

Amending Standing Orders: Categories of Member

February 2026

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 amendments to various Standing Orders to reflect that, following the implementation of Parts 1 and 2 of the Senedd Cymru (Members and Elections) Act 2024, all Members will be elected in the same way. This will mean that there will no longer be two different categories of Member: constituency and regional.

If agreed, the proposed changes will come into effect at the beginning of the next Senedd.

The Senedd is invited to approve the proposals to amend the Standing Orders as at Annex A. The amended Standing Orders, if approved, are at Annex B.



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1. Background

1. Section 8 of the Senedd Cymru (Members and Elections) Act 2024 (“the 2024 Act”) changes the Senedd’s electoral system so that at future elections all Members will be elected via a closed proportional list system. This replaces the current mixed member proportional system, under which 40 Members are elected by first past the post to represent constituencies, and 20 Members are elected by closed lists to represent five regions.

2. Section 10 of the 2024 Act amends the Government of Wales Act 2006 (“GoWA 2006”) to:

- omit section 36(6), which provides that Standing Orders must include provision about (or for the making of a code or protocol about) the different roles and responsibilities of Senedd constituency members and Senedd regional members, and that constituency Members must not describe themselves in a manner that suggests they are regional Members, and vice versa; and
- refer to ‘Members’ rather than ‘regional Members’ or ‘constituency Members’, reflecting that there will no longer be a need to differentiate between Members on the basis of how they were elected.

3. A number of changes are therefore required to the Senedd’s Standing Orders to reflect the legislative changes brought by the 2024 Act. These changes generally fall into two categories:

- References to ‘constituency’ and ‘regional’: a number of references within Standing Orders will need to be updated to reflect that there will no longer be two types of Member, and that all Members will be elected in the same way.
- Provision in Standing Order 1.10 (Different Roles and Responsibilities of Constituency Members and Regional Members) and the Annex to Standing Order 1 – Members.

2. Current Standing Orders

Standing Order 1.10 and Standing Order 1 – Members Annex

4. In accordance with section 36(6) of GoWA 2006 (as it stood before the 2024 Act), Standing Order 1.10 requires that the Senedd make a code or protocol (to be drafted by the committee with responsibility for the functions specified in Standing Order 22¹) about the different roles and responsibilities of constituency and regional Members.

5. Standing Order 1.10 requires that the code or protocol must include provision in line with the following five key principles:

1. all Members have a duty to be accessible to the people of the areas for which they have been elected to serve and to represent their interests conscientiously;
2. in approaching the Member of their choice, the wishes of constituents and/or the interests of a constituency or locality are of paramount importance;
3. all Members have equal status;
4. Members should not misrepresent the basis on which they are elected nor the area they serve; and
5. no Member should deal with a constituency case or constituency issue that is not within his or her constituency or region (as the case may be), unless by prior agreement.

6. Standing Order 1.10 also requires that the code or protocol include provision in line with the Annex to Standing Order 1 (which lists provisions which must be included in the code or protocol).

7. Provisions listed in the Annex include matters such as protection of the rights of constituents to approach any or all of the Members that represent them, notification of Members by the Senedd Commission about official school visits by schools in their area to the Senedd, and ensuring that any Member

¹ Currently the Standards of Conduct Committee.

representing an area is entitled to raise a matter on behalf of a constituent with the relevant member of government.

8. As a consequence of section 36(6) of GoWA 2006 being removed by the 2024 Act, the statutory requirement for the Standing Orders to make provision about (or for the making of a code or protocol about) the different roles and responsibilities of constituency and regional Members will no longer exist (once Parts 1 and 2 of the 2024 Act have effect – at the next general election after 6 April 2026).

3. The Business Committee's consideration

Standing Order 1.10 and Standing Order 1 – Members Annex

9. The five key principles which must currently be provided for in the code or protocol according to Standing Orders, and the provisions listed in the Annex to Standing Order 1, are not all entirely predicated on there being two types of Member. For instance, provision 2 in the Annex to Standing Order 1 provides “for Members to be able to take up a matter affecting the constituency or region for which they were elected whilst ensuring that courtesy is shown on matters affecting more than one constituency.” Whilst the first part of this provision relates directly to there being both constituency and regional Members, the second part refers to courtesy being shown on matters affecting more than one constituency, and may therefore remain relevant to future Seneddau.

