

Amending Standing Orders:

Standing Order 17: voting in a Committee of the Whole Senedd and responsibility for meeting access

October 2025

In accordance with Standing Order 11.7(iv), the Business Committee is responsible for making recommendations on the general practice and procedures of the Senedd, including any proposals for the re-making or revision of Standing Orders.

This report recommends changes to Standing Order 17 to:

- Enable the use of electronic voting by a Committee of the Whole Senedd by aligning the means of voting to those available in plenary.
- Clarify that it is an individual Member's responsibility to ensure that he or she has remote or in person access to any committee meeting and any means of voting in operation, prior to a vote in which he or she intends to participate.

The report also outlines the Business Committee's consideration of guidance regarding virtual and hybrid participation in plenary and committee meetings, and in particular its conclusion that there should be a strong expectation that Members will participate in Bill amending stages in person.

The Senedd is invited to approve the proposals to revise the Standing Orders as at Annex 1, and agree that the changes should take immediate effect. The amended Standing Orders, if approved, are at Annex 2.



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1. Background

Virtual and hybrid proceedings

Practice in the Senedd

1. In July 2022, the Business Committee ~~concluded~~, following a review of temporary SO 34 and remote participation in Senedd proceedings, that virtual and hybrid meeting formats, originally developed to facilitate the continuation of Senedd proceedings during the COVID-19 pandemic, should be maintained.
2. The Llywydd subsequently issued formal ~~guidance~~ on virtual and hybrid proceedings in accordance with SO 6.17. The guidance includes sections relating to plenary meetings and committee meetings.
3. The guidance regarding committee meetings requires chairs, committees and committee members to take account of the business under consideration (among other factors) when taking decisions on the format of meetings and Members' preferred mode of participation. There is no similar requirement in respect of plenary meetings.
4. The guidance regarding plenary meetings includes reference to SO A12.41A, which makes it clear that it is a Member's responsibility to ensure that he or she has access to plenary meetings, and the voting system in use, prior to votes in which he or she intends to participate. There is no equivalent in respect of committee meetings.
5. The ~~Future Senedd Committee~~ noted that virtual participation can help to mitigate barriers that might otherwise prevent some Members from participating. It concluded that the ability to participate virtually should be continued, and recommended that guidance should be "reviewed periodically to ensure there is an appropriate balance between in-person and remote participation across the Senedd".

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Practice elsewhere

6. Analysis of information shared by legislatures in the UK and internationally,¹ and desk-based research focusing on legislatures in the UK, suggests that:

- Arrangements to routinely facilitate virtual participation in plenary meetings appear to be rare,² although many legislatures did facilitate such participation during the pandemic and some retain provision that may be used in future emergencies.³
- Arrangements to facilitate virtual participation in committee meetings by committee members⁴ and witnesses⁵ are common. In some legislatures there are specific rules or expectations regarding such participation, for example: a requirement that chairs will always participate in person,⁶ stipulations regarding the geographical location of Members who are participating virtually,⁷ or criteria for Members' eligibility to participate virtually.⁸

¹ Eighteen responses were received from legislatures in the UK, Australia, Canada, Cyprus, Ghana, India, Ireland, Jersey and Pakistan.

² Of the legislatures that responded, only the States of Jersey indicated that routine virtual participation is facilitated.

³ In the New Zealand Parliament, Standing Orders continue to make provision enabling hybrid sittings, but this is expected only to be used in emergencies. In the Parliament of Ghana, Standing Orders provide that the House may "in extraordinary circumstances, such as the event of instability, chaos, pandemic or any disaster that makes it impracticable for every Member to be physically present" adopt procedures for virtual sittings. In the Legislative Assembly of Prince Edward Island, provision may be invoked by the Speaker in urgent or extraordinary circumstances to enable Members to participate in all House proceedings virtually or in person. In the Legislative Assembly of the Parliament of New South Wales, primary legislation provides that virtual participation may be permitted in cases of public emergency and where requested by a majority of Members.

⁴ For example, the Legislative Assembly for the Australian Capital Territory, the Canadian House of Commons, the New Zealand Parliament, Legislative Assembly of Alberta, the Australian Senate, the Parliament of Victoria, the States of Jersey, the Parliament of Pakistan, the Legislative Assembly of Queensland and the Legislative Council of the Parliament of New South Wales.

⁵ The UK House of Commons routinely facilitates virtual participation by witnesses, but not committee members.

⁶ In the Canadian House of Commons, Standing Orders require the Member presiding over a committee sitting to participate in person.

⁷ In the New Zealand Parliament, Members who are present within the parliamentary precinct are expected to attend in person. In the Canadian House of Commons, Members who are participating virtually in committee or in plenary meetings must be within Canada.

⁸ In the House of Lords, eligibility for virtual participation is subject to 'eligible member status' granted on the basis of a long term disability that means the Member is physically unable to attend in person.

Voting in committees

Practice in the Senedd

7. SO 17 makes provision for the operation of committees, including a Committee of the Whole Senedd. This includes provision regarding voting in committees, in particular the means of voting that may be used.

