

Standards, Procedures and Public Appointments Committee

9th Meeting 2014 (Session 4), Thursday 5 June 2014

Cross Party Groups – six monthly monitoring report

Introduction

1. The Standards, Procedures and Public Appointments (SPPA) Committee is responsible for overseeing the Cross Party Group (CPG) system. As part of this role it considers regular monitoring reports on the work undertaken by groups and their compliance with the rules in the [Code of Conduct](#) for MSPs (Section 6, volumes 2 and 3).

2. As is apparent later in the report, the steps taken by the Committee following its review of the CPG rules in 2012 continue to generate a positive response from groups, with a noticeable increase in the level of information readily being provided to the Standards clerks since the start of the session.

3. This includes the provision of annual returns which detail specific pieces of work that allow for information sharing and collaboration within the policy community. As noted in the Committee's review [report](#), amongst other things, this work provides MSPs with information that aids them in scrutinising the Scottish Government. Some examples of work completed by groups, including collaborative work between groups, are detailed below.

4. A very small number of groups, of the 88 in operation, are not compliant with certain rules that are central to ensuring groups are sufficiently cross party in nature (detailed in the compliance section in paragraphs 6 and 7 below and in Annexe B). The Committee can take written and oral evidence from groups which it is concerned may not be functioning effectively and also has the ability to remove recognition from a group, causing it to disband. A list of all groups is attached at Annexe A.

Examples of work undertaken by groups

5. This is just a sample selection. Full details of the work undertaken by groups are available in the annual returns which have been circulated to members and are all on the Cross Party Group [website](#).

- **CPG on Accident Prevention and Safety Awareness** – held a meeting on [26 June 2013](#) focusing on raising awareness on child safety, including hearing from guest speaker Aileen Campbell MSP, Minister for Children and Young People.
- **CPG on Carers and CPG on mental health** – held a joint meeting on [14 January 2014](#) and the topic was carers and mental health. A carer shared her experience of caring for someone with mental health problems, and two clinical psychologists from NHS Greater Glasgow and Clyde spoke about how the organisation was supporting families in need.

- **CPG on Diabetes** – held a meeting on [4 September 2013](#) where Michael Matheson, Minister for Public Health attended to answer questions on all matters relating to diabetes.
- **CPG on Epilepsy** – held a meeting on [26 September 2013](#) where Scottish criminal justice system initiatives were outlined by Police Scotland i6 Programme Inspector Graeme Mitchell with Nadine Aliane from the Diversity Unit and also the Crown Office Procurator and Fiscal Service's Deputy Head of Policy Gertie Wallace.
- **CPG on Funerals and Bereavement** – held three meetings in 2013 including updates on the: Mortonhall Crematorium investigation by Dame Elish Angiolini. For example on [13 March 2013](#) John Birrell provided a short update on the investigation and progress to date. 40 submissions had been received. Ann McMurray stated that the parents' group will have sight of the Commission's report before publication.
- **CPG on Industrial Communities** – held a meeting with Nicola Sturgeon MSP on the CPG's priorities which was fed back to the whole CPG on [30th October 2013](#). Other agenda items included a presentation on Zero Hours Contracts and the Living Wage by Peter Kelly of the Scottish Poverty Alliance.
- **CPG on Men's Violence Against Women and Children** – held a meeting on 12 March 2014 where Kenny MacAskill Cabinet Secretary for Justice took questions on: the Scottish Government Justice programme; current legislative initiatives including the criminalisation of forced marriage; Victims and Witnesses legislation implementation; Court Reform (Scotland) Bill; the Criminal Justice (Scotland) Bill and court delays. There was also input from the Scottish Government Gender LGBT Equality & Violence Against Women Team on the draft Scottish Government Strategy; general updates and information sharing.
- **CPG on Racial Equality in Scotland** – held a meeting on [5th June 2013](#) including a guest speaker, Gary Christie, Scottish Refugee Council, who spoke about refugee integration in Scotland and the development of a Scotland-wide strategy to support the integration of refugees in Scotland. This was followed up by a lively discussion including on the issues of access to health care for refugees, the difficulties experienced during the short transition period from being an asylum-seeker to being a refugee, on employment issues and on the processes and practices of integration.
- **CPG on Tobacco and Health** – held a meeting on [2 May 2013](#) during which various presentations were given around the new National Tobacco Control Strategy for Scotland, published by the Scottish Government in March 2013. Jim Hume MSP's consultation on a Bill to ban smoking in cars with children present was also discussed and it was agreed that the Group should make a response saying it supported the broad principles.

