

PROCEDURES FOR LAYING DOCUMENTS IN THE SCOTTISH PARLIAMENT

Date policy adopted: 29/10/2014
Review frequency: 3 years
Date of last review: 15/12/2023
Next review must take place by: 31/12/2026

Introduction

Laying a document before the Scottish Parliament makes it available to the Members of the Scottish Parliament (MSPs) and to a wider audience interested in the work of the Parliament. Documents are laid in the Parliament's Information Centre (SPICe) and are available as soon as they are laid. Some documents are required by statute to be laid and some are laid for information. Documents can also be provided to SPICe but not formally laid.

What documents should be laid before the Scottish Parliament

The following documents are required by statute to be laid before the Scottish Parliament:

1. Strategic Plan - s14(5) of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 requires the Commissioner to lay a Strategic Plan every 4 years;
2. Annual Report - s25 of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 requires the Commissioner to lay a report about the performance of our functions annually;
3. Annual Accounts - s22 of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 requires the Commissioner to have annual accounts audited by the Auditor General for Scotland. These accounts are submitted to the Scottish Government who lay them before the Parliament under s21 and s22 of the Public Finance and Accountability (Scotland) Act 2000;
4. Any report of a material breach of the Code of Practice for Ministerial Appointments to Public Bodies in Scotland - under s2 (8) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003. In addition to the procedure below, chapter 3A of the Scottish Parliament's standing orders specifies how the Parliament will deal with the report.

The Commissioner does not formally lay nor provide SPICe with a copy of the following documents:

1. Draft four-year strategic plan, albeit that under s14(3) of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 the Commissioner must invite comment on the draft plan from the SPCB and a Parliamentary Committee;
2. Reports further to s9 of the Ethical Standards (Scotland) Act 2000 (breaches of the relevant Code of Conduct by local authority councillor or members of public bodies), which are submitted to the Standards Commission for Scotland, and not to the Scottish Parliament;

3. Any Code of Practice for Ministerial Appointments to Public Bodies in Scotland (and associated statutory guidance) and any consultations on revisions to the Code as required under s2(4) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003. These documents are provided to the relevant Committee for consideration;
4. The exercise of the Commissioner's functions or the outcome of investigations into the conduct of MSPs under sections 4, 5 and 7 – 12 of the Scottish Parliamentary Standards Commissioner Act 2002. These documents are provided to the Standards Procedures and Public Appointments Committee for consideration;
5. Diversity Delivers - the equal opportunities strategy for public appointments in Scotland.

How to lay a document before the Scottish Parliament

(for all documents except the Annual Report and Accounts – see below)

1. Assign a laying number

Each document formally laid before the Parliament must have a unique laying number. The next available number can be found in our [Register of Documents Laid Before the Scottish Parliament – see tab “Laid by ESC, submit to NLS”](#).

Record the laying number and the details of the document in the spreadsheet.

Prepare the final document for laying. The document should be converted to PDF and all metadata removed. Guidance is available in the following documents:

- [IT – Document Release – Checklist](#)
- [IT – Document Release – Hidden Data and Metadata](#)
- [IT – Document Release – Redacting](#)

2. Send the document to the Parliament

When

Documents can be laid on any day that the Parliament is open (technically, on any day when the [office of the clerk is open](#)), including during Parliamentary recess. Documents should be laid during the following hours: Monday - Thursday, 9.00 am - 4.30 pm, Friday 9.00am – 3.00 pm (10.00 am - 3.00 pm Mon-Fri during recess).

Documents required by statute to be laid before the Scottish Parliament should be laid before the content is made available publicly. The timing of the various steps of laying and publishing documents should be discussed and agreed with the Commissioner well in advance.

Laying the document

1. Documents not subject to Parliamentary procedures (Strategic Plan and Annual Report)

On the day of laying, email an electronic copy (PDF) of the document and the laying papers (see Annex A) to CollectionsTeam@parliament.scot. Copy any relevant Committee Clerks into this email. If necessary, the document can be sent to the Collections Team in advance of the laying date with a covering email specifying the date that the document should be laid. The Collections Team will confirm receipt and arrange to publicise the document in the Parliament's *'Business Bulletin'*.

2. Documents subject to Parliamentary procedures (Report of a material breach of the Code of Practice)

These documents are laid directly with the Standards, Procedures and Public Appointments Committee. As a courtesy, it is helpful to give the Clerks advance notice when laying these documents. This allows them to build review time into the Committee's schedule.

On the day of laying, email an electronic copy (PDF) of the document and the laying papers (see Annex A) to SPPA.Committee@parliament.scot. The Clerks will confirm receipt and arrange to publicise the document in the Parliament's *'Business Bulletin'*.