8. Prior to June 2020, SO 17.35 provided that voting in committee was by show of hands. Temporary SO 34 briefly allowed committees to use electronic voting means during the COVID-19 pandemic, but this was allowed to lapse in July 2022 following a review by the Business Committee. The Senedd subsequently agreed to amend SO 17.35 to add roll call to the means of voting available for use in committee. It is a matter for the relevant committee chair to decide, in accordance with SO 17.23, whether votes are to be conducted by show of hands or by roll call.

9. SO 17.35 applies to all committees, including a Committee of the Whole Senedd. However, for practical reasons, electronic voting is used when Stage 2 proceedings take place in a Committee of the Whole Senedd.⁹

Practice elsewhere

10. In the Scottish Parliament, provision regarding voting is divided into:

- **Rules applicable in plenary and a Committee of the Whole Parliament.** Rule 11.7 provides that voting is normally by an electronic voting system, but may be by roll call or “such other manner of voting as the Presiding Officer may decide” if the electronic voting system cannot be used for any reason. In addition, if it appears to the Presiding Officer that the electronic voting system has “produced an unreliable result”, the

⁹ In terms of other aspects of voting in a Committee of the Whole Senedd, SO 12.41B provides that the Standing Orders enabling proxy voting apply to a Committee of the Whole Senedd. When chairing a Committee of the Whole Senedd, Presiding Officers and Deputy Presiding Officers have generally used the chair’s power to determine committee procedures under SO 17.23 to apply provision equivalent to that set out in SO 12.44 regarding the use of the bell. As the general power under SO 17.23 is subject to specific provision elsewhere in Standing Orders, it cannot be used to overrule the provision currently in SO 17.35 that voting in committee is by show of hands or roll call.

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Presiding Officer may ask Members to vote again “in accordance with any manner of voting the Presiding Officer considers appropriate”.

- **Rules applicable in committees other than a Committee of the Whole Parliament.** Rule 11.8 provides that unless the Parliament directs a committee otherwise, voting is by show of hands, roll call or an electronic voting system. The convenor must determine at the start of each meeting which voting methods they consider would be appropriate to use should a vote be held.

11. In the UK House of Commons, voting in general committees (including Public Bill committees) and select committees is conducted by roll call. Voting in the Chamber (including when sitting as a Committee of the Whole House) is by division into separate lobbies (when the opinion of the Speaker or the chair as to the decision of a question is challenged).

2. The Business Committee's consideration

Consultation responses

12. The Business Committee's consultation on the legislative scrutiny process for Public Bills included a question about the impact of virtual and hybrid proceedings on legislative scrutiny.

13. The Chairs' Forum highlighted the flexibility virtual participation provides, and its role in ensuring diverse voices can be heard, and assisting in achieving and maintaining quorum. Chairs emphasised the nature and importance of legislative scrutiny. They suggested the Business Committee considered whether guidance should be strengthened in respect of legislative proceedings, including expectations that:

- Committee members, the Members in charge of all Bills and the lead Minister on non-government Bills will attend Stage 2 proceedings in person.
- The Members in charge of all Bills and the lead Minister on non-government Bills will attend any Stage 1 evidence sessions in person if requested to do so by the committee.

14. Some respondents, including the Chief Executive and Clerk of the Senedd, the Local Government and Housing Committee and the Chairs' Forum highlighted specific practical risks associated with virtual participation during committee amending stage proceedings on Bills. Such risks include, for example Members losing their connection during debates or votes, or freezing videos making it difficult to tell how a Member is casting their vote during a show of hands. The Local Government and Housing Committee suggested consideration be given to enabling committees to make use of the voting app used in plenary.

Means of voting for use in committee

Committee of the Whole Senedd

15. The Business Committee considered the difference between procedure and practice regarding the means of voting for use in a Committee of the Whole Senedd. It concluded that changes to SO 17 to disapply SO 17.35 for the purposes of a Committee of the Whole Senedd, and insert provision aligning voting in a Committee of the Whole Senedd to relevant provision regarding voting in plenary, could reflect and regularise historic practice, and avoid the duplication and risk of inadvertent divergence that would result from establishing new standalone provision.

16. The Business Committee agreed to propose that the changes to SO 17 should come into effect during the Sixth Senedd.

Other committees

17. The Business Committee also considered whether to propose further changes to Standing Orders to increase the flexibility and/or the means of voting available for use by other Senedd committees. It concluded that there would be practical and resource implications if other Senedd committees were able to use electronic voting means, and that there was insufficient evidence that such a change was needed or would address the specific technical risks identified in respect of Bill amending stages taken in committee.

Member participation in virtual and hybrid proceedings

Responsibility for ensuring a Member has access to meetings (and voting systems/means of voting)

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18. The Business Committee considered the differences in Standing Order provision and guidance regarding where responsibility lies for ensuring that individual Members have access to plenary and committee meetings (and any voting systems or means of voting that are in use). It concluded that it would provide clarity and avoid any uncertainty or confusion if provision equivalent to SO A12.41A were inserted into SO 17, and associated changes were made to relevant guidance.