- **CPG on Volunteering and the Voluntary Sector and CPG on International Development** – held a meeting on [Tuesday 18th June 2013](#) where Fiona Forsyth and Kate Cotton from VSO Scotland spoke about opportunities for volunteering in its four development areas: health, participation and governance, secure livelihoods and education. In addition, Kate Cotton spoke about: VSO's Theory of Change which centres on motivating people to work together; and the importance of looking ahead to the future of volunteering and how the field could possibly change, including the introduction of e-volunteering.

Compliance

6. The requirements placed on groups under the Code are listed below, followed by details of compliance from groups over the past 6 months.

Membership

- Groups must have at least 5 MSP members – all groups comply with the exception of the Groups on Russia and Scots Language which both have 4 members.
- Groups must have at least one MSP from each of the parties or groups represented on the Parliamentary Bureau (*in practice the Committee has waived this requirement in this session, requiring the SNP, Labour Party and Conservatives to be represented*) – all groups comply with the exception of the Group on Scots Language which only has SNP members.
- Groups must have at least 2 MSP office bearers – the Group on Dyslexia was highlighted in the last monitoring report as only having one office-bearer but has since rectified this situation.

7. In relation to the CPGs on Scots Language and Russia, both of these Groups have been prompted by clerks to request that they find additional MSP members in order to comply with the Code. In addition the Committee may recall that these groups were not compliant with certain requirements in the Code the Committee considered its last monitoring report. The Groups were written to by the Committee making clear they must comply or disband. Timelines of contact with the Groups by the clerks and the Committee and the work undertaken by these Groups are detailed in Annexe B.

Operation of groups

- Groups must hold at least two meetings per year, and one of these must be the AGM.
- Groups must announce meetings in advance via the Parliament website with meeting details notified to the Standards clerks at least 10 calendar days in advance of the meeting.

- Groups must hold an AGM once every 12 months following the date of the Group's establishment and submit annual returns within 30 days of the AGM being held – for publication on the Parliament website.
- Groups must provide minutes of meetings, including attendee lists to confirm meetings are quorate, for publication on the Parliament's website.

Meetings

8. 83 of the Groups either have met twice in the period after their second last AGM (these two meetings can include their most recent AGM), or will have met twice by their next AGM.

9. The following three Groups have not met twice—

- Arthritis and Musculoskeletal Conditions - this Group held its 2013 AGM on 13 March. It then held meetings on 12 June 2013, 2 October 2013 and 27 November 2013. These meetings were inquorate due to illness of the Convener of the Group. The 2014 AGM was held on 19 March 2014.
- Poland - this Group held its 2013 AGM on 1 May and the next meeting was its AGM on 26 March 2014.
- Scots Language - this Group was not active in 2013 (see timeline attached in Annexe B).

10. The Groups on Poland and Scots Language have been reminded of the requirement in the Code to hold two meetings per year, with the exception on the CPG on Arthritis and Musculoskeletal Conditions. This Group was aware of the requirements but did not manage to comply due to very exceptional circumstances.

11. The CPG on Turkey was only established on 10 February 2014 and approved on 8 May 2014. The Group has been informed of the requirements in the Code so it is hoped that this Group will meet this requirement. The Clerks will provide an update on this Group within the next monitoring report.

12. The following Groups met but did not give the required 10 calendar days' notice—

Group	Date met
Human Trafficking	04/12/2013
Deafness	11/03/2014
Colleges and Universities	13/03/2014
Poland	14/03/2014
Nuclear Disarmament	01/04/2014
Carers	06/05/2014
Human Rights	06/05/2014
Tibet	07/05/2014
Rail	13/05/2014

13. These Groups have been reminded of the requirement in the Code to notify the Standards Clerks 10 days prior to the meeting.

AGMs

14. Since the report in November 2013 54 Groups should have held AGMs. Out of these 54 the following 11 Groups have not yet held AGMs.

