GUIDANCE FOR MEMBERS AND THEIR STAFF DURING A SCOTTISH PARLIAMENTARY ELECTION CAMPAIGN
FOREWORD FROM THE PRESIDING OFFICER

The period before and during dissolution and immediately following the election can be a very demanding time for Members and their staff. There is a great deal of work to complete and the particular challenge of changing, for a period at least, from an MSP to a parliamentary candidate, or the equally significant challenge of standing down as an MSP. Staff of the Scottish Parliamentary Service are committed to supporting and assisting Members throughout this period.

This guidance document contains essential information for all Members ahead of the 2016 election, whether or not they are standing for re-election. Complementary guidance has been prepared specifically for Members who are not standing at the election.

The guidance has been produced in a question and answer format to provide all Members and their staff with advice on how parliamentary services will be affected before and during the election period. It also includes important information around Members’ obligations in advance of dissolution, particularly around IT use, vacating premises and staff employment issues. Members and their staff are encouraged to make themselves fully aware of all parts of this guidance.

In developing this guidance, we have sought to strike a balance between minimising disruption to Members and ensuring that incumbent MSPs cannot be accused of having an unfair advantage in the election. We have sought to maintain services to Members wherever possible, but in some cases it is necessary to restrict, alter or suspend parliamentary services until after the election. While we appreciate that this may be disruptive, this guidance has been designed to help minimise that disruption and enable Members to manage the process effectively.

Amongst the information included is how dissolution will affect:

- IT and other parliamentary services such as clerking and SPICe;
- Members’ local offices;
- Members’ accommodation at Holyrood;
- Members’ expenses and pay; and
- Members’ staff pay and contracts.

In preparing this guidance we have included as much detail as possible to help Members through the election period. However, should it be necessary to issue further guidance or advice on specific issues this document will be updated and Members advised accordingly.

Tricia Marwick MSP
Presiding Officer
Guidance to assist Members and their staff during an Election Campaign

This guidance has been produced to assist all Members and their staff before, during and after the election period in 2016. The current five-year session of Parliament will end at midnight on Wednesday 23 March 2016 and dissolution will begin immediately thereafter on Thursday 24 March 2016, with the election taking place on Thursday 5 May 2016.

Members are asked to direct questions on the information in this guidance to the contact details provided throughout the text and below. Any questions relating to this guidance document itself should be directed to the Chief Executive's Office on (0131) 348 6836.

Please note that the term "Members" should be taken throughout this document to refer to current MSPs. While there are, technically speaking, no MSPs during the dissolution period, we have maintained the terminology for reasons of consistency, familiarity and ease of reading.
Contacts

Allowances Office 0131 348 6659/6615/6609

Human Resources 0131 348 6500
humanresources@scottish.parliament.uk

Security Office 0131 348 6556

Facilities Management 0131 348 5100
helpdesk2@scottish.parliament.uk

Information Technology 0131 348 6100
ithelpdesk@scottish.parliament.uk

SPICE 0131 348 5300
SPICE@scottish.parliament.uk

FOI/Data Protection 0131 348 6913
foi.officer@scottish.parliament.uk

Media Relations 0131 348 6852
mediarelations@scottish.parliament.uk

Visitor Services 0131 348 5200

Public Information 0131 348 5000

SPCB Secretariat 0131 348 5307

Standards, Procedures and Public Appointments (SPPA) Committee clerks 0131 348 5239
standards.clerks@scottish.parliament.uk
Before Dissolution

Access to the Parliament

1. What access will there be to parliamentary services in the run-up to dissolution?

Members and their staff will continue to have full access to and use of parliamentary services up until dissolution.

2. Will there be any implications for parliamentary services in the run-up to dissolution?

We have detailed below the arrangements for where there are implications to a service for Members, such as deadlines for submitting parliamentary questions, the issuing of newsletters, availability of equipment or the support to Members in preparing for dissolution.

3. Will Members and their staff be expected to start removing their belongings following the last meeting of the Parliament?

