

# Engender Submission of Supplementary Evidence to the Standards, Procedures and Public Appointments Committee on the Scottish Parliament (Recall and Removal of Members) Bill

18<sup>th</sup> June 2025

## INTRODUCTION

Engender is a leading feminist policy and advocacy organisation working to secure women's social, political and economic equality and realise women's rights in Scotland. We aim to make visible the impact of structural inequalities on women and wider society, and work at Scottish, UK and international levels to produce research, analysis and recommendations for intersectional feminist legislation and policy development.

We are grateful for the opportunity to provide supplementary evidence to members of the Committee related to the Scottish Parliament (Recall and Removal of Members) Bill. Due to our extensive work on achieving equal representation of women in politics, we wish to bring information to the committee's attention for consideration at Stage 1. In particular, we are providing evidence related to the proposals in the Bill to remove MSPs from office if they have failed to attend the Parliament in person for 180 days.<sup>1</sup>

### **Our key points for Stage 1 of the Bill:**

1. We have concerns regarding the automatic disqualification of an MSP who fails to attend proceedings in person for longer than 180 days without an appropriate reason. The requirement for physical attendance could raise issues for specific groups, such as disabled women, women with long-term health conditions and mental health issues, carers and women living in remote and rural areas.
2. We recommend fully removing Chapter 2 of the Bill that relates to the removal of MSPs from office for failure to attend proceedings to ensure equal participation of all MSPs, especially those who are underrepresented in Parliament.
3. We urge the Committee to consider the Gender-Sensitive Audit's finding that 'the retention of hybrid and remote systems was seen as increasing flexibility and access, including for those with caring responsibilities.'<sup>2</sup> The recommendations of the Audit must be considered in full in the Committee's scrutiny of the Bill.

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<sup>1</sup> Chapter 2, Section 27 of the Bill.

<sup>2</sup> [A Parliament for All](#), p.19.

## SPECIFIC CONSIDERATIONS

Overall, we find many of the proposals in this Bill reasonable, especially as conversations about regulations on recall processes for elected politicians are increasingly happening across the UK. However, there are specific concerns we would like to raise with Members, particularly related to the removal of MSPs should they fail to attend parliamentary proceedings for longer than 180 days.

At Engender, we have been involved in several projects around improving women's representation in politics. We have created research and delivered advocacy to raise awareness and understanding of women's experiences in politics, been a key member of the steering group of the Scottish Parliament's Gender Sensitive Audit, developed an Equal Representation Toolkit and worked closely with political parties on implementing change to their internal processes to better serve women. As such, we want to specifically use this opportunity to share our concerns about the Bill's potential to lead to unintended consequences for women and marginalised people in political office.

### **Proposed recall processes for MSPs**

We recognise that the demands for general recall processes follow a history of misconduct by MSPs in recent years and the resulting debates around removing those members from the Scottish Parliament. Similar conversations are taking place in Wales, where the Senedd Cymru Standards of Conduct Committee has called for new processes to allow the removal of Members of the Senedd.<sup>3</sup>

However, it is vital that any new recall processes introduced to remove MSPs are not able to be used as a political tool and that the use of these processes ensures democratic principles are still upheld.

### **Disqualification related to lack of physical attendance**

We are concerned about automatic disqualification if an MSP fails to attend proceedings in person for over 180 days. The threshold for standing for elections for marginalised groups such as women, disabled people, Black and minority ethnic people and others is already high due to barriers they face entering politics in the first place. The proposals set out in Section 27 of the Bill could be yet another measure to signal to marginalised people that parliament is not a place where flexible working is possible. There is already a systemic lack of diversity in who holds political office in Scotland. Both at the local and national levels of Scottish politics, women report a misogynistic culture, with women with intersecting identities facing distinct barriers to participating in politics and a concerning number of politicians, especially women who are local councillors, not seeking re-election after a first term.<sup>4</sup>

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<sup>3</sup> <https://researchbriefings.files.parliament.uk/documents/SN05089/SN05089.pdf>

<sup>4</sup> [3.-making-local-politics-work-for-women.pdf](#); [4.-walking-away.pdf](#)

We want to bring to the Committee's attention that there are significant issues that the requirement for physical attendance raises for specific groups of women:

