chamber.**

146. **However, it recognises that there are a number of circumstances in which Members should have the option to participate remotely. These circumstances may include situations in which illness, bereavement, caring commitments, travel or weather disruption, or personal commitments inhibit their ability to come to the Parliament.**

147. **Unless exceptional or urgent, constituency work and inter-parliamentary business should be undertaken on non-sitting days.**

148. **The Committee has noted that, since the removal of the public health restrictions, the overwhelming majority of Members have been participating in Chamber and committee business in person, reflecting the commitment of individual Members and political parties to returning to in-person proceedings. For this reason, the Committee considers that it would be not be proportionate to introduce a system under which Members had to request to participate remotely in Chamber business. Moreover, there was no consensus on how such a system should be managed or enforced. However, the Committee intends to keep this issue under review and monitor in-person participation in Chamber and committee business.**

149. **The Committee heard strong arguments for requiring Ministers to always be present in person in the Parliament. The Committee agrees that this is important for scrutiny and calls on the Scottish Government to ensure that Ministers are present apart from in exceptional circumstances when being scrutinised by the Parliament.**

Future arrangements for committees

150. The committees of the Scottish Parliament have a broad role which includes scrutinising legislation (including primary and secondary legislation, and post-legislative scrutiny), holding the Scottish Government to account, conducting inquiries and considering petitions and the Scottish budget.
151. In considering future parliamentary procedures and practices in relation to committees, the Committee took particular account not only the views of Members and academic experts, but also the views of civil society organisations that engaged regularly with the Parliament.
152. Apart from in the initial period of the first “lockdown”, the committees – like the Chamber – primarily met in a hybrid format due to social distancing requirements during the pandemic. Since late April 2022, committees have been able to meet fully in-person and almost all members have participated in person.
153. Committees mainly took evidence from witnesses participating remotely in meetings while restrictions were in place. However, committees did seek to ensure the participation of ministers where possible, particularly when considering legislation. There have been no rules, guidance or criteria relating to remote participation either by Members or by witnesses.
154. The platform used to support hybrid committee meetings will also be changed from September 2022 onwards with a view to providing consistency with the platform that will be used in the Chamber as well as promoting technological improvements.
155. The Standing Order rules on committee substitutes were suspended and varied for significant periods of time and in spring 2022, the Conveners Group wrote to the Committee to ask it whether it considered that the rules should be changed to provide more flexibility in relation to substitutes.⁵² The Committee notes that while this provision provided for flexibility at earlier points in the pandemic, it has been hardly used since the more recent suspension and variation as Members have the flexibility to participate remotely. The Committee considers that ensuring continuity in committee membership is important and for this reason supports the retention of the existing rules on substitutes.
156. There are currently 16 committees, all with different remits and varying in size. Since restrictions were lifted, the committees have informally agreed ways of working in relation to remote participation.
157. The evidence from the focus group sessions with Members indicated that, in general, Members supported greater flexibility in regards to committee business than Chamber business.
158. The Parliamentary Bureau indicated that it considered the default position should be that Members are present in person in Committee whenever possible.
159. The Conveners Group agreed that a hybrid model provided flexibility, enabling committee members to still attend if they are unable to travel to Holyrood. It highlighted that “would help ensure consistency of committee membership. Continuity of membership – albeit with some Members at Holyrood and participating virtually – is seen as being preferable to the use of (in-person) substitutes.”⁵³

The Conveners Group indicated its support for the production of guidance to accompany the formalisation of long-term hybrid capability for committees. It considered that this guidance would be “an important operational framework to ensure broad consistency across committees, recognising the role of individual Conveners to manage business as befits their own committees’ needs and circumstances.”⁵⁴ The Conveners Group proposed that this guidance should cover procedure and practical application, including setting out that witnesses who wished to seek to participate remotely should ensure that they have access to a strong and reliable internet connection.