10. It could therefore be considered that some aspects of these Standing Orders would continue to be relevant in a future Senedd in which there are no longer two categories of Member.

11. The Business Committee wrote to the Standards of Conduct Committee on 6 December 2024 to ask it to review these Standing Orders and present recommendations which:

- Consider the role of the code or protocol currently required by Standing Order 1.10 (and Annex) within the standards framework as specified in Standing Order 22.2(e);
- Specify which aspects (if any) of the current Standing Order 1.10 and the Annex to Standing Order it believes should be retained within the Standing Orders of the Seventh Senedd;

- Suggest changes to any retained aspects of these Standing Orders it believes are necessary; and
- Propose any additional elements not included in the current Standing Orders which it believes are necessary in response to:
 - Its experience in carrying out the functions of the responsible committee set out in Standing Order 22; and
 - The changes to the ways Members of the Seventh Senedd will be elected and to the areas they will represent.

12. The Standards of Conduct Committee indicated that it supports the principle of retaining a requirement in Standing Orders for a code setting out Members' duties and responsibilities (with suitable adjustments to reflect the change in the way that Members are elected).

13. The Standards of Conduct Committee provided a revised version of Standing Order 1.10 and Annex to Standing Order 1, outlining its proposed changes (shown in the draft revised Standing Order at Annex C). The proposed changes effectively retain relevant aspects of the existing Standing Orders, whilst updating them to reflect that there will no longer be two categories of Member.

14. The draft Standing Order gives responsibility for drafting the code to the committee with responsibility for the functions specified in Standing Order 22. To take effect, the code drafted by the committee would then require laying before the Senedd and approval by the Senedd in Plenary.

15. The Standards of Conduct Committee's proposed revisions to the Annex to Standing Order 1 also include a change to the 'Enforcement' provision which must be included in the code or protocol. The Committee's proposed change would require provision in the code to be made for complaints against Members in respect of the code or protocol to be referred to the Commissioner for Standards, rather than the Standards of Conduct Committee, as currently specified. This is because the only action the Committee could take on receipt of such a complaint would be to refer the matter to the Commissioner.

References to 'constituency' and 'regional'

16. Outside of Standing Order 1.10 and the Annex to Standing Order 1, there are a small number of changes required to the remainder of Standing Orders to reflect that there will no longer being two categories of Member.

Reference to section 36(6) of the Government of Wales Act 2006

17. A change is also required to Standing Order 22.2(i)(e), which sets out the functions of the committee with responsibility for the functions specified in Standing Order 22 (currently the Standards of Conduct Committee). The current standing order makes reference to section 36(6) of GoWA 2006; as section 36(6) of GoWA 2006 is omitted by section 10 of the 2024 Act, this reference needs to be removed.

4. Timing

18. These changes are required to take effect following the implementation of Parts 1 and 2 of the 2024 Act, to ensure the Senedd's Standing Orders are fully compliant with the legislation once the provisions come into force. As a result, the changes are proposed to come into effect at the beginning of the next Senedd.

5. Decision

19. The Business Committee proposes changes to Standing Order 1.10 and the Annex to Standing Order 1, as recommended by the Standards of Conduct Committee. The proposed changes retain those aspects of the current Standing Orders that remain relevant, while making the changes required to reflect that all Members will be elected via a closed proportional list system once the provision in Parts 1 and 2 of the 2024 Act is implemented.

20. The changes also include the Standards of Conduct Committee's proposed revision to the Annex to Standing Order 1 which, if accepted, will require the code or protocol to include provision for a complaints against Members in respect of the code or protocol to be referred to the Commissioner for Standards, rather than the committee responsible for the functions specified in Standing Order 22 (the Standards of Conduct Committee), as they are currently. This is a 'tidying up' amendment, which seeks to reflect that the Standards of Conduct Committee must refer any complaint to the Commissioner for Standards once it is received.

21. In addition, the Business Committee proposes additional changes to ensure that Standing Orders reflect that all Members will be elected in the same way.

22. Finally, the Business Committee proposes a change to Standing Order 22.2(i)(e) to remove reference to section 36(6) of GoWA 2006. Although the

Business Committee proposes that a code or protocol remains to be required under Standing Order 1.10, it will no longer be made in accordance with section 36(6) of GoWA 2006 as this section of GoWA 2006 has been removed by the 2024 Act.