19. The Business Committee agreed to propose that the change to SO 17 should come into effect during the Sixth Senedd.

Guidance on virtual and hybrid proceedings

20. The Business Committee considered the benefits and risks associated with virtual and hybrid participation throughout the legislative scrutiny process. The benefits include flexibility for Members and other participants, and the role virtual and hybrid participation can play in removing barriers and enabling a diversity of voices to be heard. The risks include issues with quorum if technical issues arise, criticism from the public, stakeholders or witnesses if there are perceptions that Members are not sufficiently engaged, or resistance from Ministers or other witnesses unwilling to attend in person if some Members are attending virtually. Technical issues can present a particular risk during amending stage proceedings, which usually require frequent votes to be held throughout proceedings.

21. The Business Committee concluded that, while different political groups hold different views on the use of virtual and hybrid meeting formats, the benefits in terms of Member flexibility and facilitating diversity mean that it would not be proportionate at this time to require in person attendance for all legislative scrutiny proceedings. However, in light of the specific risks regarding amending stage proceedings, the Business Committee agreed that it would be appropriate for guidance to be updated to establish a strong expectation that Members (and others) would participate in Bill amending stage proceedings in person, unless the chair agreed in advance that they were satisfied that:

- Exceptional circumstances applied, or
- Facilitating virtual participation would be a reasonable accommodation of an individual Member's specific needs.

22. The Business Committee also agreed that the prohibition on Members voting while outside the UK or while using a means of transport currently specified in guidance on plenary meetings should be extended to cover committee meetings.

23. The Business Committee considered draft revisions to the guidance, and agreed that, subject to consultation with the Chairs' Forum, they should come into effect during the Sixth Senedd.

Decision

24. The Business Committee agreed on 18 September 2025 to propose changes to SO 17. The Senedd is invited to approve the proposals to change the Standing Order as at Annex 1.

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Annex 1 Proposed Standing Order 17 and explanatory notes

Standing Order 17 Operation of Committees		
	Voting	Retain sub-heading
17.34	Where a vote is necessary to dispose of the business, the chair must invite the committee to agree the motion or amendment. If: (i) no Member objects, the motion or amendment is deemed agreed by the committee; or (ii) any Member objects, a vote must be taken in accordance with provision in Standing Order 17.35.	Retain Standing Order
17.34A	<u>It is a Member's responsibility to ensure that he or she has in-person or remote access to a committee meeting and any means of voting in operation, prior to a vote in which he or she intends to participate.</u>	The proposed new SO 17.34A would clarify that it is the responsibility of an individual Member to ensure that he or she is able to access a committee meeting (whether in person or remotely) and any means of voting in operation, before any vote in which he or she intends to participate. It would bring provision for committees (including a Committee of the Whole Senedd) into line with provision for plenary (SO A12.41A).
17.35	Subject to Standing Order 17.34(i), voting in committees <u>(other than a Committee of the Whole Senedd)</u> is by a show of hands or by roll call and, when any member of the committee requests that the vote be recorded, the names	The proposed change would disapply SO 17.35 for the purposes of a Committee of the Whole Senedd. This proposed change complements the proposed addition of new SO 17.35A, which makes

Standing Order 17 Operation of Committees		
	of those voting (including those recording an abstention) must be recorded in the minutes of the committee's proceedings.	specific provision for the means of voting to be used in a Committee of the Whole Senedd.
17.35A	<u>Subject to Standing Order 17.34(i), voting in a Committee of the Whole Senedd is in accordance with Standing Order 12.43. References to "Standing Order 12.36" and "Presiding Officer" should be construed as references to "Standing Order 17.34(i)" and "chair" accordingly.</u>	The proposed new SO 17.35A would align the means of voting that may be used in a Committee of the Whole Senedd with the means of voting that may be used in plenary. If he or she wished, when chairing a Committee of the Whole Senedd the Presiding Officer/Deputy Presiding Officer could use the general power provided to committee chairs by SO 17.23 to determine committee procedure to adopt practice equivalent to that set out for plenary in SO 12.44 regarding use of the bell.

Annex 2 Standing Orders as amended

Standing Order 17 Operation of Committees

Voting

17.34 Where a vote is necessary to dispose of the business, the chair must invite the committee to agree the motion or amendment. If:

(i) no Member objects, the motion or amendment is deemed agreed by the committee; or

(ii) any Member objects, a vote must be taken in accordance with provision in Standing Order 17.35.

17.34A It is a Member's responsibility to ensure that he or she has in person or remote access to a committee meeting and any means of voting in operation, prior to a vote in which he or she intends to participate.

17.35 Subject to Standing Order 17.34(i), voting in committees (other than a Committee of the Whole Senedd) is by a show of hands or by roll call and, when any member of the committee requests that the vote be recorded, the names of those voting (including those recording an abstention) must be recorded in the minutes of the committee's proceedings.

17.35A Subject to Standing Order 17.34(i), voting in a Committee of the Whole Senedd is in accordance with Standing Order 12.43. References to "Standing Order 12.36" and "Presiding Officer" should be construed as references to "Standing Order 17.34(i)" and "chair" accordingly.