

**Standards, Procedures and Public Appointments Committee****8th Meeting 2013 (Session 4), Thursday 23 May 2013****Cross Party Groups – six monthly monitoring report****Introduction**

1. The Standards, Procedures and Public Appointments Committee is responsible for overseeing the Cross Party Group (CPG) system including: deciding whether to accord recognition to proposed Groups, assessing whether Groups are functioning in line with the terms of the Rules on CPGs (Section 6, Volume 2 of the Code of Conduct), and considering any complaints submitted to the Committee under the terms of the Code. The Committee is able to take written evidence and oral evidence from Groups which it is concerned may not be functioning effectively and, in exceptional circumstances, may agree to remove recognition from a Group, causing it to disband.

2. To set the work of Groups in context, the CPG system forms an important part of the work of MSPs. CPGs undertake very valuable work, allowing for information sharing and collaboration within the policy community and providing MSPs with information that aids them in scrutinising the Scottish Government in committees, in the chamber and through written questions<sup>1</sup>.

3. As noted in the report, there has been a positive response to the implementation of the recommendations of the Committee's recent Review. It should be noted in considering the information provided below that the Review is at an early stage of implementation and also that some Groups have not been established for long enough to have held an AGM. Therefore there are a number of Groups that have not yet submitted annual returns. The next six monthly report will therefore provide a fuller picture of the work being undertaken by all Groups, and a fuller progress report on the implementation of the Review.

**Background***Recent Review of the operation of CPGs*

4. CPGs were established in the Parliament in 2000. In each Session there has been an increase in the number of CPGs and consequently in the time and resources dedicated to supporting CPGs both inside and outside the Parliament. In light of such increasing demands, the Committee decided to review the system of regulation and operation of CPGs to ensure that the system remains fit for purpose.<sup>2</sup>

5. The Committee completed its review of CPGs in December 2012. The Committee noted in the review report that the recommendations are intended to:

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<sup>1</sup> [Standards Procedures and Public Appointments Committee, 9th Report 2012 \(Session 4\): Review of Cross Party Groups, paragraph 2](#)

<sup>2</sup> [Standards, Procedures and Public Appointments Committee, 9th Report 2012 \(Session 4\): Review of Cross Party Groups, paragraph 5](#)

“deliver robust regulation that will allow the CPGs system to prosper and continue to reflect the key principles of openness and transparency that are an essential part of the Scottish Parliament.”

6. The review findings were agreed by the Parliament on 23 January 2013 and the relevant changes to the Code of Conduct came into force the following day. The report is available in full on the Committee’s website:

[http://www.scottish.parliament.uk/S4\\_StandardsProceduresandPublicAppointmentsCommittee/Reports/stpr-12-09w-rev.pdf](http://www.scottish.parliament.uk/S4_StandardsProceduresandPublicAppointmentsCommittee/Reports/stpr-12-09w-rev.pdf)

#### *Monitoring reports*

7. The Committee agreed, as part of the review, to consider a report every six months to look at how the Groups were functioning. The previous SPPA Committee considered such reports annually. The current SPPA Committee agreed that considering reports at six monthly intervals would allow the Committee to keep a more active watching brief on the work of groups, thus enabling the Committee to make robust decisions about the effectiveness of the whole CPG system and, where necessary, pursue any concerns on the functioning of individual groups with the relevant Conveners.

8. The Review also provided for changes to the Code of Conduct to make clear the information that Groups are required to include in their annual return. This includes a brief summary of the topics discussed at each meeting, details of any additional activities such as events or visits and papers/reports published by the group and the MSP and non-MSP attendance numbers for each meeting. All of the annual returns provided by Groups are available on the CPG website:

<http://www.scottish.parliament.uk/msps/1696.aspx>

9. As noted in the Review, one of the benefits of the CPG system in the Scottish Parliament is the extent to which CPGs activities are open and transparent. Ensuring the information on the website is up to date is also very important as it allows Groups to demonstrate that their work is transparent. Groups are required to provide information in the form of meeting notifications, minutes and annual returns, all of which are published on the Parliament’s website. This allows anyone to access details of the work of a Group, including those considering taking an active part in one. Any individual or organisation can then approach a Group to attend meetings that appeal to them and then, if they are sufficiently interested, become a non-MSP member of that Group.

10. The accessibility of this information on the website is therefore a useful tool in encouraging people to become involved in CPGs. The Committee made clear in the Review report that Groups which have a large number of distinct viewpoints represented on them were valuable to MSPs. They provide a forum for MSPs to get a sense of the diverse views on a particular subject. This insight then feeds into their work as parliamentarians, informing their contributions during parliamentary business. The information provided by Groups is also the main means by which the

Committee can assess how well the CPG system is functioning. It is this information that has been used to inform this monitoring report.