Committee Clerks may request a word version of any of the above documents as it makes it easier for them to prepare the Committee papers. Please ensure that the word document has all tracked changes and metadata removed.

Post or courier hard copies, if required

If the Collections Team or Committee Clerks advise that paper copies are required, arrange to post or courier a signed, laying paper (see Annex A) and the agreed number of hard copies of the document.

Advise the Collections Team / Committee Clerks that the hard copies are being couriered to them.

The delivery addresses are:

Collections Officer	Clerk
Scottish Parliament Information Centre	Standards, Procedures and Public
Rm CG.01	Appointments Committee
The Scottish Parliament Edinburgh EH99 1SP	
E: CollectionsTeam@parliament.scot	E: SPPA.Committee@parliament.scot
T: 0131 348 5360	T: 0131 348 5176

The Collections Team / Committee Clerks will formally acknowledge receipt of the documents by email.

3. Send a copy to the National Library of Scotland

The Commissioner has a requirement to submit 'electronic publications' to the National Library of Scotland. Any document laid before the Scottish Parliament is considered an 'electronic publication'.

Please upload an electronic version (PDF) of the document to the NLS's web-based deposit tool (Digital Deposit Scotland).

Digital Deposit Scotland can be accessed at <https://auth.nls.uk/login>. The account is linked to info@ethicalstandards.org.uk. Please contact the Corporate Services Team for the password.

Please note, the Commissioner also submits any Code of Practice for Ministerial Appointments to Public Bodies in Scotland (and associated statutory guidance) and the equal opportunities strategy for public appointments in Scotland to NLS.

4. What happens once the document is laid

At the Parliament

Once a document has been laid, it will appear in the next *Business Bulletin* under More – New Documents.

<https://bb.parliament.scot/More>

At the Commissioner's office

Once the Parliament has confirmed receipt, publish the document on the Commissioner's website. Bear in mind that it may not always be appropriate to publish the document. This would be the case if we have asked the Committee to consider the document in confidence. Standing Order 3A.3.2 makes provision for ensuring that confidential information in a laid document is not published, but only where that has been indicated in writing to the Parliament at the time of laying.

Issue a copy of the document or a link to the website as appropriate. For example, with an Annual Report, the document will be published on our website and an email with a link sent to a wide distribution list. An investigation report will initially be sent to a restricted distribution list as an attachment or a hard copy.

A PDF version of the document should be uploaded to the website. If a word document is required, ensure the correct version of the document is used and remember to remove any tracked changes and metadata.

How to lay the Annual Report and Accounts before the Scottish Parliament

The Commissioner's annual report and accounts are laid before the Parliament on our behalf by the Scottish Government's SSI Unit under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000.

Email a signed, electronic version (PDF) of the accounts and Audit Scotland's approval letter to the Scottish Government's SSI Unit.

The covering email should be similar in format to the following:

I would be grateful if you could arrange for our annual report and accounts for 20xx-xx to be laid before the Scottish Parliament. The accounts are being laid under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000.

I've attached electronic copies of the annual report and accounts and the Auditor General's approval letter.

We would be grateful if you could arrange for our accounts to be laid on [date]. I understand that you will provide a laying number and liaise with the Parliament. I'd be grateful if you let me know when the accounts have been laid.

If required, arrange for hard copies of the annual report and accounts and the Auditor General's approval letter to be sent to the SSI Unit. The SSI Unit must receive these in advance of the laying date requested.

The SSI Unit will lay the report electronically, copying the sender into their email when the document is laid.

SSI Unit contact details:

SSI Unit, SGLD
Scottish Government
Area GB North
Victoria Quay
Edinburgh
EH6 6QQ
T: 0131 244 1757
E: SSI_Unit@gov.scot

ANNEX A – LAYING PAPERS

The 'laying papers' consist of a covering email or letter as set out below.

Wording for covering email/laying letter

[Date]

Dear [Collections Officer / Committee Clerks]

Commissioner for Ethical Standards in Public Life in Scotland

[NAME OF DOCUMENT] *(ensure this matches the name that appears in the document)*

Laying No. CES/yyyy/nn

I attach a copy of the above [*insert full name of document*] for laying before the Scottish Parliament on [*insert preferred date*].

The report is being laid before the Scottish Parliament by the Commissioner for Ethical Standards in Public Life in Scotland in pursuance of [*specify relevant power or duty*]. This document is [*subject/not subject*] to Parliamentary procedure.

The name and phone number of the responsible official for further enquiries is [*insert name*] on [*insert tel. no.*] or [*insert email address*].

I would be grateful if you could acknowledge receipt.

[NAME]

[Designation]