

## **REFERENDUM PREPARATION – GUIDANCE TO MEMBERS**

### **Executive summary**

1. This paper invites the SPCB to consider and agree a guidance document to issue to all Members and MSP staff on the use of parliamentary resources in respect of referendum related campaigns and material.

### **Discussion**

2. At recent meetings the SPCB has discussed its policy position on the use of parliamentary resources in respect of referendum related campaigns. It also agreed that guidance should be issued to Members about the use of parliamentary resources in the run up to the referendum. A draft of the guidance is now attached to this paper.
3. The SPCB will note that the introduction section covers the general principle on the use of parliamentary resources which is to support Members with their parliamentary duties and that resources include all facilities and services provided by the SPCB. This section also advises Members that where any clarity on a particular issue is required the SPCB will be the final arbiter.
4. The guidance then covers a number of specific policies together with contact points for Members who may wish to seek further information or clarification on the particular policy.

### **Resource Implications**

5. The above proposals are not expected to require any additional funds.

### **Governance issues**

6. The SPCB is responsible for determining policies in respect of the provision of property, staff and services for the Parliament's purposes. The Members' Code of Conduct provides that all Members are responsible for ensuring that any SPCB policy is fully complied with.

### **Publication**

7. This paper and attached guidance will be published as in line with the SPCB's publication scheme.

### **Next steps**

8. To circulate the agreed guidance to all Members and MSP staff.

## **Decision**

9. The SPCB is invited to consider the attached draft guidance and agree its circulation to Members and MSP staff.

Referendum Planning Group  
January 2014

## **THE USE OF PARLIAMENTARY RESOURCES**

### **1. Overview**

1.1 The SPCB has given an assurance to the Parliament that in the lead up to the Referendum, as at other times, it will ensure that the resources of the Parliament are used impartially at all times. This document is intended to assist Members by summarising the various relevant policies already in place about the use of parliamentary resources.

1.2. Members are assured that the general principle and priority for all resources provided by the SPCB remains the same. That is, they will continue to be provided to support Members with their parliamentary duties. However, they must not be used to any significant extent for any other purposes, including any party political purpose or referendum campaigning.

1.3. SPCB resources include local offices, all areas of the parliamentary complex, IT, postage and stationery, all matters covered by the Members' expenses scheme and all services provided by SPCB staff.

1.4. In respect of the referendum, normal parliamentary business activities will continue to be supported e.g. parliamentary questions, chamber debates and committee enquiries.

1.5. Where there is any clarity required about the interpretation of any matter related to any SPCB policies, the SPCB will be the final arbiter.

1.6. Members are asked to direct any questions they have on the information contained within this document to the relevant office. Contact details are provided throughout the text.

## **2. Educational visits with schools**

2.1. The SPCB's policy is to offer a programme of inward and outreach education visits for Scottish schools in term-time. MSPs are invited to take part in both parts of the programme. [link to arrangements]

2.2. The arrangements currently in place will continue without change through to the end of June 2014. During the summer sitting period (4 to 22 August) there will be no inward or outreach visits.

2.3. For the period from 25 August to 19 September, the SPCB will continue to offer both inward and outreach visits. During this period the policy on inviting MSPs to attend inward visits will be suspended. The SPCB will still advise Members on which schools are visiting so that Members can arrange their own outreach sessions if they wish to do so.

2.4. The arrangements for outreach visits will continue as normal.

Contact: Rosemary Everett, extension 85393

## **3. MSP Staff**

3.1. Members are reminded that during the hours that a member of staff is employed by a Member, the member of staff may not undertake any significant party political activity. Campaigning or assisting in an election or referendum campaign would constitute "significant party political activity". Members are responsible to the SPCB for the activities of their staff as for their own activities.

3.2. Members' employees may participate in political campaigning outside contracted hours or provided they take unpaid leave (or paid accrued annual leave) to do so. In this instance Members must be able to demonstrate that the employee is on leave and they must ensure that parliamentary monies or facilities are not used for the purposes of political campaigning.

Contact: Colin Chisholm, extension 86630

## **4. SPICe**

4.1. During the summer sitting period (4 to 22 August), SPICe will continue to respond to both constituency and parliamentary enquiries but will not respond to enquiries which are clearly related to the referendum campaign. Members are also advised that SPICe briefings should not be issued during the statutory 28 day relevant period before the referendum.

Contact: Denis Oag, extension 85369

## **5. Corporate identity/copyright**

5.1. There are no changes to the corporate identity and copyright policies. A copy of the SPCB's existing policy in relation to use of the corporate identity can be accessed here [link]. The corporate identity should not be used in any party political publications.

