

## **PAYMENT OF INVOICE - CROSS PARTY GROUP**

### **Executive Summary**

1. To seek, under Section 1 paragraph 1.5.1 of the Reimbursement of Members' Expenses Scheme, a decision from the SPCB on whether secretariat costs associated with establishing a Cross Party Group on Maritime Policy can be met from the provision made within the Reimbursement of Members' Expenses Scheme.

### **Issues and Options**

2. The Allowances Office has received an invoice for secretariat work in support of a proposed Cross Party Group on Maritime Policy. The secretariat work included:-

- Drawing up an assessment meeting report and minutes;
- Follow-up communication with participating MSPs and staff; and
- Issuing invitations and corresponding with relevant groups and organisations.

The invoice was for a sum of £450.00.

3. The Allowances Office having never previously received such a claim sought legal advice as to whether the provision made in the Reimbursement of Members' Expenses Scheme covered such costs. The advice received was that the Rules in the Code of Conduct for Cross-Party Groups are strict on the use of parliamentary resources and facilities, and on the use of parliamentary staff (vol.2, para 6.4, rule 13). Paragraph 6.4.12 (vol.3) sets out that Members may only make use of the expenses scheme in limited circumstances. The Code of Conduct also makes clear that Cross-Party Groups do not represent the core business of the Parliament, but are intended as discussion groups to inform members.

4. The starting point, therefore, in considering access to the expenses scheme in an individual case would be, in the absence of guidance as to when it is permitted, that a strong argument would need to be made to support any application given the limitation expressed in the Code of Conduct. Looking at the principles, the purpose of the expenses scheme is to support the Members in carrying out their "parliamentary duties". The Scheme defines that phrase as "anything a Member could reasonably be expected to carry out in their capacity as a Member", and provides an indicative (rather than prescriptive) list of examples, none of which lend themselves readily to the setting up of a Cross-Party Group. Since the invoice related to the setting up of a group (rather than any on-going work of a group), and that while the subject matter might be of public interest, the Group's subject matter may cover a reserved area ("maritime policy"), the payment of the invoice was not covered by the expenses scheme.

5. On the basis of the advice received the invoice was returned to the Member for personal settlement. The Member contacted the Allowances Office and asked that the matter be referred to the SPCB under Section 1 paragraph 1.5.1 of the Reimbursement of Members' Expenses Scheme. The Member also went on to advise that he had been

elected as Convener of the Cross Party Group and that the individual who had undertaken the secretariat had been appointed Secretary of the Group which, with his assistance was now going through the formal recognition procedure. We understand, however, that the Standards, Procedures and Public Appointments Committee has not yet been invited to agree to the establishment of the group.

6. The Member has suggested that invoice costs were modest and had assumed the costs could be met from the Staff Cost Provision. He went on to add that he was aware that other outside individuals and companies can submit invoices for proper work carried out for an MSP and in this instance a whole Parliamentary CPG would be benefitting from costs paid for out of his individual Expenses Provision.

### **Resource Implications**

7. The total costs involved are £450.00

### **Governance Issues**

8. There are no governance issues.

### **Publication Scheme**

9. This paper will be published in line with the SPCB's Publication Scheme.

### **Next Steps**

10. Advise the Member of the SPCB's determination.

### **Decision**

11. The SPCB is invited to consider whether there is provision to meet the costs being invoiced.

Allowances Office  
May 2012