

REIMBURSEMENT OF MEMBERS' EXPENSES SCHEME – USE OF PARLIAMENTARY RESOURCES

Executive summary

1. The SPCB is invited to consider a complaint regarding the distribution outwith his Glasgow region of a 2019 parliamentary report by James Kelly MSP.

Issues and Options

2. A complaint was received on 22 March 2019 which raised concerns that Mr Kelly had distributed his parliamentary report outwith his region. The complainer highlighted that the report was received in the G72 0 postcode at an address which falls outwith Mr Kelly's region. The complainer also raised concerns on some of the language used being close to the line in terms of being party political.
3. Under Section 7 of the Code of Conduct Members must abide by the Reimbursement of Members' Expenses Scheme and the policies of the SPCB. Section 4.1.2 of the Scheme does allow Members to be reimbursed for the cost of the publication and distribution of newsletters, annual reports and surveys. The SPCB's policy on Members' publications states that a publication funded through parliamentary allowances must not be distributed outside a Member's electoral area or include party political materials.
4. Having raised the complaint with Mr Kelly he has advised that he arranged Royal Mail to deliver the annual report as he has previously.
5. The Allowances Office has looked into the matter and I can confirm that whilst Mr Kelly's region does include the G72 0 postcode several parts of the postcode fall outwith his electoral area. Mr Kelly issued 4,829 reports to the postcode. Given that only part of the region includes the postcode it is estimated that there should have been around 3,234 reports issued to the element of the postcode that fell within the Glasgow Region and therefore 1,589 of the reports have been issued outwith the Members' region. Taking account of the full cost of producing and delivering Mr Kelly's report the cost of the annual reports being distributed outwith his region totals £166.47.
6. In relation to the content of the report the Allowances Office had reviewed the report prior to issuing and had approved the report for issuing. On discussing the matter with Mr Kelly, he advised that the text highlighted by the complainer were issues and matters raised by constituents. Mr Kelly has been reminded of the need to ensure all parliamentary reports do not include party political materials or promote political views.
7. Mr Kelly fully accepts that the delivery error occurred due to the Royal Mail process and the fact that Royal Mail do not split postcode deliveries, should they cross over into a different electoral area, but purely base delivery on the full postcode

provided. The Member has been advised that different delivery methods will be required for this part of the region in future to ensure such an error does not re-occur as is followed in other electoral areas where postcodes cross over regional and constituency borders.

8. The SPCB will wish to note that Mr Kelly has repaid the full cost of the incorrect distribution at a total of £166.47 including VAT.
9. The SPCB is invited to determine whether they wish to take any further action on the matter.

Resource Implications

10. The costs in relation to publication and distribution were £166.47 which has been fully repaid.

Governance issues

11. The SPCB's policy on Members Publications specifically prohibits distribution of publications outside a Member's electoral area.

Publication Scheme

12. This paper can be published in accordance with the SPCB's publication Scheme.

Next steps

13. To inform the Member and the complainant of the decision.

Decision

14. The SPCB is invited to consider the complaint noting that repayment of the incorrect distribution costs has been made and decide whether it wishes to take any further action on the matter.

Allowances Office

May 2019