- Physically disabled or otherwise immobile people – Physical attendance might be harder and pose challenges for someone in a wheelchair or with a cane. Not every venue and means of transport is accessible. Furthermore, added travel time needs to be factored in for those facing physical barriers while travelling. Thus, the option of virtual attendance is a way to make political participation easier for those who might otherwise struggle. Inclusion Scotland has recognised this as well and developed an 'Access to Politics Charter', which was signed by all five Scottish political party leaders in 2018. One of its affirmations reads: 'We shall investigate alternative means of participation such as remote presence and internal digital voting.'<sup>5</sup>
- Carers – who are disproportionately women and women of colour – often juggle household and unpaid caring duties alongside a job or specifically their commitments in political office. <sup>6</sup> Virtual attendance is sometimes a necessary tool for them to remain engaged with parliamentary duties and carry out their caring responsibilities simultaneously.
- People who live very remotely, such as those on our Islands or other rural areas, are often reliant on weather conditions, irregular means of transport and other factors which impact their ability to attend Parliament in person. Additionally, travelling to Holyrood takes more time and costs more money than for someone living in a major city in Scotland.
- Long-term health conditions/illness and mental health issues: Similarly, for people who suffer from long-term health conditions and illnesses, having the opportunity to attend virtually could be their only option to participate and fulfil their roles as an MSP. In this context, we want to stress the risk of the Bill's proposals on physical attendance as possibly infringing on MSP's rights to privacy if they are asked to disclose any medical documents to prove their physical absence.

To ensure we advance political participation for these groups of women, the following excerpt from Section 27, Paragraph 1 of the Bill should not be included: 'Standing orders of the Scottish Parliament are to provide for a process by which a member of the Parliament may be disqualified from being a member for failing to physically attend proceedings.' Calling for more measures to increase political participation for women and other underrepresented groups should be a cross-party commitment, but this part of the Bill would be in direct contradiction to this goal.

We want to urge the Committee to take on the approach that remote working does not equal a lack of fulfilling the role of an MSP and is against a flexible, inclusive and family-friendly working culture. Similar debates have emerged across other places of work about a lack of productivity when working from home and the assumption that

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<sup>5</sup> [Access to Politics - Inclusion Scotland](#)

<sup>6</sup> [Where Are We Now — MECOPP](#)

remote working is valued differently than being present in person. However, many studies have proven that remote working is as or even more productive than working in an office or in-person.

The Chartered Institute of Personnel and Development (CIPD), the professional body for HR and people development reports, “Job satisfaction is greater for those with both formal and informal flexible working arrangements.”<sup>7</sup> Additionally, researchers at the Global Institute for Women’s Leadership at King’s College London and King’s Business School have warned in their study focusing on flexible working arrangements about implications for employee diversity. Focusing on in-person working means women and carers may be forced out of their jobs, remote workers are likely to face stigma, and the employer risks recruitment and skills challenges.<sup>8</sup>

Furthermore, we want to raise our concerns to the Committee about the definition of a ‘reasonable excuse’<sup>9</sup> when an MSP cannot attend in person. It seems very subjective and raises questions of how and by whom this would be decided.

In conclusion, we recommend fully removing Section 27 of the Bill to ensure equal participation of all MSPs, especially those who are underrepresented in the Scottish Parliament.

### **The Gender Sensitive Audit of Scottish Parliament**

In February 2022, Presiding Officer Alison Johnstone MSP launched an audit of how women are represented and participate in the Scottish Parliament – the Gender Sensitive Audit, Engender was a member of its steering group. Our remarks here also echo the audit’s recommendations. One major finding shows that “There were mixed attitudes about the sitting patterns and the policies of the Parliament being ‘family-friendly’. The retention of hybrid and remote systems was seen as increasing flexibility and access, including for those with caring responsibilities.”<sup>10</sup> We urge the Committee to consider the Gender Sensitive Audit and its recommendations in its scrutiny of the Bill.

### **FOR FURTHER INFORMATION**

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### **ABOUT US**

Engender is Scotland’s feminist policy and advocacy organisation, working to increase women’s social, political and economic equality, enable women’s rights, and make visible the impact of sexism on women and wider society. We work at Scottish, UK and international level to produce research, analysis, and recommendations for intersectional feminist legislation and programmes.

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<sup>7</sup> [Flexible and hybrid working practices in 2023 | CIPD](#)

<sup>8</sup> [UK workers increasingly rejecting return-to-office mandates, study finds | King's College London](#)

<sup>9</sup> Section 27, paragraph 2e(ii) of the Bill.

<sup>10</sup> [A Parliament for All, p. 19](#)