

Standards, Procedures and Public Appointments Committee

3rd Meeting 2024 (Session 6), Thursday 8 February 2024

Cross-Party Groups – annual monitoring report

Introduction

1. The Standards, Procedures and Public Appointments Committee (the Committee) is responsible for overseeing the Cross-Party Group (CPG) system. As part of this role, it considers annual monitoring reports on Groups' compliance with the rules in Section 6 of the Code of Conduct for MSPs (the Code).

Compliance

2. The monitoring report covers the following rules that all Groups must comply with—

- Groups are normally required to have at least five MSPs, with at least one MSP from each of the parties or groups represented on the Parliamentary Bureau. The Committee has previously agreed that there should be a general waiver of this Rule in the current Session and Groups are now required to have five MSPs from the majority of parties represented on the Parliamentary Bureau;
- CPGs must hold at least two formal meetings per year, a formal meeting is a meeting where two MSPs, who are members of the Group, are present at the meeting;
- CPGs must hold an AGM, within 11-13 months of the initial meeting, and each 11-13 months thereafter;
- CPGs must submit an annual return form within 30 calendar days of the AGM;
- CPGs must provide Standards Clerks with 10 calendar days' notice of all meetings; and
- CPGs must provide minutes of all meetings.

3. Annexe A gives a summary of CPGs compliance with the Code of Conduct Rules.

4. Annexe B gives further information on those Groups that have not complied with the rules.

5. Three cross-party groups were accorded recognition in 2023. These are:

- Fisheries and Coastal Communities

- Ukraine
- Civil Nuclear Industry

6. Two cross-party groups disbanded in 2023. In both cases, the groups were unable to hold meetings due to the non-availability of MSP Members. These are:

- Ireland
- Sustainable Uplands Management

Committee consideration

7. Having considered the information on compliance and membership, the Committee is invited to consider whether it wishes to take any action in relation to non-compliant groups and/or Groups who have failed to meet or hold an AGM. The Committee could, for example decide to write to the Conveners of Groups for an explanation or invite them in to give evidence to the Committee.

Clerks
Standards, Procedures and Public Appointments Committee
February 2024

SUMMARY OF CPG COMPLIANCE WITH CODE OF CONDUCT RULES

KEY

	CPG has complied with the rules in the Code of Conduct
	CPG has partly complied with the rules
	CPG has failed to comply with the rules most or all of the time
	Not applicable as Group has not been in existence long enough to have to comply with the rule OR information not due at time of report

CPG	Cross-Party Membership	Held two meetings	Hold an AGM	Annual return	Notice of meeting	Minutes of meetings
Accident Prevention and Safety Awareness						
Adult Survivors of Childhood Sexual Abuse						
Animal Welfare						
Armed Forces and Veterans Communities						
Arthritis and Musculoskeletal Conditions						
Autism						
Aviation						
Bangladesh						
Beer and Pubs						

CPG	Cross-Party Membership	Held two meetings	Hold an AGM	Annual return	Notice of meeting	Minutes of meetings
Building Bridges with Israel						
Cancer						
Care Leavers						
Carers						
Challenging Racial and Religious prejudice						
Changing Places Toilets						
Children and Young People						
China						
Chronic Pain						
Circular Economy						
Civil Nuclear Industry						
Colleges and Universities						
Commercial Sexual Exploitation						
Construction						
Co-Operatives						
Creative Economy						
Credit Unions						
Crofting						
Cuba						
Culture and Communities						
Deafness						
Diabetes						
Disability						

Drug and Alcohol Misuse ¹						
Dyslexia						
CPG	Cross-Party Membership	Held two meetings	Hold an AGM	Annual return	Notice of meeting	Minutes of meetings
End of Life Choices						
Epilepsy						
Europe						
Fair Trade						
Families Supporting Children's Learning						
Fisheries and Coastal Communities						
Food						
Freedom of Religion and Belief						
Funerals and Bereavement						
Future of Football in Scotland						
Gaelic						
Gardening and Horticulture						
Germany						
Health Inequalities						
Heart and Circulatory Diseases						
Housing						
Human Trafficking						
Ice Sports						

¹ A complaint was received in relation to this CPG and was considered by the Committee on [18 January 2024](#).