Contact: Linda Orton, extension 86023

5.2. The corporate policy and open licence arrangements can be accessed here [Link]

Contact: Claire Turnbull, extension 86913

## **6. Members' Expenses**

6.1. A Member is entitled to reimbursement of expenses which have been incurred only for the purpose of carrying out parliamentary duties. Section 9 of the Reimbursement of Members' Expenses Scheme provides illustrations of what is included as 'parliamentary duties'. A Member should not submit a claim relating to any party political activity or political campaigning.  
[Link]

Contact: Jackie Giulianotti, extension 86609

## **7. Local Office Accommodation**

7.1. Some Members share their local office with political parties. The Reimbursement of Members' Expenses Scheme makes it clear that a Member's office (which may form part of any shared office) must not be used for party political activities of any kind.

7.2. Party political or campaign material is not permitted to be externally (or internally) displayed in an area occupied by the parliamentary office and Members should be aware that such premises must not be used as a base for canvassing or campaigning or any party activity related to the referendum.

Contact: Jackie Giulianotti, extension 86609

## **8. Parliamentary Funded Publications**

8.1. Parliamentary funded publications such as annual reports, newsletters, general surveys, general circular letters, questionnaires and petitions may not be issued within 4 months of a Scottish parliamentary election, UK parliamentary general election, European parliamentary election, Scottish local government election or any national referendum.

8.2. In practice, this means that in 2014, with the European parliamentary election being held on 22 May 2014 and the referendum being held on 18 September 2014,

no such publications funded by parliamentary resources, can be distributed in the period 22 January until 19 September 2014.

8.3. Members can continue to issue circular letters and/ or surveys to local residents provided such publications are solely related to a specific local issue such as the closure of a local facility, withdrawal of a local service or an issue that has a local impact based on a decision taken by another body or organisation. Any Member intending to issue such a circular letter and/ or survey and who wishes the costs to be reimbursed under the postage and stationery provision or office costs provision of the Reimbursement of Members' Expenses Scheme, must send a copy of the publication to the Allowances Office prior to printing or emailing.

[Link]

Contact: Jackie Giulianotti, extension 86609

## **9. Bookable Meeting Rooms**

9.1. Meeting rooms must be used for parliamentary purposes and not party political purposes. All bookings are made on the understanding that parliamentary business takes precedence, and that any booking may be withdrawn at short notice if the room or space is required for this purpose. If possible, alternative accommodation will be found for the external activity but this cannot be guaranteed.

9.2. Members are reminded that only Members, their staff and SPCB staff may book meeting rooms. The person under whom the booking is made must attend personally or be represented by at least one Parliament pass holder with signing-in rights. Invitations to attend a meeting in any of the Parliament's meeting rooms should only be issued in the name of the person making the booking. In the case of Cross Party Groups (CPG) meetings, Members or a nominated member of their staff authorised by them will be responsible for issuing invitations to other Members to attend the CPG meeting. External invitations can be issued by external organisations but must clearly state that the CPG meeting is being hosted by named Members in the opening paragraph.

Contact: Brian Mitchell, extension 85130

## **10. Media Interviews**

10.1. External commentators (other than accredited journalists) must not be interviewed in the building unless there are exceptional circumstances and, in which case, the Media Relations Office can agree to interviews taking place, following consultation with Chief Executive and Presiding Officer's offices. This is to preserve the Parliament areas for MSPs.

10.2. Members can continue to undertake media interviews within offices and shared spaces as covered in the general media access policy {Link}. However, there should be no recording/ filming/ photography by current Members, or anyone else, within the Parliament for party political purposes or for inclusion in referendum campaigning material.

Contact: Eric MacLeod, extension 85389

## **11. News Conferences and Media Briefings**

11.1. External parties' news conferences and media briefings must not be held at the Parliament. Members are, however, permitted to call/host news conferences or media briefings in their parliamentary role, supported by an external party. This precludes providing a platform for any group campaigning in relation to the referendum, including press conferences to launch a campaign specific leaflet, pieces of research or groups allied to either outcome.

Contact: Eric MacLeod, extension 85389

## **12. Member Sponsored Events**

12.1. Any Member can sponsor an event on a particular topic or issue provided it is not party political or related to referendum campaigning. Any event must be open to all Members.

[Link]

Contact: Roy Devon, extension 86701

## **13. Member-sponsored exhibitions**

13.1. Member sponsored exhibitions which seek to influence/raise awareness with other Members will continue as normal. As such they must not be party political or related to referendum campaigning.

[Link]

Contact: Roy Devon, extension 86701