160. Hybrid meetings were regarded as a means of securing the participation of witnesses. Notably, it was recognised that witnesses outside the central belt were more likely to participate and it was possible for witnesses from other parts of the UK, Europe or globally to participate easily in committee business. The evidence was clear that the remote participation of witnesses provided for more diverse and representative witnesses.
161. The Scottish Parliamentary Labour Party expressed the view that the option to give evidence in committee remotely should be used when necessary, for example for people from outwith Scotland. Otherwise its view was that committee witnesses should be expected to attend in person.
162. Hybrid meetings with witnesses participating remotely also reduced the Parliament’s carbon footprint and reduced costs. Witnesses no longer needed to travel to the Parliament, those from further afield did not require overnight stays and witnesses found it easier to accommodate the process of giving evidence into their own working week.
163. The SPCB recognised the potential contribution that remote participation by Members or witnesses could make towards meeting net zero commitments:

” Virtual participation by Members and witnesses can reduce emissions from traveling to and from the Parliament or external venues. Virtual participation also presents opportunities for a wider range of people to engage with the Parliament, has the potential to remove barriers to help address inequality of access and offers prospects of a better home and work life balance aiding good health and wellbeing. We have significant challenges ahead to meet our legal duties to work towards net zero and increased virtual working (whether in relation to parliamentary business or broader parliamentary and representative activity) offers a very effective tool for meeting those targets.”⁵⁵
164. There were certain types of committee business for which Members considered it was more important for them to be present in committees. For example, it was regarded as more difficult to convene hybrid meetings and proceedings could appear more stilted, particularly if there were any connectivity issues. Managing a Stage 2 Bill in a hybrid format, especially in big committees, was regarded as more complex and time-consuming, particularly if roll-call votes were used.
165. The Conveners Group recognised the “need to balance this flexible way of working in a manner consistent with the critical role that committees play in supporting scrutiny and accountability to Parliament.” It therefore indicated that:

” “a distinction may need to be drawn between committees in ‘information-gathering’ mode and those instances where committees are conducting parliamentary business which is either more politically contentious or where witnesses are being held to account. Where information is being gathered, the general view is that hybrid proceedings can work well. In contrast, examples of where in-person meetings were generally thought to be preferable include:

- Stage 2 proceedings
- Consideration of draft committee reports
- Evidence-taking where a witness is being held to account
- Ministerial participation at committee meetings ⁵⁶

166. Similar views were expressed by Members who thought that it was important for certain types of committee business or for certain types of witnesses that Members should be present in the room.

167. The view that there was greater diversity among witnesses as a result of committees being able to take evidence remotely also emerged in evidence from stakeholders. Artemis Pana, National coordinator, Scottish Rural Action, argued that the normalisation of online proceedings had helped promote accessibility, noting that, “From a rural and island geography perspective, most entry points became more accessible because of the move to online proceedings.” ⁵⁷

168. This was a view shared by Mhairi Wylie, who stated:

” The impression that I am getting from the people who are now participating in parliamentary inquiries and sessions such as this one is that the input is now much broader, and you are not necessarily seeing as many of the well-kent faces. The channels through which information is flowing into the Parliament from the groups ... described as civil society are now much broader and probably more accessible and certainly bring in a wider spectrum of views. All of that is positive, and it probably results in a more inclusive approach. ⁵⁸

169. Kimberley Somerside, Voluntary Health Scotland, agreed that it was far less resource intensive to engage remotely and that as beneficial for third sector organisations with stretched resources. She noted that, “Participating takes an hour out of your day as opposed to the entire day, and we find that our members enjoy having the ability to give evidence online.” ⁵⁹

170. Participating remotely was perceived to be less intimidating for witnesses. Liam Fowley, (former) Vice Chair, the Board, Scottish Youth Parliament, told the Committee:

” Provided that all young people have digital access, that is a significant improvement on previous experience when people had to come into a committee room like this one, which—no offence—is a wee bit intimidating for some young people. That is not a personal dig, but the lights, camera, big table and things like that are significant. If someone pops on to an online call, they just go on, have a chat and go away again, which is a totally different experience to being in the room. Online participation also comes with support, because if the person on the Teams call panics, they can send a text to someone who can support them. That is key, because people might freeze in this environment. ⁶⁰

171. However, Liam Fowley also highlighted two issues that could make remote participation challenging for young people. The first was having a private space to give evidence in and the second related to body image concerns. He said:

” A lot of young people struggle online, because they can constantly see their faces and themselves. That does not happen when people attend meetings in person. That is a serious consideration that makes young people not want to engage online.