23. On 15 July 2025, the Business Committee formally agreed to propose the changes to Standing Orders outlined in this report. The Senedd is invited to approve the proposed new Standing Orders at Annex B.

Annex A: Proposed changes to Standing Orders and explanatory notes

INTERPRETATION	
“Member” means a Member of the Senedd returned either for a Senedd constituency or for a Senedd electoral region;	Amend interpretation The change to this interpretation removes reference to method of election as all Members of the Senedd will be elected in the same way.
STANDING ORDER 1 - Members	
Different Roles and Responsibilities of Constituency Members and Regional Members	Amend sub-heading The change to this sub-heading reflects that the Standing Order outlines the roles and responsibilities of all Members, rather than the different roles and responsibilities of constituency/regional Members.
1.10 The Senedd must make a code or protocol, to be drafted by the committee responsible for the functions specified in Standing Order 22, in accordance with section 36(6) of the Act , about the different roles and responsibilities of constituency Members and regional Members . The code or protocol must include provision in line with the	Amend Standing Order The change to this Standing Order removes reference to section 36(6) of the Government of Wales Act 2006, which will be removed by the Senedd Cymru (Members and Elections) Act 2024; and makes the necessary updates to reflect that there will no longer be two categories of Member.



<p>following five key principles and the Annex to Standing Order 1:</p> <ul style="list-style-type: none">(i) all Members have a duty to be accessible to the people of the areas <u>constituency</u> for which they have been elected to serve and to represent their interests conscientiously;(ii) in approaching the Member of their choice, the wishes of constituents and/or the interests of a constituency or locality are of paramount importance;(iii) all Members have equal status;(iv) Members should not misrepresent the basis on which they are elected nor the area <u>constituency</u> they serve; and <p>no Member should deal with a constituency case or constituency issue that is not within his or her <u>their</u> constituency or region (as the case may be), unless by prior agreement.</p>	
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STANDING ORDER 1 – Members: Annex

Provision to be included in the code or protocol prepared under Standing Order 1.10 and in accordance with section 36(6) of the Act.

Describing Members

1. Provision for ~~regional and constituency~~ Members to describe themselves accurately and for requirements regarding the use of Senedd resources, for example, stationery.

Amend Standing Order

The change to this Standing Order removes reference to section 36(6) of the Government of Wales Act 2006, which will be removed by the Senedd Cymru (Members and Elections) Act 2024, and reflects the fact that there will no longer be two categories of Member. It also changes the wording in point 3 (to reflect that multiple Members will represent each constituency), removes reference to 'telephone'

Dealing with Constituency/Regional Issues

2. Provision for Members to be able to take up a matter affecting the constituency ~~or region~~ for which they were elected whilst ensuring that courtesy is shown on matters affecting more than one constituency.

Individual Constituents' Cases

Provision to protect the right of a constituent to approach any of the Members elected in their his or her constituency Member, and/or any of the four regional Members elected in his or her region.

Raising Matters with a Member of the Government

3. Provision to ensure that any Member is entitled to raise with the relevant member of the government a matter on behalf of a constituent in the ~~area (constituency or region)~~ constituency for which they were elected.

Members Operating in their Areas Constituencies

4. Provision reflecting the expectation that Members will work throughout the ~~area (constituency or region)~~ for which they were elected.

School Visits

5. Provision for notifying Members about official school visits from schools in their constituencies to the Senedd organised by the Commission.

Telephone Enquiries

6. Provision to guide the way in which ~~telephone~~ enquiries from members of the public to the

enquiries in point 7 (to broaden its definition and reflect that enquiries can be received in a number of formats), and clarifies point 6 (to specify that 'school visits' refers to schools within a Member's constituency).

The change to this Standing Order also replaces 'committee responsible for the functions specified in Standing Order 22' with 'Commissioner for Standards', to require the code or protocol to include provision for complaints against a Member in respect of the code or protocol to be referred to the Commissioner for Standards, rather than the committee responsible for the functions specified in Standing Order 22.