### **Implementation of Review recommendations**

11. There has been a positive response from Groups to the changes introduced following the Review, with a noticeable increase in the level of information readily being provided to the Standards clerks.

12. For example, the number of annual reports submitted that inform this report is considerably higher than the number submitted to the predecessor Committee. This demonstrates that the increased monitoring role is already proving to be effective. One of the factors that triggered the predecessor Committee's recommendation in its legacy paper that a review would be beneficial was the low number of annual returns submitted for the January 2011 monitoring report. Of the 78 Groups in operation at that time, only 16 submitted annual returns.

13. In beginning to implement the Review, the clerks held a series of workshops and one-to-one meetings involving MSPs, their staff and individuals/organisations responsible for providing Secretariat support to Groups. As a result over 40 people have been briefed on the changes. In addition a list of frequently asked questions was issued to all Groups on introduction of the changes along with the new Rules in the Code of Conduct and this has received a positive response.

14. The Review gave the Standards clerks a stronger role in encouraging Groups to comply with the rules in the Code. This allowed the clerks to prompt Groups when they did not provide certain pieces of information on time, for example notifications of meetings, minutes or annual returns. It also allowed clerks to prompt Groups when the date for their Annual General Meeting was approaching. In one case such prompting led to one Group, which had not met for over a year, advising the Standards Clerks of its dissolution.

15. This is in addition to the role previously performed by clerks, which included maintaining the CPG website and also highlighting when the membership of Groups dipped below the level required by the Code. For example, if an MSP removed themselves from the membership, Groups sometimes needed prompting to ensure the criteria for the minimum number of MSPs and also for a cross-party spread of MSPs were maintained. When the increased role of Standards clerks has been explained in workshops and one-to-one meetings, feedback received suggests that pro-active prompting is welcome. A common comment from those providing secretariat support to Groups was that they provided this in addition to their 'day job' and often on a voluntary basis, so assistance from the clerks was gratefully received.

16. It should be noted that the clerks do not become involved in any form of quality assurance of the information provided in the annual returns, beyond sending returns back to Groups where details of MSP attendance at CPG meetings is not provided.

## Overview of Groups – key facts

17. Annexes A and B provide more details on Groups and on which of them have complied with the requirements of the Code. However, the following key facts provide an overview of how the system is operating<sup>3</sup>—

- during 2013 there were 82 groups in operation (a list of all Groups is attached at Annexe A)<sup>4</sup>;
- the total non-MSP membership (both for individuals and organisations) is currently 2,471 (an average of 31 non-MSP members per CPG);
- at present all but one group is compliant with MSP membership requirements<sup>5</sup>;
- annual returns require to have been submitted by 78 Groups. 61 of these have been received. Seven other Groups will have held AGMs by 23 May 2013 and are currently preparing their annual returns for submission<sup>6</sup>. AGMs for four more Groups are scheduled for the coming weeks. Of the remaining six groups, two are considering whether to continue as CPGs, one has not held its AGM, one was due to hold its AGM on 22 May but had to cancel, one is currently in abeyance and one has now dissolved;
- on average, groups held approximately **5** meetings per year;
- on average **3.75** MSPs attended each CPG meeting.
- 105 MSPs are members of CPGs

18. This is based on a total of 258 meetings of 58 CPGs and 1,070 instances of MSPs attending those meetings.

## Work undertaken by Groups

19. One of the purposes of the new format of CPG monitoring report is to provide an opportunity to highlight some of the work that has been undertaken by Groups.

20. There are numerous examples of positive outputs from Groups detailed in the annual returns. For example, using a sample of annual returns submitted, the following activities can be highlighted—

- the CPG on Adult Survivors of Childhood Sexual Abuse held an evidence session with the Minister for Public Health on the physical health and wellbeing of survivors;
- the CPG on Animal Welfare established a sub-group on the use of CCTV in slaughterhouses;
- the CPG on Architecture and the Built Environment held a Garden Lobby event entitled Scotland's Places – A Celebration attended by over 100 people

<sup>3</sup> This information and the information contained in the Annexes is up to date at Wednesday 15 May

<sup>4</sup> This includes the CPG on Lupus which dissolved on 10 May.

<sup>5</sup> the Beer and Brewing CPG currently only has 3 MSP members

<sup>6</sup> A group has 30 days from its AGM to submit an annual return.

including a presentation from the Minister for Local Government and Planning; and

- the CPG on Armed Forces Veterans have spent a number of meetings focussing on specific areas of interest such as housing, alcohol and mental health issues. This included briefings from the Scottish Federation of Housing Associations, Veterans Scotland and Glasgow's Helping Heroes.