172. Bill Scott, Inclusion Scotland, indicated that he thought disabled people were participating in committee proceedings more than they did before the pandemic. He told the Committee that “the move to online activity has assisted disabled people to participate in parliamentary business and, in particular, to give evidence to committees.” He explained that:

” For disabled people, particularly those in rural areas, the journey to Parliament can be so energy sapping that they would not consider it, even if accommodation was provided. If their social care needs are really high, coming to Parliament is quite a difficult and strenuous experience. Therefore, the move online has opened up participation to a whole range of disabled people who otherwise would not be able to take part. ⁶¹

173. Charis Scott, Christians Against Poverty, concurred, stating that “Opportunities have been opened up for people, regardless of their location or caring responsibilities, to take part in Parliament when they would not have done so previously.” ⁶² It was also pointed out by Bill Scott that there would be a proportion of disabled people and those with long-term health issues who would only be able to participate remotely and that presented a further argument for continuing with a hybrid model.

174. However, the witnesses also highlighted accessibility challenges for witnesses participating in committee proceedings. Bill Scott referenced the inequalities faced by disabled people and that about one in three did not have internet connections in their own homes. He noted:

” To a large extent, therefore, they have been excluded from participation during the pandemic. We want a hybrid model in the future, so that there is at least the option for those people who do not have an internet connection to come into Parliament if that is what they want to do. ⁶³

175. The SPCB told the Committee about the support that was provided for witnesses to participate remotely:

” We recognise that not everyone might want or be able to engage digitally with the Parliament, whether through lack of connectivity, devices or indeed knowledge and confidence. Our Participation and Communities Team always checks firstly whether people feel comfortable engaging digitally and secondly whether there are any barriers to them doing so. The team then assesses whether the Parliament can help (for example, by providing familiarisation training, lending devices or paying for data). Given the focus of the Parliament’s Public Engagement Strategy is to widen access and remove barriers, the team will continue to examine whether we can do more in this and other areas to ensure we remove as many barriers as possible. Consideration will also be given to the provision of general guidance about how attendees can access facilities to engage online to alleviate the risk of digital inequality.⁶⁴

176. The Committee is of the view that committees, like the Chamber, should continue to have the capacity to hold hybrid meetings. In addition to providing flexibility to Members in certain circumstances, this would also allow witnesses to participate remotely.

177. The Committee believes that Members being present supports effective and collaborative work in undertaking scrutiny and for this reason considers that the normal expectation should be that Members come to the Parliament to participate in committee meetings.

178. However, the Committee believes that in the same circumstances identified in relation to the Chamber, namely situations in which illness, bereavement, caring commitments, travel or weather disruption, or personal commitments inhibit Members’ ability to come to the Parliament, it would be acceptable for them to participate in a committee meeting remotely. As indicated above, unless exceptional or urgent, constituency work and inter-parliamentary business should be undertaken on non-sitting days.

179. While the Committee considers that there are strong arguments for witnesses who represent professional or governmental bodies to give evidence in person, it believes that the capacity to participate remotely is beneficial to certain individual witnesses. This includes, inter alia, witnesses with disabilities, witnesses who feel intimidated by the parliamentary setting or witnesses from more remote parts of Scotland. Providing for such witnesses to participate remotely will allow the Parliament to be more accessible and inclusive.

180. The Committee considers that Ministers should seek to make themselves available in person to Committees, in line with the recommendation made above in relation to the Chamber.