<p><u>Commission's Senedd switchboard</u>, seeking to contact a Member, are dealt with.</p> <p>Members' Staff</p> <p>7. Provision that Members should ensure that staff working for them, both within the Senedd and locally, including others working on their behalf with constituents, are aware of and act in accordance with Standing Order 1.10 and any code or protocol drawn up as a result of it.</p> <p>Enforcement</p> <p>8. Provision for any complaint against a Member in respect of the code or protocol to be referred to the committee responsible for the functions specified in Standing Order 22 <u>Commissioner for Standards</u>.</p>	
<p>STANDING ORDER 11 – Organisation of Business</p>	
Senedd Timetable	Retain sub-heading
11.10. Timetables under Standing Order 11.9 must have regard to the family and constituency or electoral region responsibilities of Members and their likely travel arrangements; and should normally seek to avoid timetabling business before 9.00am or after 6.00pm on any working day.	Amend Standing Order The change to this Standing Order removes reference to 'electoral region', as all Members will represent a constituency.
<p>STANDING ORDER 22 – Standards of Conduct</p>	
Functions	Retain sub-heading

22.2(i)(e) any code or protocol made under Standing Order 1.10 and in accordance with section 36(6) of the Act;	<p>Amend Standing Order</p> <p>The change to this Standing Order removes reference to the code or protocol, which is made under Standing Order 1.10, being made “in accordance with section 36(6) of the Act”, as section 36(6) of GoWA 2006 has been removed by section 10 of the 2024 Act.</p>
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STANDING ORDER 26A – Private Acts of the Senedd

Private Bill Committees	Retain sub-heading
26A.35 Any Member whose name is proposed for membership of a Private Bill Committee must inform the Business Committee of any interest of the kind referred to in Standing Order 26A.34 and also of any other relevant personal; <u>and/or</u> constituency or regional interest, that the Member, or to their knowledge, a family member, has or is expecting to have which might reasonably be thought by others to prejudice the impartial consideration of the Private Bill.	<p>Amend Standing Order</p> <p>The change to this Standing Order removes reference to ‘or regional’ interests, as all Members will represent a constituency; it also inserts ‘and/or’ as a consequence, and to reflect that Members may have a relevant personal interest, constituency interest, or both types of interest which they must declare.</p>

STANDING ORDER 26B – Hybrid Acts of the Senedd

Hybrid Bill Committees	Retain sub-heading
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26B.33 Any Member whose name is proposed for membership of a Hybrid Bill Committee must inform the Business Committee of any interest of the kind referred to in Standing Order 26B.32 and also of any other relevant personal; and/or constituency ~~or~~ regional interest, that the Member, or to their knowledge, a family member, has or is expecting to have which might reasonably be thought by others to prejudice the impartial consideration of the Hybrid Bill.

Amend Standing Order

The change to this Standing Order removes reference to 'regional' interests, as all Members will represent a constituency; it also inserts 'and/or' as a consequence, and to reflect that Members may have a relevant personal interest, constituency interest, or both types of interest which they must declare.

Annex B: Standing Orders as amended

INTERPRETATION

“Member” means a Member of the Senedd;

STANDING ORDER 1 – Members

Roles and Responsibilities of Members

1.10 The Senedd must make a code or protocol, to be drafted by the committee responsible for the functions specified in Standing Order 22, about the roles and responsibilities of Members. The code or protocol must include provision in line with the following five key principles and the Annex to Standing Order 1:

- (i) all Members have a duty to be accessible to the people of the constituency for which they have been elected to serve and to represent their interests conscientiously;
- (ii) in approaching the Member of their choice, the wishes of constituents and/or the interests of a constituency or locality are of paramount importance;
- (iii) all Members have equal status;
- (iv) Members should not misrepresent the basis on which they are elected nor the constituency they serve; and
- (v) no Member should deal with a constituency case or constituency issue that is not within their constituency, unless by prior agreement.

STANDING ORDER 1 – Members: Annex

Provision to be included in the code or protocol prepared under Standing Order 1.10.

Describing Members

1. Provision for Members to describe themselves accurately and for requirements regarding the use of Senedd resources, for example, stationery.

Dealing with Constituency Issues

2. Provision for Members to be able to take up a matter affecting the constituency for which they were elected whilst ensuring that courtesy is shown on matters affecting more than one constituency.

