

Response from the PO in his capacity as Chair of the SPCB

7 February 2020

Dear Bill,

Thank you for your letters dated 18 December 2019 in which you seek the views of the SPCB and the Parliamentary Bureau on proposals for changing Standing Orders to facilitate urgent questions to the SPCB. This response reflects the SPCB's consideration of your letter. I am sorry that the Parliamentary Bureau has not yet had an opportunity to discuss the matter, but it is on the agenda for the Bureau's next meeting on 18 February and I will write shortly thereafter setting out its position.

There are a number of existing routes for MSPs to ask questions of the SPCB. If an MSP considers he requires information more quickly than the existing written or oral PQ process achieves, they can approach any individual member of the Corporate Body, including myself as chair, or the SPCB secretariat directly. Many MSPs take this opportunity and we always aim to respond promptly.

You mention that the Committee considered the option of extending the process for urgent questions to the Scottish Government to include the SPCB. This would create a potential conflict for me as Presiding Officer given my role in the process of selecting the questions. It is worth noting that I have no role in the current process for selecting questions for the oral SPCB Question Times as all questions are automatically selected for answer.

Given the number of routes already available for MSPs to raise questions with the SPCB, in order to assist further consideration of the Committee's letter, it would be helpful if you could provide an example of possible scenarios and/or questions which it is felt could not be adequately dealt with through the existing arrangements.

Yours sincerely

Rt Hon Ken Macintosh MSP

Presiding Officer

Response from the PO in his capacity as Chair of the Parliamentary Bureau

3 September 2020

Dear Bill,

Thank you for your letter seeking the views of the Bureau on the introduction of a mechanism for urgent questions to be raised with the SPCB, and please accept my apologies for the delay in responding.

The Bureau has discussed the matter and a number of business managers see merit in exploring the proposal further. The Bureau would also offer some observations for your Committee's consideration.

The first point that the Bureau considers important to take into account is the role and functions of the SPCB, and that the SPCB conducts its business on a consensual basis. It has become apparent since the Parliament's creation that those MSPs serving on the SPCB do so in the interests of the Parliament rather than any political party. The Bureau considers that any procedure, in its design or use, should take this into account.

Current rules in relation to urgent questions allow for the Presiding Officer to determine whether or not a question is sufficiently urgent to require to be answered on the day it is lodged. This rule is supplemented by guidance on the criteria for selection of urgent questions. Recognising that the Presiding Officer is also Chair of the SPCB, in order to avoid any perceived conflict of interest, the Bureau considers that any procedure for urgent SPCB questions should be accompanied by clear selection criteria on which the Presiding Officer can base a decision about the urgency of a question.

Similarly, the selection criteria should also offer sufficient guidance for Members who may wish to ask an urgent question. This could assist Members in deciding whether or not it would be more appropriate to use the other mechanisms that are available to raise issues with the SPCB, such as through the relevant SPCB portfolio member, the Presiding Officer or the Parliament's Chief Executive.

The Bureau also noted that there might be merit in an inquiry into this issue being carried out now, but the final decision on making such a change being a matter for consideration by the next Parliament.

I hope these comments are helpful in your further consideration of this matter.

Yours sincerely

Rt Hon Ken Macintosh MSP
Presiding Officer