181. The Committee recognises that differing nature of committee remits and the role of committees in agreeing their own work programmes. For this reason, it does not consider that there should be any prescriptive rules governing hybrid arrangements for committees. However, it does note the Conveners Group support for the production of guidance to accompany the formalisation of long-term hybrid capability for committees and suggests that the Guidance on Committees be updated.

182. The Committee welcomes the introduction of the new platform for remote participation in committee meetings as well as in the Chamber. However, it believes that further investment in the infrastructure in the Parliament's committee rooms would support the management of committee meetings where witnesses or Members are participating remotely. Notably, the Committee suggests that solutions should be explored to improve the screens for viewing proceedings in committee rooms for both Members and the public, and that the individual consoles at the committee tables could be upgraded to ones that incorporated screens and which provided for voting in committees.

183. The Committee is not of the view that there should, at this point in time, be any further suspension of the rules in relation to committee substitutes. It believes that it is important for the delivery of a Committee's work programme that there is continuity in membership, including those members that substitute, and for this reason it considers that the existing rules on substitutes should remain in place.

184. The Committee welcomed that assurances from the SPCB relating to the removal of barriers to participation and that indication that consideration will be given to the provision of general guidance on accessing facilities.

Proxy voting

185. One specific proposal that was considered as part of the inquiry was whether there was merit in introducing a proxy voting system that would allow a Member, in certain circumstances, to nominate another Member to vote on their behalf.
186. The majority of Members recognised that there was value in providing alternative means of recording the votes of those unable to attend the Chamber in person. A proxy voting scheme was regarded as complementing the voting platform and the informal pairing arrangements reached between some parties, providing an additional route for MSPs in certain circumstances – for example, in relation to parental leave or illness – to vote.
187. The Parliamentary Bureau considered that the introduction of a system of proxy voting should be further investigated. It noted that “the informal pairing arrangements that are currently in place between the Scottish National Party and the Scottish Conservative and Unionist Party which provide some flexibility in circumstances where Members are not able to vote and that a formal proxy system may provide more certainty than these informal arrangements.” The Parliamentary Bureau further indicated:

” Business Managers discussed some of the circumstances in which a proxy system may be appropriate, such as parental leave, and noted that any proxy system would need to clearly define the circumstances in which a proxy could be given.

The Bureau notes that there would need to be sufficient scrutiny of both the technical and procedural options for operation of a proxy system before consideration could be given to introducing or trialling this method of voting. Notwithstanding the need for scrutiny of technical and procedural matters, a view was also expressed that it would be possible to trial a proxy system as soon as after the summer recess.⁶⁵

188. Scottish Conservative and Unionist Party agreed that there would be a value in a proxy voting scheme for maternity and paternity cover and suggested that a pilot could start shortly after the summer recess in 2022. It observed:

” This Parliament should encourage people of all ages and life stages to be an MSP and should account for life events, such as having a child. The proxy could be controlled by a single Member nominated by the MSP on leave.

This is particularly feasible given that the Scottish Government and the Scottish Conservative and Unionist Party both have Members’ expecting to be on parental leave during that time. As these Members would usually be paired anyway, the timing is perfect to trial proxy voting.⁶⁶

189. The Scottish Parliamentary Labour Party also indicated that it was “in favour of a proxy voting system being introduced to allow members to exercise their vote, for example in relation to parental leave or in cases of ill-health.”⁶⁷
190. In evidence to the Committee, the Rt Hon Karen Bradley MP explained the

provisions that were in place in the House of Commons for proxy voting. While proxy voting had been available to all MSPs during the pandemic, the scheme had now reverted to being on offer for “baby leave”:

” Currently, only one category of MP can apply for a proxy vote, which is those who are taking baby leave. Baby leave is for fathers, mothers, adoptive parents and those who have had a miscarriage. We have tried to mirror the length of parental leave that a new parent would receive as an employee in the public or private sector, which is six months for a mother and two weeks for a father.