21. Additionally there are a number of Groups that have held joint meetings. These include—

- The CPG on Children and Young People and the CPG on Drug and Alcohol Misuse;
- The CPG on Children and Young People and the CPG on Mental Health;
- The CPG on Chronic Pain and the CPG on Arthritis and Musculoskeletal Conditions;
- The CPG on Epilepsy and the CPG on Mental Health;
- The CPG on Food and the CPG on Older People, Age and Ageing;
- The CPG on Heart Disease and Stroke and the CPG on Visual Impairment;
- The CPG on Mental Health and the CPG on Sport;
- The CPG on Older People, Age and Ageing and the CPG on Sport;
- The CPG on Sport and the CPG on Volunteering and the Voluntary Sector.

### **Compliance with the Code**

22. Annexe B provides details of meetings held by Groups, including Annual General Meetings. As detailed in the annexe, there are a few groups that have not done one or more of the following—

- notified the clerks 10 days in advance of holding a meeting;
- held an AGM within the required timescale; or
- ensured that MSP membership remained at 5 MSPs or more.

There are also Groups that have not met for over a year.

**23. The Committee is invited to consider whether it wishes to take any action in relation to any of these Groups. Depending on the nature of the non-compliance, the Committee could consider—**

- **writing to the Conveners of these Groups requesting an explanation; or**
- **inviting the relevant Conveners to appear before the Committee.**

**24. More generally, as this is the first monitoring report the Committee has considered, it may also wish to consider—**

- **whether it is content with annual return form contained in Annexe C of this paper; and**

- **the merit of issuing supplementary guidance with the form specifying the type of information the Committee would want to see included in future annual returns.**

**Standards, Procedures and Public Appointments Committee  
May 2013**

## ANNEXE A

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

<b>CPG</b>
Human Trafficking
Industrial Communities
International Development
Learning Disability
Life Sciences
Lupus (dissolved - 10 May 2013)
Malawi
Men's Violence Against Women and Children
Mental Health
Middle East and South Asia
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
Recreational Boating and Marine Tourism
Renewable Energy and Energy Efficiency
Rural Policy
Russia
Science and Technology
Scotch Whisky
Scots Language
Scottish Showmen's Guild
Sexual Health
Skills
Social Enterprise
Sport
Taiwan
Tibet
Tobacco Control
Towns and Town Centres
Video Games Technology
Visual Impairment



## ANNEXE B

**Requirements to hold CPG meetings, including annual general meetings**

As stated above, the Standards clerks began work informing Groups of the changes being implemented as a result of the Review in January 2013. The information provided below has been collated since January 2013.

**Meetings**

- *Requirement in the Code – Groups must hold at least two meetings per year, and one of these must be the AGM. Meetings of a Group must be announced in advance via the Parliament website with meeting details notified to the Standards clerks at least 10 calendar days in advance of the meeting.*

72 Groups have met once in 2013. Of these, 42 have one, or more, further meetings scheduled for later in the year.

The following five Groups have not yet met in 2013, and have no meetings scheduled—

- Cuba – last met on 12 December 2012
- Oil and Gas – last met on 19 December 2012
- Postal Issues – last met on 13 November 2012
- Russia – last met on 28 November 2012
- Scots Language – last met on 12 December 2012

The following four groups have not met for over a year—

- Beer and the Brewing Industry – has not met since initial meeting on 29 June 2011
- Co-operatives – has not met since initial meeting on 29 June 2011
- Park Homes – has not met since initial meeting on 18 January 2012
- Sexual Health – last met on 1 February 2012.

The following Group did not meet in 2013 and advised the Standards Clerks on 10 May 2013 of its dissolution:

- Lupus – final meeting was January 2012.

The following Groups have met but did not provide notification of these meetings – (all have been reminded that the Standards Clerks should receive notifications of meetings 10 days prior to the meeting)—

- Construction
- Diabetes
- Disability
- Families affected by Imprisonment

- Human Rights
- Human Trafficking
- Malawi
- Men's Violence Against Women and Children
- Older People, Age and Ageing
- Rural Policy
- Scottish Showmen's Guild

### **Annual General Meetings**

- *Requirement in the Code – Groups must hold an AGM once every 12 months following the date of the Group's establishment.*

Of the 82 Groups that have been in existence during 2013, four are not yet required to hold an AGM as they have not been established for a year.

32 Groups held AGMs and submitted annual returns agreed at these meetings to the Clerks in advance of the Review recommendations being approved.

In February and March the clerks wrote to the remaining 46 Groups to inform them that they should have held AGMs in 2011-2012 or in January to February 2013.