Members and their staff are asked to start removing their belongings following the last meeting of the Parliament, although they will still have access to the Holyrood building to collect belongings on 24 March—i.e. the first day of dissolution.

During dissolution one of the SPCB’s objectives will be to prepare all MSP offices for re-occupation after the election by cleaning all offices, redecorating and refurbishing offices as necessary and carrying out any essential maintenance. This will ensure that all Members will be welcomed into a clean and freshened office after the election.

To assist us with this work all Members and their staff are asked to clear their personal belongings, papers and books from their rooms, desks and storage cabinets on or before dissolution.

Facilities Management will be in contact with Members regarding the storage of any items which should stay on site until after the election. Facilities Management will also provide crates, labels and security tags to facilitate the packing operation, and will offer assistance to any Members who are in need of additional support. A notice will be issued prior to dissolution giving further information and guidance.

Clerking Services

4. Will I be able to lodge motions and amendments up until dissolution?

Members may continue to lodge motions and amendments to motions up until the date of dissolution – 23 March 2016
5. Will I be able to lodge oral parliamentary questions up until dissolution?

It is expected that time for oral questions (First Minister’s Question Time and Question Time) will be scheduled as normal for each week up to dissolution. Oral questions not taken at the last Question Time will be treated as written questions and answered the following day.

6. Will I be able to lodge written parliamentary questions up until dissolution?

In line with the Standing Orders, the last date on which written questions can be lodged will be 10 March 2016. This will leave 14 days for outstanding questions to be answered.

7. Will I be able to introduce a Members Bill before dissolution?

Standing Orders stipulate a cut-off point for Members’ Bills of the first sitting day in June of the year preceding the general election. The final day for lodging Members’ Bills having now passed, no more may be lodged.

Draft and final proposals for Members’ Bills may be lodged at any time up to dissolution, but Members should keep in mind that all proposals will fall at dissolution.

8. What do I need to be aware of in relation to the work of Committees before dissolution?

Members should be aware that the mandatory committees and the subject committees (unless otherwise disbanded under Standing Orders) will remain in existence until the date of dissolution, and that the committee clerks will continue to support them.

Even if committees have concluded their agreed work programmes well in advance of dissolution, it is possible that they may have to continue to meet to consider any subordinate legislation that is laid close to the date of dissolution.

At dissolution, all committees will cease to exist.

9. What will happen to a petition lodged before dissolution?

A petition lodged in the current session, which has not been disposed of by the date of dissolution, does not fall and may be continued over to the new session.

IT Services

10. Will I be able to submit IT work requests before dissolution?

Members will be able to submit work requests before dissolution as normal and we will continue to action the majority of such requests up to dissolution. However, as BIT staff will be supporting Members in preparing for dissolution, we may not be in a
position to undertake work requests for development, installations, or upgrades received after 31 January 2016. All work requests submitted after this date will be considered on a case-by-case basis.

11. What help will I be given from BIT to prepare for dissolution?

BIT will provide assistance to Members in carrying out any IT-related tasks that need to be completed before dissolution: for example,

- how to set up a voicemail message for the duration of dissolution and instructions on how to retrieve voicemail messages while there is no access to the building;
- how to set up an automated email response from your parliamentary email for the duration of dissolution;
- guidance on how to use smartphones and tablets, with particular emphasis on parliamentary emails;
- any general IT guidance.

Please feel free to contact the Engagement Manager, BIT Engagement desk or IT Helpdesk (x86100) with any queries.

SPICe

12. Will all my enquiries to SPICe be answered before dissolution?

We will make every effort to complete outstanding Members’ enquiries by the day of dissolution, but any enquiries that cannot be answered by then will fall on dissolution. Members will be informed if their enquiry is unlikely to be answered.

13. Do I need to return any books I have borrowed from SPICe before dissolution?

Members and their staff are asked to return by close of normal office hours on 23 March 2016 all books, inter-library loans and other items borrowed from SPICe. This is to ensure that Members and their staff are not subject to the charge which will be made for any missing title that has to be replaced.

14. Do I need to cancel the newspapers I get in my office?

No. SPICe will cancel these subscriptions automatically at dissolution.