If someone has a proxy vote for baby leave, there is a provision that states that they are not allowed to participate in the proceedings of the house on the day on which they have that proxy vote, although the committee is looking at that issue, because there have been representations that that is not acceptable.⁶⁸

191. The system in the House of Commons allowed for the Member to give their proxy to a Member of their choice, “someone whom they trust and who perhaps is of the same political persuasion in terms of moral issues.”⁶⁹ Rt Hon Karen Bradley MP Highlighted the difficulties around issue of the choice, noting that during the public health restrictions the party whips took all of the votes in order that there were as few people in the House of Commons as possible. She explained:

” That is where it gets very difficult. It is fine when somebody votes with the party whip, but, once a person gets into moral issues or perhaps things in respect of which they have a constituency issue, the issue is that they might expect the deputy chief whip to rebel.

192. At the point at which evidence was taken from the Rt Hon Karen Bradley MP, an inquiry was underway in the House of Commons as to whether to introduce a system of proxy voting for those with long-term sickness or medical conditions should be introduced.
193. In the focus group sessions and in the survey of Members, some Members considered that it might have a role in certain circumstances, for example illness, bereavement and parental leave. Those who expressed a view on proxy voting were generally supportive of such a scheme for certain, limited circumstances. It was considered that there was a need to identify a system that was robust, and it should be a decision for the individual Member as to which Member should exercise their proxy vote on their behalf.

194. **The Committee considers that there is a value in piloting a proxy voting scheme. It therefore intends to consult on how such a scheme would function with a view to proposing a temporary rule which would provide for a scheme that would permit Members, in certain defined circumstances including parental leave and illness, to nominate a proxy.**

195. **The Committee suggests that such a scheme should be allowed to run for a period of around 12 months and that any permanent rule changes to provide for proxy voting should only be considered following a full**

evaluation of the scheme.

Wider changes to parliamentary procedures and practices

196. As part of its inquiry, the committee sought the views of Members on any wider changes to parliamentary procedures and practices.
197. In the focus group sessions and the survey of members, there were a number of references made to the ways in which questions were asked and answered in the Chamber, as well as the time taken for answers to written questions.
198. In addition, and as noted earlier in the report, a number of Members indicated that they did not consider the Parliament to be family-friendly due primarily to late decision times.
199. The Committee has noted the views contributed by Members and may return to some of these issues at a later point in the session. Given the disruption caused by the Covid-19 pandemic, the Committee believes that it is important for the Parliament to settle back into a pattern of meeting primarily in person before consideration is given to any further changes in procedures and practices.

Resilience of the Scottish Parliament

200. Changes to Standing Orders were made at the end of the last parliamentary session to ensure that the Parliament could be resilient in the face of any future challenges. The SPCB noted that the Parliament had previous resiliency plans for possible risks to physical proceedings but that “virtual and hybrid proceedings now allow an entirely new approach to be taken to resilience where the Parliament cannot be accessed, or Members cannot travel to Holyrood, and current business continuity plans are actively under review in light of these developments.”⁷⁰

201. **The Committee believes that continuing to provide for MSPs to participate remotely in parliamentary proceedings will contribute to ensuring the resilience of the Parliament in the future. Should the need to revert to fully virtual meetings arise, this will be much more straightforward if hybrid meetings continue, and Members are used to participating remotely and staff have the expertise and the technology to facilitate such meetings.**

Conclusion - Looking to the Future

202. It was put to the Committee during the course of this inquiry that we should be thinking about what the Parliament should look like in ten years' time.

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203. The Committee believes that the Parliament should commit to a culture of iterative change to allow it to be more representative, more open and more accessible in ten years' time.

204. While emphasising that in-person participation in parliamentary business should be the normal expectation, the Committee has concluded that hybrid meetings should continue in order to provide Members the opportunity to participate remotely in certain circumstances.

205. Furthermore, the Committee believes that committing to continuing hybrid arrangements is consistent with the Parliament's founding principles of accessibility and equal opportunities as it will allow the Parliament to be more inclusive in the future. The Parliament will be able to engage with people in the same ways as they engage using new forms of technology.