29 of the 46 Groups have now held AGMs and they have now provided their annual return forms—

- Arthritis and Musculoskeletal Conditions
- Carers
- Caribbean
- Children and Young People
- Chronic Pain
- Crofting
- Credit Unions
- Diabetes
- Digital Participation
- Disability
- Drug and Alcohol Misuse
- Dyslexia
- Fair Trade
- Families Affected by Imprisonment
- Golf
- Health Inequalities
- Human Rights
- Industrial Communities
- Learning Disability
- Men's Violence Against Women and Children
- Middle East and South Asia
- Nuclear Disarmament

- Oil and Gas
- Palestine
- Palliative Care
- Racial Equality in Scotland
- Russia
- Scottish Showmen's Guild
- Volunteering and the Voluntary Sector (AR not yet rcvd but due on 16 May)

Four Groups have now scheduled AGMs—

- Co-operatives – 29 May 2013
- Human Trafficking – 05 June 2013
- Older People, Age and Ageing – 12 June 2013
- Recreational Boating and Marine Tourism – 29 May 2013

Seven Groups will have held an AGM by 23 May 2013 but their annual returns are not yet due—

- Asthma – AGM 8 May 2013
- Cycling – AGM 10 May 2013
- Deafness – AGM 10 May 2013
- Life Science – AGM 21 May 2013
- Poland – AGM 1 May 2013
- Social Enterprise – AGM 21 May 2013
- Video Games Technology – AGM 14 May 2013

Two Groups, which have not held AGMs, are currently in the process of considering whether to continue in their current form—

- Beer and the Brewing Industry
- Sexual Health

The CPG on Park Homes indicated that it was awaiting the introduction of legislation before continuing the work of the Group. The Group has been advised of the need to hold an AGM regardless of whether the legislation has been introduced.

The CPG on Scots Language was due to hold its AGM on 27 March. The Convener of that Group has advised the Standards clerks that, due to the Group considering another model of working, it has been in abeyance since December 2012. The Group expects to report in detail soon.

The CPG on Dementia was due to hold its AGM on 22 May. This was cancelled due to the resignation of the Convener, Mark McDonald, as an MSP and due to none of the other MSP members of the Group being able to convene the AGM on that date. The Group has been advised that it should hold an AGM as soon as possible.

As indicated above, the CPG on Lupus dissolved on 10 May 2013. It did not hold an AGM prior to this.

## **Membership**

- *Requirement in the Code – Cross Party Groups must have at least 5 MSP members with cross party representation*

The CPG on Beer and the Brewing Industry does not currently have five MSP members. Its membership dropped to four MSPs when John Park stood down as an MSP in December 2012 and to three when Mark McDonald stood down as an MSP in May 2013. All other CPGs have five or more MSPs

## ANNEXE C

## CROSS-PARTY GROUP ANNUAL RETURN

<b>NAME OF CROSS-PARTY GROUP</b>
Cross-Party Group on <SUBJECT>
<b>DATE GROUP ESTABLISHED</b> (the date of establishment is the date in this parliamentary session that the Group held its initial meeting, where the office bearers were elected and not the date that the Group was accorded recognition. All Groups should hold their AGMs on, or before, the anniversary of this date.)
<b>DATE ANNUAL RETURN SUBMITTED</b>
<b>GROUP MEETINGS AND ACTIVITIES</b>
Please provide details of each meeting of the Group including the date of the meeting, a brief description of the main subjects discussed and the MSP and non-MSP attendance figures.
Details of any other activities, such as visits undertaken by the Group or papers/report published by the Group should also be provided.
<b>MSP MEMBERS OF THE GROUP</b>
Please provide names of all MSP members of the Group. Note that only names need to be provided, no party designation or other information is required.
<b>NON-MSP MEMBERS OF THE GROUP</b>
For organisational members please provide only the name of the organisation, it is not necessary to provide the name(s) of individuals who may represent the

organisation at meetings of the Group.	
Individuals	
Organisations	
<b>GROUP OFFICE BEARERS</b>  Please provide names for all office bearers. The minimum requirement is that two of the office bearers are MSPs and one of these is Convener – beyond this it is a matter for the Group to decide upon the office bearers it wishes to have. It is permissible to have more than one individual elected to each office, for example, co-conveners or multiple deputy conveners.	
Convener	
Deputy Convener	
Secretary	
Treasurer	
<b>FINANCIAL BENEFITS OR OTHER BENEFITS RECEIVED BY THE GROUP</b>  Please provide details of any financial or material benefit(s) received from a single source in a calendar year which has a value, either singly or cumulatively, of more than £500. This includes donations, gifts, hospitality or visits and material assistance such as secretariat support.  Details of material support should include the name of the individual providing support, the value of this support over the year, an estimate of the time spent providing this support and the name of the organisation that this individual is employed by / affiliated to in providing this support.  Groups should provide details of the date on which the benefit was received, the value of the benefit and a brief description of the benefit.	
<b>SUBSCRIPTION CHARGED BY THE GROUP</b>  Please provide details of the amount charged and the purpose for which the	

subscription is intended to be used.	
<b>CONVENER CONTACT DETAILS</b>	
Name	
Parliamentary address	
Telephone number	