Improving Scotland's Health						
Independent Convenience Stores						
India						
CPG	Cross-Party Membership	Held two meetings	Hold an AGM	Annual return	Notice of meeting	Minutes of meetings
Industrial Communities						
Inflammatory Bowel Disease						
International Development						
Ireland						
Islands						
Japan						
Learning Disability						
LGBTI						
Life Sciences						
Long COVID						
Lung Health						
Malawi						
Maritime and Shipbuilding						
Medicinal Cannabis						
Men's Violence Against Women and Children						
Mental Health						
Migration						
MS						
Muscular Dystrophy						

Music						
Nature and Climate						
Nordic Countries						
Nuclear Disarmament						
Oil and Gas						
CPG	Cross-Party Membership	Held two meetings	Hold an AGM	Annual return	Notice of meeting	Minutes of meetings
Older People, Age and Ageing						
Outdoor Education						
Pakistan						
Palestine						
Palliative Care						
Poland						
Poverty						
Rare, Genetic and Undiagnosed Conditions						
Recreational Boating and Marine Tourism						
Renewable Energy and Energy Efficiency						
Rugby Development in Scotland						
Rural Policy						
Science and Technology						
Scotch Whisky						
Scots Language						
Scottish Gypsy/Traveller Community						

Scottish Horseracing and Bloodstock Industries						
Scottish Showmen's Guild						
CPG	Cross-Party Membership	Held two meetings	Hold an AGM	Annual return	Notice of meeting	Minutes of meetings
Shared Parenting						
Skills						
Social Enterprise						
Social Work						
Space						
Sport						
St Andrew's Day						
Stroke						
Sustainable Transport						
Sustainable Uplands Management						
Taiwan						
Tibet						
Tourism						
Towns and Town Centres						
Ukraine						
USA						
Visual Impairment						
Volunteering						
WASPI						
Wellbeing Economy						
Women in Enterprise						

Women, Families and Justice						
Women's Health						
Wood Panel Industry						

Further information on compliance with the code of conduct

CPGs that have fully complied with the Code

1. 76 CPGs have fully complied with the Code in the relevant period.

CPGs that have failed to comply with the rules most or all of the time

2. There are a number of Groups since January 2023 that have failed to comply with the Code most of the time or all of the time.
3. The CPG on Rare, Genetic and Undiagnosed Conditions is in breach in all aspects of the Code of Conduct. It does not meet the requirements for 5 Members from 3 parties represented on the Parliamentary Bureau. It has not held any meetings including an AGM and it has not submitted an annual return. The Convener advised that in June 2023 he hoped the issues would be resolved at a future meeting but no further response has been received.
4. The CPG on Rugby Development is also in breach in all aspects of the Code of Conduct. It does not meet the requirements for 5 Members from 3 parties represented on the Parliamentary Bureau. It has not held any meetings including an AGM and it has not submitted an annual return. The Convener was emailed in November 2023 but no response has been received.
5. The CPG on Poland has not held any meetings in 2023, not held its AGM and therefore not submitted an annual return. It does have a quorate membership. The Convener was emailed in November 2023 but no response has been received.
6. The CPG on Scottish Horseracing and Bloodstock Industries has not held any meetings in 2023, not held its AGM and therefore not submitted an annual return. It does have a quorate membership. No contact has been received from the Convener.
7. Compliance issues regarding the CPG on Japan were raised at the last annual report. The Committee wrote to the Convener who undertook to ensure compliance with the Code of Conduct going forward. Since September 2023, the CPG has only had two parties on the Parliamentary Bureau represented on the CPG.
8. The CPG on Shared Parenting did not submit an AGM return in 2021/22. The 2023/24 AGM was due to be held in November 2023 but to date no meeting notification has been received by the Clerks.
9. Due to Ministerial appointments, the following CPGs only had two parties on the Parliamentary Bureau represented on the CPG for more than six months of the

year:

- Co-Operatives throughout the period December 2022 to July 2023;
 - Culture and Communities throughout the period April 2023 to October 2023;
 - Social Enterprise throughout the period April 2023 to November 2023
10. Two CPGs that were accorded recognition in October 2022 are in breach of the code of conduct in their first year. The CPG on Scots Language has failed to hold its AGM and the CPG on Ice Sports has failed to submit an annual return.

CPGs which have partly complied with the rules

Insufficient MSP members and insufficient office bearers

11. Section 6, paragraph 8 of the Code requires that each Group has at least 5 MSP members, with at least one MSP member from each of the parties or groups represented on the Parliamentary Bureau. The SPPA Committee agreed a waiver to this rule for Session 6 and all CPGs are required to have at least 5 MSP members, with at least one MSP member from the three of the parties or groups represented on the Parliamentary Bureau.
12. A number of CPGs at present have not met the above criteria. The Ministerial appointments of Paul McLennan MSP, Jenni Minto MSP and Elena Whitham MSP left some groups without sufficient MSP members. In some instances, it took the CPG over 6 months to rectify this situation.
13. The following table shows those CPGs that are not compliant regarding MSP Membership and/or Office-Bearer roles—

CPG	Number of MSPS	Number of Parties	At least 2 Office-holders	Comments
Co-Operatives				Due to Elena Whitham MSP Ministerial appointment, group was in breach from December 2022 to July 2023
Culture and Communities				Due to Jenni Minto Ministerial appointment, group was in breach from April 2023 to October 2023
Japan				Only Labour and Conservative members. Group highlighted in 2022/23 report for non-compliance
Learning Disability				Only 1 office-holder elected at AGM in December 2023.
Lung Health				In breach from September 2023 to January 2024