Expenses

15. Can the cost of annualised payments such as insurance be charged to my Expenses?
Such costs will be met, but in the event the Member is not returned a proportion of the costs may require to be repaid to the Allowances Office.

16. **What do I need to think about if I want to terminate my local office lease before dissolution?**

This is a matter for each individual Member to consider. If Members keep up their leases for the period of dissolution this will mean that their local office will be available for on-going casework. It would also enable staff, whose salaries continue to be met out of the Members’ Expenses Scheme and who would not be involved in campaigning, to work from the local office during this period. Please also see question 72.

Any Member wishing to terminate their lease for the period of dissolution should contact the Allowances Office for guidance. All costs incurred in giving up a local office to allow it to be used for campaigning will be charged to the Office Cost Provision and Members will be asked to supply a copy of formal termination agreements to the Allowances Office.

Any equipment and furniture provided by the Parliament or purchased using the Office Cost Provision may be used only for on-going constituency case work.

If Members are closing or moving their local offices, they can contact the Facilities Management helpdesk on (0131) 348 5100 to arrange a removal service. This includes the uplift, moving, storage and disposal of furniture. FM will also provide necessary packing materials such as crates, security tags, labels etc.

17. **Are there any deadlines for the purchase of rail ticket flexi passes up until dissolution?**

Daily/weekly rail tickets can be obtained as normal from the Travel Desk located in the Garden Lobby up to the period of dissolution. We do not intend to issue multiple flexi pass rail tickets after the end of February 2016 as these tickets will not be required during the period of dissolution. Please also see question 93.

**Office Supplies and Equipment**

18. **Can I obtain any new equipment/furniture from the Parliament in the run-up to dissolution?**

Requests for new equipment/furniture may be submitted up to 1 January 2016.

Thereafter, up until dissolution, Members can be provided with equipment and furniture only to replace lost, damaged, stolen or faulty equipment or furniture.
19. What should I do if I need to purchase equipment before dissolution from Expenses?

Members can also purchase equipment and furniture and meet the costs from their Office Cost Provision (OCP) under the Members’ Expenses Scheme (for items not supplied by the Parliament) to replace any faulty or broken items.

However, from 1 January 2016 Members should seek the endorsement of the Allowances Office prior to incurring any equipment costs in excess of £100 to be claimed from their OCP.

MSPs Salaries and Pensions

20. Will there be any effect on my salary?

All Members who are standing at the election will continue to receive their salary up to and including the day of the election. Members not standing will be paid up to and including the date of dissolution.

MSP Staff

21. Can my employees, paid from Expenses, help with my campaigning and electioneering?

A member of staff whose salary is met out of the Members’ Expenses Scheme can participate in the election campaign outwith their contracted hours or provided they take leave (either paid accrued annual leave or unpaid leave). Therefore:

(a) If a member of staff is taking annual leave in accordance with their contract of employment, no adjustment needs to be made as they are free to do as they wish in their own time and there is no need to tell the Human Resources Office.

OR

(b) If a member of staff is taking unpaid leave, the Human Resources Office must be informed accordingly to enable the appropriate adjustments to their pay.

Services provided by an individual voluntarily in their own time and free of charge are not treated as election expenditure. But Members should note that the cost of services provided by an individual who assists candidates with their campaign in other circumstances could be treated as election expenditure and be subject to the related accounting rules. Members are reminded that it is the candidate’s responsibility to be clear whether or not any particular individual is acting in a voluntary capacity when campaigning. If Members have any doubts we recommend that they check how the rules apply to their particular circumstances with their local electoral returning officer.
Members are encouraged to contact the Human Resources Office as early as possible for help and guidance should they have any concerns or questions on any issue relating to the employment of staff and their participation in campaigning and electioneering on the Member’s behalf.

### 22. What are my responsibilities as an employer in relation to the election?

Members are required to take a number of essential steps in respect of potential staff redundancy such as issuing of early-warning letters, consultation meetings, etc. This process needs to begin early. Full details will be provided by the HR Office, a representative of which will arrange to meet with you from December 2015 to guide you on the steps you must take.

