

MINISTERIAL CHANGES – IMPACTS ON PARLIAMENTARY BUSINESS

Introduction

1. Following confirmation of the new allocation of ministerial responsibilities, the Bureau is invited to consider the possible impacts on other aspects of parliamentary business, primarily on committee remits and Portfolio Questions.

Committee remits

2. Standing Orders provide that committees are established by the Parliament on a motion of the Parliamentary Bureau. In doing so, the Bureau may propose the remit and duration of a committee. Subject committees established at the start of Session 6 were established for the duration of the whole Session, which follows established practice.
3. The default position therefore is that committees continue with the same remits as previously for the remainder of the session. This was the approach taken in 2014 when a new First Minister was elected mid-session and a case would have to be made for any departure from that approach.
4. The Bureau may also wish to note that this approach provides continuity in the topics considered by existing committees and supports the continuation of previously agreed work programmes given that a number of committees are either in the course of inquiries or have been carrying pre-inquiry work.
5. Committees will also have established relationships with their stakeholders and so any change in the responsibilities of committees could compromise those relationships.
6. If the Bureau is content with this approach, it is proposed to bring the proposed remit revisions to a future meeting.
7. Separately, the Bureau may wish to consider the future role and remit of what is currently the Covid-19 Recovery Committee. There is no longer a single ministerial responsibility for this area. However, the Committee is currently undertaking an inquiry into long covid and with further work planned. To inform consideration, Bureau may wish to invite the Convener (when chosen) and Deputy Convener to a meeting to set out the Committee's views on its future role. In doing so, Bureau will be aware of the potential significant workload impacts on certain committees, particularly Health that may arise from both Scottish Government and non-Scottish Government legislation.

Portfolio Questions

8. As the Bureau is aware, Portfolio Questions are currently scheduled on the basis of a 3-weekly cycle, with two portfolios on Wednesday and one on Thursday. Portfolio Questions in the weeks commencing 17 and 24 April have been scheduled by the Parliament based on the previous Cabinet Secretary portfolios. Following the changes to ministerial responsibilities, the Bureau is invited to consider a new cycle of portfolio questions. In doing so, Business Managers will note that due to the lead-in time for Portfolio Questions (random

draw of names and the deadline for lodging questions), the first week from which any new cycle could take effect would be for questions to be asked in the week beginning 1 May 2023.

9. In considering a new cycle for Portfolio Questions, the Bureau may wish to note that, as before, there are nine Cabinet Secretary roles. However, there is no longer a role specific to Covid-19 Recovery and Finance and Economy are no longer a single portfolio. The Bureau may therefore wish to consider whether it wishes to continue a 3-weekly cycle, adjusted to reflect the new titles of portfolios. If so, a new cycle could be as follows:

	Portfolio 1 (Weds)	Portfolio 2 (Weds)	Portfolio 3 (Thurs)
Week 1	Wellbeing Economy, Fair Work and Energy	Finance and Parliamentary Business	Net Zero and Just Transition
Week 2	Rural Affairs and Islands	NHS Recovery, Health and Social Care	Social Justice
Week 3	Constitution, External Affairs and Culture	Justice and Home Affairs	Education and Skills

10. The Bureau will be aware that there are two junior Scottish Ministers who report directly to the First Minister. Previous practice has been to seek Bureau agreement on the portfolios within which questions can be put to such junior Ministers. The Bureau is therefore asked to agree that questions within the responsibilities of the Minister for Drugs and Alcohol Policy be accepted within both the NHS Recovery, Health and Social Care and Justice and Home Affairs portfolios¹ and that questions within the responsibilities of the Minister for Independence be accepted within the Constitution, External Affairs and Culture portfolio.

Standing Orders provisions for Portfolio Questions

11. Business Managers may also wish to consider whether they would wish to write to the SPPA Committee in relation to the Standing Orders provisions for Portfolio Questions and whether they could more accurately reflect the scheduling and management of portfolios.
12. Standing Orders set out that PQs “shall normally be a period of up to 40 minutes each week (normally on Wednesdays).” However, Portfolio Questions are now normally scheduled on both Wednesdays and Thursdays, with each portfolio being allocated up to 25 minutes each (Business Managers may recall that the increase from 20 to 25 minutes was introduced during the pandemic to take account of the number of Members participating remotely), or a total period of 75 minutes each week.

¹ This would be consistent with previous practice this Session in relation to the Minister for Drugs Policy.

13. Standing Orders do not currently make permanent provision for the grouping of portfolio questions. The Bureau may wish to invite the SPPA Committee to consider a permanent rule change to allow for the grouping of both Portfolio and SPCB Questions.

Recommendation

14. The Bureau is invited to agree:

- that committee remits should be adjusted in a way that ensures that the areas of responsibilities that they scrutinise remain the same for the remainder of the session
- that it will consider the future role and remit of the Covid-19 Recovery Committee separately
- to recommend to the Parliament a new cycle of portfolio questions, commencing from the week beginning 1 May 2023
- to write to the SPPA Committee in connection with possible changes to Standing Orders rules on Portfolio Questions.

Parliamentary Business Team
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