206. Looking to the future, the Committee hopes that the capacity for Members to participate remotely in parliamentary business will attract a more diverse range of candidates to stand for election to the Parliament. It also hopes that the Parliament can be more inclusive, seeking evidence from witnesses all over Scotland who reflect Scottish society more fully.

207. To borrow the words of one witness: do we want to just look back to the past or do we want to commit to a vision of the future? The Committee believes that, in allowing for remote participation in hybrid meetings, the Parliament is committing to embracing technology to deliver a more inclusive, accessible and equal Parliament in the future.⁷²

Annexe A: Extract from minutes

1st Meeting, 2022, Thursday, January 13, 2022

Future parliamentary procedures and practices (in private): The Committee considered its approach to its inquiry.

3rd Meeting, 2022, Thursday, January 27, 2022

Future parliamentary procedures and practices (In Private): The Committee considered its approach to the inquiry.

5th Meeting, 2022, Thursday, February 10, 2022

Future parliamentary procedures and practices (In Private): The Committee considered its approach to the inquiry.

9th Meeting, 2022, Thursday, March 31, 2022

Future parliamentary procedures and practices (In Private): The Committee agreed its next steps in relation to the inquiry.

10th Meeting, 2022, Thursday, April 21, 2022

Future Parliamentary Procedures and Practices Evidence session:

The Committee took evidence from—

Dr Ruth Fox, Director, Hansard Society;

Professor Meg Russell, University College London;

Dr Andy Williamson, Democratise;

Professor Sarah Childs, Royal Holloway, University of London

11th Meeting, 2022, Thursday, April 28, 2022

Future Parliamentary Procedures and Practices Evidence session:

The Committee heard evidence from—

Rt Hon. Karen Bradley, MP and Chair of the Procedure Committee, House of Commons;

Lord Gardiner of Kimble, Senior Deputy Speaker, House of Lords;

Denis Naughten, TD, member of Dáil Éireann, Dáil Éireann, the Houses of the Oireachtas;

Gerit Vermeylen, Director of Legislative Service, The Flemish Parliament.

12th Meeting, 2022, Thursday, May 12, 2022

Future parliamentary procedures and practices: The Committee considered the evidence received and the next steps in its inquiry.

13th Meeting, 2022, Thursday, May 26, 2022

Future parliamentary procedures and practices: The Committee took evidence from—

Artemis Pana, National Coordinator, Scottish Rural Action;

Kimberley Somerside, Policy and Engagement Officer, Voluntary Health Scotland;

Bill Scott, Senior Policy Advisor, Inclusion Scotland;

Charis Scott, Promotion and Engagement Manager, Christians Against Poverty;

Liam Fowley, (former) Vice Chair, the Board, Scottish Youth Parliament;

Mhairi Wylie, Chief Officer, Highland Third Sector Interface and TSI Scotland Network.

14th Meeting, 2022, Thursday, June 9, 2022

Future parliamentary procedures and practices: The Committee considered correspondence in relation to the inquiry.

15th Meeting, 2022, Thursday, June 23, 2022

Future parliamentary procedures and practices (In Private): The Committee considered a draft report. Various changes were proposed, and the Committee agreed to consider a revised draft, in private, at its next meeting.

16th Meeting, 2022, Thursday, June 30, 2022 (In Private): The Committee considered and agreed a draft report. The Committee also agreed to request a committee debate on its report.

Annexe B: Evidence

Oral evidence

[Meeting on 21 April 2022](#)

[Meeting on 28 April 2022](#)

[Meeting on 26 May 2022](#)

Written evidence

[Written submission from the Scottish Parliamentary Corporate Body](#)

[Written submission from the Parliamentary Bureau](#)

[Written submission from the Conveners Group](#)

[Written submission from the Scottish Conservative and Unionist Party](#)

[Written submission from the Scottish Parliamentary Labour Party](#)

[Written submission from Dr Alex Prior](#)

[Written submission from Dr Mark Shepherd and Sebastian Ludwicki-Ziegler](#)