### Broadcasting

### 23. Are there any broadcasting implications I should be aware of before dissolution?

Members can continue to seek the prior approval of the SPCB to use any film footage taken on the parliamentary complex for party-political purposes up until dissolution. In making an application, Members will wish to be aware that-

- film footage may only be used as a backdrop or wallpaper, and
- sound broadcast must not be used from any meeting held within the parliamentary complex.

### Photography

### 24. Can I continue to make use of SPCB copyright photography?

Members can continue to use SPCB copyright photographs up to the date of dissolution—23 March 2016.

SPCB copyright photographs previously issued must not be used in material published after the date of dissolution and must not be used in connection with party-political purposes, including for electioneering or campaigning.

All SPCB photographs must be used in line with the requirements of the [Scottish Parliament Open Licence](https://www.parliament.scot/about/copyright) and the requirements of the Copyright, Designs and Patents Act 1988. In particular, all SPCB photographs must be attributed to the SPCB.

### 25. Can I continue to film/record/take photographs inside the Parliament?

Prior to dissolution, Members and/or their staff are entitled to carry out their own recording/filming/photography in relation to their parliamentary duties. All
recording/filming/photography should respect the privacy of other building users and be done in a way which ensures that there is no disruption to parliamentary activities. Recording/filming/photography in the Chamber requires the prior permission of the Presiding Officer and requests should be routed via the Media Relations Office.

Recording/filming/photography of a party-political nature or for party-political purposes is not permitted within the building.

**Surgeries**

**26. Can I hold surgeries in my region or constituency up until dissolution?**

Members can, as MSPs, continue to hold surgeries as normal in their region or constituency up until dissolution. Members will wish to ensure that their constituents are aware in advance that all MSP surgeries will cease as of the date of dissolution.

**Newsletters, Circulars and Annual Reports**

**27. Can I continue to issue non-party-political material up to the date of dissolution?**

The policy which covers publications such as annual reports, newsletters, surveys, circular letters, questionnaires and petitions provides that such publications 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. This means that in 2016 no such publications funded from parliamentary resources, may be distributed in the period 5 January until 5 May 2016.

Under this policy, publication of annual calendars is not permitted in an election year. Calendars for 2016 may be circulated, prior to the deadline of 5 January 2016, but can only include dates up to dissolution, ie up to and including 23 March.

Please also see question 29 on ‘Advertising’.

**Postal Voting**

**28. Can I use parliamentary stationery and resources to issue information on postal voting?**

Parliamentary resources must not be used to issue information on postal voting. Where a Member receives an enquiry about postal voting, parliamentary resources may be used to respond to the enquirer directing them to their local returning officer.
Advertising

29. Can I use Expenses to pay for advertising before dissolution?

Yes. Posters and leaflets advertising a Member’s contact details and surgeries up to the period of dissolution can be paid for from the Members’ Expenses Scheme, but as Members are already aware the Scheme states that expenses may only be used to support a Member in carrying out their parliamentary duties.

Visitor Services

30. Will I be able to book seats for my visitors in the public gallery or Members’ tours before dissolution?

Bookings for the Public Gallery and Members’ tours can be made in the usual way for the period up to and including the last day on which business is scheduled to take place.

Outreach and Education Services

31. Up until what date can schools in my region or constituency visit the Parliament?

Members’ school groups can be booked in line with the advice on room bookings.

Bookings for schools to attend the inward and outreach educational visits programme involving MSPs are available up to and including 23 March 2016.

32. Up until what date can I call on the services of the Gaelic development officers?

Members can continue to call on the services of the Gaelic development officers up to and including 23 March 2016.

Events and Exhibitions

33. Up until what date can I arrange Member-sponsored events and exhibitions before dissolution?

Members can continue to arrange Member-sponsored events and exhibitions through the Events and Exhibitions team for dates up to and including 23 March 2016.
During Dissolution

Access to the Parliament Estate

34. How will access to Holyrood work over the dissolution period?

All Members and their staff may, until close of normal office hours on Thursday 24 March 2016, enter the Parliament estate to collect their correspondence, papers and personal effects from their desks and storage cabinets.