Individual Constituents' Cases

3. Provision to protect the right of a constituent to approach any of the Members elected in their constituency.

Raising Matters with a Member of the Government

4. Provision to ensure that any Member is entitled to raise with the relevant member of the government a matter on behalf of a constituent in the constituency for which they were elected.

Members Operating in their Constituencies

5. Provision reflecting the expectation that Members will work throughout the constituency for which they were elected.

School Visits

6. Provision for notifying Members about official school visits from schools in their constituencies to the Senedd organised by the Commission.

Enquiries

7. Provision to guide the way in which enquiries from members of the public to the Commission, seeking to contact a Member, are dealt with.

Members' Staff

8. Provision that Members should ensure that staff working for them, both within the Senedd and locally, including others working on their behalf with constituents, are aware of and act in accordance with Standing Order 1.10 and any code or protocol drawn up as a result of it.

Enforcement

9. Provision for any complaint against a Member in respect of the code or protocol to be referred to the Commissioner for Standards.

STANDING ORDER 11 – Organisation of Business

Senedd Timetable

11.10 Timetables under Standing Order 11.9 must have regard to the family and constituency responsibilities of Members and their likely travel arrangements; and should normally seek to avoid timetabling business before 9.00am or after 6.00pm on any working day.

STANDING ORDER 22 – Standards of Conduct

Functions

22.2(i)(e) any code or protocol made under Standing Order 1.10;

STANDING ORDER 26A – Private Acts of the Senedd

Private Bill Committees

26A.35 Any Member whose name is proposed for membership of a Private Bill Committee must inform the Business Committee of any interest of the kind referred to in Standing Order 26A.34 and also of any other relevant personal and/or constituency interest, that the Member, or to their knowledge, a family member, has or is expecting to have which might reasonably be thought by others to prejudice the impartial consideration of the Private Bill.

Hybrid Bill Committees

26B.33 Any Member whose name is proposed for membership of a Hybrid Bill Committee must inform the Business Committee of any interest of the kind referred to in Standing Order 26B.32 and also of any other relevant personal and/or constituency interest, that the Member, or to their knowledge, a family member, has or is expecting to have which might reasonably be thought by others to prejudice the impartial consideration of the Hybrid Bill.

Annex C: Letter from the Standards of Conduct Committee

**Y Pwyllgor Safonau
Ymddygiad**

**Standards of Conduct
Committee**

Rt Hon Elin Jones MS, Chair of the Business Committee
By email

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17 January 2025

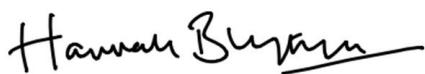
Standing Orders for the Seventh Senedd: Categories of Member

Dear Elin,

Thank you for your letter of 6 December 2024, which the Standards of Conduct Committee (the Committee) considered at its meeting of 14 January 2025. The Committee agreed to retain the Code currently required by Standing Order 1.10 (and Annex), so that there is still information about what is expected of Members in terms of duties and responsibilities. Therefore, it was agreed to amend Standing Order 1.10 and Annex, and the tracked and clean versions of the changes are set out in an annex to this letter. The Code will also be suitably amended.

Your letter also asked the Committee to consider if there were any additional elements not included in the current Standing Orders which it believes are necessary in response to its experience in carrying out the functions of the responsible committee set out in Standing Order 22. I would like to take the opportunity to highlight the Committee's ongoing inquiry into the registration and declaration of interests, which may result in changes to Standing Orders 2-5, and the ongoing inquiry into recall, which is also likely to result in changes to Standing Orders.

Yours,



Hannah Blythyn MS

Chair
Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.

Annex A – tracked versions

Different Roles and Responsibilities of Constituency Members and Regional Members

1.10 The Senedd must make a code or protocol, to be drafted by the committee responsible for the functions specified in Standing Order 22, ~~in accordance with section 36(6) of the Act~~, about the ~~different roles and responsibilities of constituency Members and regional Members~~. The code or protocol must include provision in line with the following five key principles and the Annex to Standing Order 1:

- (i) all Members have a duty to be accessible to the people of the ~~areas constituency~~ for which they have been elected to serve and to represent their interests conscientiously;
- (ii) in approaching the Member of their choice, the wishes of constituents and/or the interests of a constituency or locality are of paramount importance;
- (iii) all Members have equal status;
- (iv) Members should not misrepresent the basis on which they are elected nor the ~~area constituency~~ they serve; and
- (v) no Member should deal with a constituency case or constituency issue that is not within ~~his or her their constituency or region (as the case may be)~~, unless by prior agreement.

