



The Scottish Parliament
Pàrlamaid na h-Alba

The Presiding Officer

Martin Whitfield MSP Convener
Standards, Procedures and Public Appointments Committee

27 October 2023

Dear Convener

Thank you for your letter, seeking my views for the Committee's evaluation of the temporary proxy voting scheme.

I believe that the scheme has generally worked well and has fulfilled the aim of supporting Members by continuing to allow their vote to be exercised in specified circumstances where they are not able to take part themselves. It has been used a number of times by Members in the course of the pilot.

The Committee will be aware that, since the pilot scheme has been operating, the report of the Gender Sensitive Audit of the Parliament has recommended that the Committee-

“should propose a permanent Standing Order rule to introduce a proxy voting scheme for (i) parental leave; (ii) illness; (iii) caring/bereavement leave; (iv) on same grounds as remote voting. A proxy voting scheme should recognise that it is (i) up to parents to determine whether they wish to use a proxy vote or to use remote voting when on parental leave, as the former enables them to take leave that more closely resembles the form of parental leave available in other workplaces; and (ii) that it is for the MSP to determine who the proxy goes to.”

The scheme as currently drafted includes a mechanism that allows for the eligibility criteria to be changed. That mechanism has been used successfully during the course of the pilot to add the fourth criterion – “Attending to a person who appears to be near the end of life”. This was added as a result of requests by Members, and following consultation with the Committee. This process seemed to work smoothly and the change was able to be made relatively quickly. I have not had any subsequent requests for any other circumstances to be included in the criteria. The eligibility criteria were drafted with the aim of striking an appropriate balance between allowing Members flexibility and treating their right to vote in the Chamber with the significance it deserves. They seem to be generally accepted and work well.

The approach to setting out the pilot scheme, with the temporary Standing Order rule setting out the structure for proxy voting and the details set out by me in a separate scheme to provide some flexibility, appears to be an appropriate balance.

In terms of the process of applying for a proxy vote, the arrangements generally appear to have worked well. A question has arisen as to whether the requirement on a Member to send all emails relating to the arrangement of a proxy vote from their own email account is practical or appropriate in all circumstances. The circumstances in which a Member may wish to designate a proxy can be difficult and sensitive. The current arrangements are based on the principle that a Member's right to vote should be treated as a privilege that only elected Members have and that assigning it to another Member should, therefore, be treated in a serious way and something that can only be done personally. The Committee may wish to consider this. The scheme should be relatively easy for Members to use, while ensuring clarity and administrative certainty to Parliament officials supporting the Presiding Officers as to whether a proxy is to be exercised or not.

When the proxy voting pilot was introduced, there was perhaps some frustration at the time taken to make points of order to record a proxy vote, particularly in the case of numerous votes during Stage 3 proceedings. It is very welcome that the digital voting application has since been updated so that Members can vote on behalf of another Member and the requirement to make a point of order has been removed. This has not been tested in practice as yet, but I would anticipate that it will speed up the casting of proxy votes while still retaining the transparency that a vote has been cast by proxy in the record of the vote in the Official Report.

The circumstances in which a proxy vote would be deemed the most appropriate approach to use (rather than a Member joining remotely via videoconferencing or using pairing arrangements) is a matter for individual Members to decide, in discussion with their parties. The criteria for designating a proxy were designed to cover significant and longer-term circumstances. If Members choose to use the proxy voting scheme, that has the benefit of allowing transparency that they are not able to be present but that their constituents are still being represented in the vote.

I hope these comments are helpful, and would be happy to provide the Committee with any further information.

Yours sincerely

Rt Hon Alison Johnstone MSP
Presiding Officer