



The Scottish Parliament
Pàrlamaid na h-Alba

Standards, Procedures and Public Appointments Committee

Edward Mountain MSP
Convener
Net Zero, Energy and Transport
Committee

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6 February 2023

Dear Convener,

I am writing to you to seek your Committee's views on a matter raised in correspondence by the Conveners Group with the SPPA Committee.

At its meeting on 2 February, the SPPA Committee considered the attached letter from the Conveners Group. The Conveners Group has agreed that there may be merit in exploring possible procedural options which could be used to require the Scottish Government to make available information necessary to inform the scrutiny process, particularly to support commitments to deliver against net zero targets. In addition to attaching the letter from the Conveners Group, I also attach the correspondence referred to in that letter between the Conveners Group and the Scottish Government.

As you will be aware, Standing Orders currently require the Policy Memorandum for a Bill to include an assessment of a Bill's impact on sustainable development. I would be grateful if your Committee could give consideration to whether the level and type of information provided to the Parliament is currently inhibiting the scrutiny of legislation with regards to net zero commitments and, if so, what type of information should be made available in the Policy Memorandum in order to support parliamentary scrutiny of legislation with reference to net zero. This would assist the SPPA Committee in better understanding the need for any procedural change and the form that any such change should take.

Yours sincerely,

Martin Whitfield MSP
Convener
Standards, Procedures and Public Appointments Committee

Annexe – Letter from the Conveners Group and associated correspondence

Conveners Group

Martin Whitfield MSP Convener
Standards, Procedures and Public
Appointments Committee

email only

Liam McArthur MSP Chair of
Conveners Group The Scottish
Parliament

[ConvenersGroup@Parliament.](mailto:ConvenersGroup@Parliament)

15 December 2022

Dear Martin

You will recall that earlier this year, Conveners Group discussed how the Parliament can strengthen net zero scrutiny arrangements in session 6.

The Group examined ways to facilitate and support the work of individual committees, as well as achieving a consistency of approach and support across committees. Following discussion, CG agreed to take forward a series of measures intended to make it easier for committees to prioritise climate change and net zero scrutiny.

To inform scrutiny in all policy areas this included the provision of information required to support effective scrutiny. For this reason, these measures include receiving expert advice, such as from the UK Committee on Climate Change, in order to embed net zero scrutiny into inquiry work.

The Group noted that it was important that the Scottish Government was able to provide essential data to facilitate this scrutiny work. With this in mind, you will have seen the correspondence that I have had with the Cabinet Secretary for Net Zero requesting better information on this; the Group will return to this at our meeting later this month.

On a related topic, the Group previously agreed that there may be merit in exploring possible procedural options which could be used to require the Scottish Government to make available information necessary to inform the scrutiny process, particularly to support commitments to deliver against net zero targets.

The current standing orders requires that the policy memorandum includes an assessment of the effects, if any, of the Bill on equal opportunities, human rights, island communities, local government, sustainable development and any other matter which the Scottish Ministers consider relevant.

Clearly public policy has moved on since our standing orders were drafted particularly in terms of net zero targets. In order to support bill scrutiny work the rules governing the provision of information on the introduction of legislation may merit further investigation to examine whether the level and type of information provided to the Parliament has kept pace with public policy commitments and societal expectations. Equally, as well as looking at the type and nature of information that Government should be expected to provide as part of the legislative process, there may also be scope for parliamentary officials, to consider how they can best provide analysis to support the work of committees.

This is something that your committee may wish to consider. Though of course it is for you and your committee to decide whether to take forward, including whether this is something that could be explored jointly with the NZET Committee.

Whatever you decide to do, I hope that we can work productively together with you and your committee colleagues to find ways in which we can best take forward this important scrutiny work.

Yours sincerely

Liam McArthur MSP Chair, Conveners Group

Letter from Chair of Conveners Group to Cabinet Secretary for Net Zero, Energy and Transport: 6 October 2022

At its meeting on 22 June 2022, the Scottish Parliament Conveners Group agreed a number of actions as part of the Group's strategic priorities this session. These are designed to enhance cross-committee scrutiny of climate change and net zero issues, in the wider context of sustainable development. This followed a wide-ranging discussion on these issues at its meeting in April 2022.

The Group recognises the challenges involved in scrutinising these complex issues and has identified this as a matter of high priority for the Parliament to ensure that effective scrutiny of net zero issues can be carried out. This clearly impacts across all portfolios and so the Group explored ways to facilitate this important work.

The Group has agreed a number of measures which aim to embed the scrutiny of net zero and climate change policy within the work of committees. These are—

1. Invite the UK Climate Change Committee to Conveners Group on an annual basis
2. Commission research on climate change and net zero related to committee remits (mix of SPICe, commissioned, adviser)
3. Request, from Scottish Government, emissions data by committee portfolio
4. Consider ways to strengthen parliamentary processes
5. Appoint a climate change / net zero adviser as shared committee resource (appointed through NZET Committee)
6. The continued rollout of the Scottish Parliament [Sustainable Development Impact Assessment Tool](#)
7. Capacity building for MSPs, their staff and staff of the Parliament

Many of these actions are about increasing understanding and capacity building across all committees – and to identify and resolve any scrutiny gaps.

In that context I am writing in particular to take forward action number 3 above – to ask if the Scottish Government can provide greenhouse gas emissions data broken down by committee portfolios.

It is recognised that emissions are normally reported using categorisations reflecting international and national reporting – categories which also form the structure of the Scottish Climate Change Plan. However these do not support parliamentary committees when they are seeking to understand the impact of the portfolios they scrutinise.

The provision of specific emissions data for each portfolio area would help committees understand impact and trends in their remit or help them to identify data gaps. To be of most value it would be helpful if this data could be provided on an annual basis.

In order to progress this, can I suggest that it might be helpful in the first instance if Parliament officials discuss with your officials the technical details about the information which is being sought.

As further context, I attach the paper for the Conveners Group meeting on 22 June which sets out these measures.

I hope you are able to support us in seeking this information.

Letter from Cabinet Secretary for Net Zero, Energy and Transport to Chair of Conveners Group to: 1 November 2022

Thank you for your letter dated 6 October on behalf of the Scottish Parliament Conveners Group.

I welcome the decision of the Group to take forward actions to enhance cross-committee scrutiny of climate change and net zero issues and the opportunity this raises for Parliament to build upon the work being done through the Joint Budget Review on matters related to climate and other activities.

In its letter, the Group specifically requests that Scottish Government provide emissions data, categorised according to committee portfolio. Scottish Government is happy to support this endeavour by offering Parliament officials an initial session or workshop to introduce the currently-available emissions data, but note that the information is not currently available on the specific basis requested and will require additional processing to categorise the data by portfolio. This subsequent work would sit most appropriately with Parliament officials.

The data, held in the Scottish Greenhouse Gas Emissions Inventory, is not currently presented in a portfolio-by-portfolio way. Generating such a categorisation would encounter numerous 'boundary' issues (ie which emissions to allocate to which portfolio) that are best judged by Parliamentary colleagues. It is also unclear the extent to which the necessary mapping of emissions to portfolio could be achieved from the existing data or whether additional analysis would be required to arrive at a satisfactory breakdown. Again, these choices are most appropriate for Parliamentary colleagues to make.

To take this approach forward, I suggest Parliamentary officials contact my officials and they can advise on options and possible approaches.

Once again, I welcome this initiative to improve Parliamentary scrutiny and look forward to hearing more as the work of the Group progresses.