STANDING ORDER 1 – Members: Annex

Provision to be included in the code or protocol prepared under Standing Order 1.10 ~~and in accordance with section 36(6) of the Act~~.

Describing Members

1. Provision for ~~regional and constituency~~ Members to describe themselves accurately and for requirements regarding the use of Senedd resources, for example, stationery.

Dealing with Constituency/Regional Issues

2. Provision for Members to be able to take up a matter affecting the constituency ~~or region~~ for which they were elected whilst ensuring that courtesy is shown on matters affecting more than one constituency.

Individual Constituents' Cases

3. Provision to protect the right of a constituent to approach any of the Members elected in their his or her constituency Member, and/or ~~any of the four regional Members elected in his or her region.~~

Raising Matters with a Member of the Government

4. Provision to ensure that any Member is entitled to raise with the relevant member of the government a matter on behalf of a constituent in the ~~area (constituency or region) constituency~~ for which they were elected.

Members Operating in their ~~Areas~~ Constituencies

5. Provision reflecting the expectation that Members will work throughout the ~~area (constituency or region)~~ for which they were elected.

School Visits

6. Provision for notifying Members about official school visits from schools in their constituencies to the Senedd organised by the Commission.

Telephone Enquiries

7. Provision to guide the way in which ~~telephone~~ enquiries from members of the public to the Senedd Commission's switchboard, seeking to contact a Member, are dealt with

Members' Staff

8. Provision that Members should ensure that staff working for them, both within the Senedd and locally, including others working on their behalf with constituents, are aware of and act in accordance with Standing Order 1.10 and any code or protocol drawn up as a result of it.

Enforcement

9. Provision for any complaint against a Member in respect of the code or protocol to be referred to the ~~committee responsible for the functions specified in Standing Order 22~~ Commissioner for Standards.

Annex B – clean versions

Roles and Responsibilities of Members

1.10 The Senedd must make a code or protocol, to be drafted by the committee responsible for the functions specified in Standing Order 22, about the roles and responsibilities of Members. The code or protocol must include provision in line with the following five key principles and the Annex to Standing Order 1:

- (vi) all Members have a duty to be accessible to the people of the constituency for which they have been elected to serve and to represent their interests conscientiously;
- (vii) in approaching the Member of their choice, the wishes of constituents and/or the interests of a constituency or locality are of paramount importance;
- (viii) all Members have equal status;
- (ix) Members should not misrepresent the basis on which they are elected nor the constituency they serve; and
- (x) no Member should deal with a constituency case or constituency issue that is not within their constituency unless by prior agreement.

STANDING ORDER 1 – Members: Annex

Provision to be included in the code or protocol prepared under Standing Order 1.10:-

Describing Members

1. Provision for Members to describe themselves accurately and for requirements regarding the use of Senedd resources, for example, stationery.

Dealing with Constituency Issues

2. Provision for Members to be able to take up a matter affecting the constituency or for which they were elected whilst ensuring that courtesy is shown on matters affecting more than one constituency.

Individual Constituents' Cases

3. Provision to protect the right of a constituent to approach any of the Members elected in their constituency.

Raising Matters with a Member of the Government

4. Provision to ensure that any Member is entitled to raise with the relevant member of the government a matter on behalf of a constituent in the constituency for which they were elected.

Members Operating in their Constituencies

5. Provision reflecting the expectation that Members will work throughout the constituency for which they were elected.

School Visits

6. Provision for notifying Members about official school visits from schools in their constituencies to the Senedd organised by the Commission.

Enquiries

7. Provision to guide the way in which enquiries from members of the public to the Senedd Commission, seeking to contact a Member, are dealt with.

Members' Staff

8. Provision that Members should ensure that staff working for them, both within the Senedd and locally, including others working on their behalf with constituents, are aware of and act in accordance with Standing Order 1.10 and any code or protocol drawn up as a result of it.

Enforcement

9. Provision for any complaint against a Member in respect of the code or protocol to be referred to the Commissioner for Standards.