- Asthma - AGM due on 9 May, had issues getting a room and members together. The meeting was held on 13 May, only two MSPs were present and one left before the Group got to the AGM element of the agenda, leaving the meeting inquorate. The Group have agreed to hold electronic elections and an extra meeting on 10 June to ratify the annual return form.
- Chronic Pain - AGM due 29 May, scheduled for 25 June.
- Co-operatives - AGM due on 29 May (this report was issued on 29 May)
- Drugs and Alcohol Misuse - AGM due on 21 February, was scheduled for 6 March and had to be cancelled. AGM has not yet been rearranged.
- Fair Trade - AGM due on 24 May, scheduled for 4 June.
- Gaelic - AGM due on 15 May but the Group decided to postpone the next meeting to the last week in June to coincide with an exhibition in Parliament by the official Gaelic body, Bòrd na Gàidhlig, and a major Gaelic conference taking place at the University of Edinburgh that week. Given that the majority of the attendees at the CPG on Gaelic are from the Western Isles it can be costly to have numerous trips to Edinburgh for meetings.
- Health Inequalities - AGM due 22 March, will be held 5 June.
- Muscular Dystrophy - AGM due on 29 May, scheduled for 24 June. (The Group requires a room that is easily accessible for wheelchair users and prefers to meet in CR1 or 3. The AGM is late due to the availability of rooms and MSPs).
- Park Homes - AGM due on 5 June, will be held on 24 June
- Recreational Boating and Marine Tourism - AGM due on 29 May, will be held on 24 June.
- Video Games Technology - AGM due on 14 May, will be held on 12 June

15. Out of the 43 Groups that have held AGMs, the following 14 held them late. Where delays are short (under 10 days), the number of days is highlighted in the table below.

CPG	Due	Held	Further info
Arthritis and Musculoskeletal Conditions	14/03/2014	19/03/2014	5 days late
Accident Prevention and Safety Awareness	22/01/2014	29/01/2014	7 days late
Arthritis and Musculoskeletal Conditions	14/03/2014	19/03/2014	5 days late

Carers	21/02/2014	12/03/2014	The Group had trouble getting a room to meet.
Colleges and Universities	07/03/2014	13/03/2014	6 days late
Cuba	12/12/2013	05/02/2014	The AGM was scheduled for 11 Dec but had to be postponed due to bereavement. This was the first available date after recess.
Diabetes	20/02/2014	25/02/2014	5 days late
Families Affected by Imprisonment	31/01/2014	02/04/2014	AGM was scheduled for 5 February but the Committee using the room overran so it had to be cancelled. This was the next suitable date.
Heart Disease and Stroke	07/03/2014	12/03/2014	AGM was slightly late due to new Convener and secretariat
Learning Disability	22/03/2014	28/05/2014	
Nuclear Disarmament	27/02/2014	05/03/2014	6 days late
Oil and Gas	19/12/2013	05/03/2014	Breakdown in communication between Co-Conveners
Psoriasis and Psoriatic Arthritis	17/01/2014	19/03/2014	AGM had to be cancelled due to illness.
Visual Impairment	06/03/2014	12/03/2014	6 days late
Volunteering and the Voluntary Sector	16/04/2014	23/04/2014	7 days late

16. All Groups detailed in this section have been reminded that the Code requires AGMs and re-election of office bearers to be held on, or before, the anniversary of the previous AGM.

Annual returns

17. As stated above, annual return forms should be submitted within 30 days of the AGM being held. Out of the 43 Groups that have held AGMs 35 should have submitted their annual return forms (the rest are not due to be submitted until after this report is issued to the Committee). These 35 forms have all been submitted. The following 11 Groups submitted their forms late—

- Cycling - due 1 May, received 20 May. (the form was ready but due to new guidance issued by Standards clerks they needed to calculate support from secretariat, who was on leave).
- Digital Participation - due 9 January, received 21 January
- Golf - due 24 April, received 6 May (Group was waiting for financial estimates from secretariat)
- Men's Violence Against Women and Children - due 11 April, received 15 April
- Middle East and South Asia - due 2 May, received 6 May
- Psoriasis and Psoriatic Arthritis - due 18 April, received 30 April

- Russia - due 19 December 2013, received 19 February 2014
- Science and Technology - due 8 March, received 10 March
- Scottish Showmen's Guild - due 11 April, received 16 April
- Taiwan – due 3 April, received 6 May
- Visual Impairment - due 11 April, received 16 April

18. Three Groups had held AGMs in advance of the last monitoring report consideration in November 2013, but the annual returns had not been submitted in time for them to be issued with that monitoring report. All of these Groups submitted their form within the 30 day limit. The forms are in the packs issued to members and the Groups are:

- Funeral and Bereavement
- Malawi
- Tobacco Control

Minutes

19. There is only one Group that is unable to provide minutes from a meeting; this is the CPG on Volunteering and Voluntary Sector. The previous Secretary of the Group did not produce minutes for the meeting on 13 September 2013 and has now left the SCVO. The new SCVO employee providing secretariat support is aware of the requirements of the Code and has assured the clerks that this will not happen again.