Consultation of Members

[Summary of views from focus group sessions](#)

[Summary of responses received from the SPPA Committee Citizen Space Survey of MSPs](#)

- 1 [Standing Order Rule Changes – Inquiry into the resilience of the Scottish Parliament’s practices and procedures in relation to its business.](#)
- 2 <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=13477>
- 3 More information on the Parliament’s response can be found in the SPICe briefing: [How has the COVID-19 pandemic changed the way the Scottish Parliament works?](#)
- 4 [Standing Order Rule Changes – Inquiry into the resilience of the Scottish Parliament’s practices and procedures in relation to its business.](#) Parliamentary Bureau, Scottish Parliament. Written submission.
- 5 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 6 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 7 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 8 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 9 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 10 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 11 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 12 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 13 Standards, Procedures and Public Appointments Committee. [Official Report, 21 April 2022.](#)
- 14 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 15 Parliamentary Bureau. Written submission.
- 16 Standards, Procedures and Public Appointment Committee, [Official Report 28 April 2022.](#)
- 17 Standards, Procedures and Public Appointments Committee, [Official Report, 28 April 2022.](#)
- 18 Standards, Procedures and Public Appointments Committee. [Official Report, 21 April 2022.](#)

- 19 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 20 Written submission. Parliamentary Bureau.
- 21 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 22 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 23 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 24 [Standards, Procedures and Public Appointments Committee, Official Report, 28 April 2022.](#)
- 25 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 26 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 27 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 28 The Scottish Conservative and Unionist Party. Written submission.
- 29 Scottish Parliamentary Corporate Body. Written submission.
- 30 Parliamentary Bureau. Written submission.
- 31 Scottish Parliamentary Corporate Body. Written submission.
- 32 [Report of the Consultative Steering Group on the Scottish Parliament, Shaping Scotland's Parliament](#)
- 33 Rt Hon George Reid, Speech marking the opening of the Scottish Parliament in 2004.
- 34 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 35 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 36 [Standards, Procedures and Public Appointments Committee, Official Report, 28 April 2022.](#)
- 37 [Standards, Procedures and Public Appointments Committee, Official Report, 28 April 2022.](#)
- 38 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)

- 39 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 40 [Scottish Parliamentary Corporate Body. Written submission.](#)
- 41 [Scottish Parliamentary Corporate Body. Written submission.](#)
- 42 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 43 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 44 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 45 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 46 [Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 47 [Scottish Conservative and Unionist Party. Written submission.](#)
- 48 [Scottish Parliamentary Labour Party. Written submission.](#)
- 49 [Parliamentary Bureau. Written submission.](#)
- 50 [Scottish Conservative and Unionist Party. Written submission.](#)
- 51 [Parliamentary Bureau. Written submission.](#)
- 52 [Conveners Group. Written submission.](#)
- 53 [Conveners Group. Written submission.](#)
- 54 [Conveners Group. Written submission.](#)
- 55 [Scottish Parliamentary Corporate Body. Written submission.](#)
- 56 [Conveners Group. Written submission.](#)
- 57 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 58 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 59 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 60 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 61 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)

- 62 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 63 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)
- 64 [Scottish Parliamentary Corporate Body. Written submission.](#)
- 65 [Parliamentary Bureau. Written submission.](#)
- 66 [Scottish Conservative and Unionist Party. Written submission.](#)
- 67 [Scottish Parliamentary Labour Party. Written submission.](#)
- 68 [Standards, Procedures and Public Appointments Committee, Official Report, 28 April 2022.](#)
- 69 [Standards, Procedures and Public Appointments Committee, Official Report, 28 April 2022.](#)
- 70 [Scottish Parliamentary Corporate Body. Written submission.](#)
- 71 [Dr Andy Williamson \(Democratise\), Standards, Procedures and Public Appointments Committee. Official Report, 21 April 2022.](#)
- 72 [Standards, Procedures and Public Appointments Committee, Official Report, 26 May 2022.](#)