Rare, Genetic and Undiagnosed Conditions				Only 3 MSPs from 3 parties.
Rugby Development				Only has Conservative and Labour MSP Members and one office-holder
Skills				Only SNP and Conservative members
Social Enterprise				Due to Paul McLennan Ministerial appointment, group was in breach April 2023 to November 2023

AGM not held or held within the specified timeframe

14. The following CPGs held their AGMs at the incorrect time. All Groups have all been reminded of the requirements in the Code to hold the AGM within 11-13 months of the initial meeting, or previous AGM—

CPG	Due From	Held	Comments
Dyslexia	30/9/23	28/11/23	Deadline missed due to staff absence
End of Life Choices	27/9/23	28/11/23	Deadline missed due to staff absence
Families Supporting Childrens Learning	7/6/23	19/9/23	Convener aware
Medicinal Cannabis	N/A	N/A	AGM was not quorate, AGM return incomplete. Not noticed by Clerk so accepted in error. CPG wasn't notified of issues.
Music	25/10/23	13/12/23	Convener aware
Nature and Climate	27/6/23	13/9/23	No reason
Nuclear Disarmament	21/9/23	13/12/23	No reason
Older People, Ageing and Old Age	19/1/23	20/4/23	Group initial meeting was January 22 but CPG recognizes April 22 as official start
Palestine	22/11/23	7/2/24	Change in secretariat
Poland	8/11/23		Convener reminded November 2023, no reply
Rare, Genetic and Undiagnosed Conditions	8/9/23		Email exchange with Convener April 2023 undertaking to sort issues. No response since
Rugby Development	8/9/23		Convener reminded November 2023, no reply

Scots Language	6/10/23		Convener reminded November 2023, no reply. This CPG is in its first year, having been accorded recognition in October 2022
Scottish Horse-Racing and Bloodstock Industries	18/5/23		No reason
Shared Parenting	8/11/23		No reason. AGM return still outstanding for 2021/22
Stroke	27/10/23	19/1/24	Convener was sent a reminder in September 2023
USA	8/6/23	3/10/23	No reason

Annual Return late

15. The following CPGs have either submitted their annual returns late or not at all. All Groups have been reminded of the requirement in the Code to provide annual returns within 30 calendar days of the AGM—

CPG	Due	Submitted	Comments
Challenging Racial and Religious prejudice	14/12/23	12/1/24	No reason however Secretariat and Deputy Convener both previously advised of timescales required for submission
Changing Places Toilets	1/3/23		No reason
Chronic Pain	1/12/23	3/1/23 and returned	IT issues led to delay in annual return being submitted. Unfortunately, it was submitted on 1 January 2024 by the Secretariat and not using the template provided. Returned 9/1/24
Commercial Sexual Exploitation	25/11/23		No reason
Creative Economy	27/10/23	13/11/23	Convener oversight
Dyslexia	30/9/23	6/12/23	Staff Absence
Germany	13/7/23	1/9/23	No reason
Human Trafficking	7/12/23	17/1/24 returned	Submitted by secretariat so returned. Second year running the annual return submitted late
Ice Sports	1/12/23		Accorded recognition 25/10/22 so breach in first year
Medicinal Cannabis	28/10/23	22/11/23	No reason

Mental Health	8/3/23	24/5/23	No reason
Nuclear Disarmament	13/1/23	29/1/23 and returned	Submitted by secretariat and also incomplete
Pakistan	29/12/23	12/10/23	Sent too early. Returned with explanation but not resubmitted
Womens Health	19/10/23	24/10/23	Staff Absence

10 calendar days' notice of meeting

16. The following CPGs did not give the required notice period for meetings. All Groups have all been reminded of the requirements in the Code to provide 10 calendar days' notice for all meetings—

CPG	Meeting date	Notification date	Comments
Islands	4 meetings	January 2024	Clerks notified in January 2024 that CPG had 4 meetings in previous year that were not notified
LGBT+	28/9/23	4/10/23	Notified of date after meeting had taken place
Medicinal Cannabis	28/9/23	1/11/23	Notified of date after meeting had taken place
Migration	28/2/23	1/3/23	Apologies received from CPG
Nuclear Disarmament	13/6/23	21/6/23	Notified of date after meeting had taken place
Outdoor Education	9/11/23	17/11/23	Notified of date after meeting had taken place
Scottish Gypsy/Traveller Community	2 meetings		Clerks not notified of two meetings
Social Work	24/10/23	20/10/23	4 days notice for AGM. Change in secretariat
Volunteering	Various		AGM form listed meetings Clerks had not been informed of. Change in secretariat July 2023

Fewer than two quorate meetings per year

17. Those CPGs that did not hold at least two quorate meetings though out the year are highlighted in the table at Annex A.

Failure to provide minutes of meetings

18. Those CPGs that did not provide minutes of meetings are highlighted in the table at Annex A