20. **Having considered the information on compliance, the Committee is invited to consider whether it wishes to take any action in relation to non-compliant groups. The Committee could consider—**

- **writing to the Conveners of these groups requesting an explanation;**
- **taking evidence from the Convener of any non-compliant groups; or**
- **disbanding the groups (informing them that they can re-apply for CPG status when they are in a position to comply with the Code of Conduct).**

**Standards, Procedures and Public Appointments Committee
June 2014**

ANNEXE A

There are currently 88 Cross-Party Groups

CPG
Accident Prevention and Safety Awareness
Adult Learning
Adult Survivors of Childhood Sexual Abuse
Animal Welfare
Architecture and the Built Environment
Armed Forces Veterans
Arthritis and Musculoskeletal Conditions
Asthma
Aviation
Cancer
Carers
Caribbean
Children and Young People
China
Chronic Pain
Colleges and Universities
Construction
Co-operatives
Credit Unions
Crofting
Cuba
Culture
Cycling
Deafness
Dementia
Diabetes
Digital Participation
Disability
Drugs and Alcohol Misuse
Dyslexia
Epilepsy
Fair Trade
Families Affected by Imprisonment
Food
France
Funerals and Bereavement
Gaelic
Germany
Golf
Health Inequalities
Heart Disease and Stroke

Housing
Human Rights
Human Trafficking
Industrial Communities
International Development
Japan
Learning Disability
Life Sciences
Malawi
Men's Violence Against Women and Children
Mental Health
Middle East and South Asia
MS
Muscular Dystrophy
Nuclear Disarmament
Oil and Gas
Older People, Age and Ageing
Pakistan
Palestine
Palliative Care
Park Homes
Poland
Postal Issues
Psoriasis and Psoriatic Arthritis
Racial Equality in Scotland
Rail
Rare Diseases
Recreational Boating and Marine Tourism
Renewable Energy and Energy Efficiency
Rural Policy
Russia
Science and Technology
Scotch Whisky
Scots Language
Scottish Economy
Scottish Showmen's Guild
Skills
Social Enterprise
Sport
Taiwan
Tibet
Tobacco and Health
Towns and Town Centres
Turkey

Video Games Technology
Visual Impairment
Volunteering and the Voluntary Sector

Annexe B

CPG on Russia

The CPG on Russia was established on 7 September 2011.

The Committee wrote to the Group on 25 November 2013 as, according to records held by clerks, the Group were not on target to meet twice in a year, as required by the Code.

The Convener of the Group, Rob Gibson, responded to say that the Group had met in June 2013. Clerks had not received notification of this meeting.

The Group has met on the following dates—

- 19 June 2012 (notification received on 17 May)
- 28 November 2012 (this meeting included the AGM) (notification received on 22 November (requirement under the Code is 10 days notice))
- 25 June 2013 (no notification of this meeting received)
- 19 November 2013 (this meeting included the AGM) (notification received on 15 November)

The Group has provided minutes for meetings on 28 November 2012, 25 June 2013 and 19 November 2013.

The annual return from the AGM on 28 November 2012 was outstanding in 2013 (requirement under the Code is 30 days). Clerks emailed on 22 February and 6 February 2013 to request the Annual Return. It was received on 7 March 2013. The version received on 7 March was incomplete and the complete version was received on 18 March 2013.

The annual return form for the AGM on 19 November 2013 was outstanding in 2014. Clerks emailed on the 4 February 2014 to request the annual return. It was received on 19 February 2014. The form shows that the Group only has four MSP members (requirement under Code is at least 5).

The Group has since been informed on a number of occasions that it requires to secure at least one additional MSP member.

CPG on Scots Language

The CPG on Scots Language was established on 27 March 2012.

On 29 April and 9 May 2013 Clerks emailed the Convener, Rob Gibson, to say that the AGM should have been held by 27 March 2013.

In May 2013 the Convener of the Group informed the clerks that the Group was in abeyance (this is not allowed under the Code).

Following consideration of the monitoring report in November 2013, the Committee wrote to the Group to ask the Group to make a decision on whether it was dissolved or whether it would start being active.

The Group then held an AGM on 26 February 2014. The annual return was received on 13 March 2014 and showed that the Group only had SNP members.

The Group has since been informed on a number of occasions that it requires to secure at least two additional MSP members from different political parties (one Labour and one Conservative).