To ensure that all candidates or prospective candidates are treated equally the SPCB has agreed that Members and their staff may not work in the Parliament estate or use the telephones or equipment after that date.

As of dissolution, Members will no longer have access to parliamentary services at Holyrood.

35. Where can staff work if they are not permitted to work from the Parliament?

Members’ staff may work in Members’ local offices if they are going to assist with on-going constituency work during dissolution. Members will wish to note that any travel costs associated with this temporary re-location, if being met from public funds, would require to be met from Members’ Expenses. Please see also questions 72 and 73.

36. What about office door keys and desk and furniture keys?

All keys for the doors of vacated offices should be left in the sealed envelopes which will be provided and clearly marked as being for the attention of the Security Office. These envelopes should either be left in the vacated office or handed to a security officer on exiting the building.

Keys for desks and storage furniture should be left in the appropriate locks.

Security Passes

37. If I am standing for election will I and my staff have to hand in our photographic security passes?

Members and their staff will not be required to hand in their security passes on dissolution if the Member is standing at the election. However, it should be noted that all such passes will be disabled at midnight following the first day of dissolution (24 March 2016). This will enable Members and their staff to collect their belongings during the first day of dissolution. The retention of these passes will also make the process of re-enabling passes after the election an easier process for Members, their staff and parliamentary staff.
38. What will happen to the photographic passes of those I have sponsored, as a Member?

Organisations or individuals who have sponsored photographic passes will not be required to hand in their security passes on dissolution if the sponsoring Member is standing at the election. However, it should be noted that all such passes will be disabled at midnight on 24 March 2016.

39. What will happen to my partner’s pass?

Members’ partners will not be required to hand in their security passes on dissolution if the Member is standing at the election. However, it should be noted that all such passes will be disabled at midnight on 24 March 2016.

Clerking Services

40. Can I make use of Clerking Services during dissolution?

Clerks cannot provide any assistance to Members during dissolution, whether or not they are candidates for re-election.

41. Will a Business Bulletin be produced during dissolution?

As there will be no business to report there will be no bulletin produced during dissolution. The last two Business Bulletins are likely to be published on the last day of business (23 March) and the first day of dissolution (24 March).

42. What happens if I have parliamentary questions that have not received substantive answers before dissolution?

The Government has given its commitment to answer all questions before dissolution if at all possible. However, there may be questions (for example, ones requiring a lot of research) where this is not possible. The Scottish Government has indicated that in those cases answers will be sent in letters to the Member who asked them and copies of the letters placed in SPICe. Any such answers will be published on the Parliament’s website and included in a Written Answers Report after the Parliament resumes.

43. What happens if, at the time of dissolution, I have motions or amendments outstanding that have not been considered by the Parliament?

All motions or amendments will fall at dissolution.

Any Member who is re-elected will, of course, be able to lodge such motions again in the new session, should they wish to do so. Members will be able to lodge motions provided that they have sworn the oath or made an affirmation.
44. What happens to Bills on the date of dissolution?

All Bills that have not been passed by the date of dissolution fall on that day, and all outstanding amendments lodged for such a Bill also fall. However, a Bill in the same or similar terms may be introduced in the new session. (Where the new Bill is a Private or Hybrid Bill, special rules apply).

On the date of dissolution, Bills which have been passed by the Parliament but have not yet received Royal Assent may still be submitted for Royal Assent and become Acts after dissolution. If such a Bill is subject to a reference under section 33 of the Scotland Act 1998 or to an order under section 35 of that Act, Parliament may reconsider the Bill in the new session.

45. What happens to Subordinate Legislation on the date of dissolution?

The fact that the Parliament is dissolved does not prevent statutory instruments being made, but such instruments cannot be laid until the period of dissolution has ended.

Instruments laid in the current session may be subjected to continued scrutiny in the new session (that is, they do not require to be laid afresh). Where an instrument is subject to parliamentary scrutiny for a period (e.g. 40 days) prescribed under statute and under the Standing Orders that period is suspended while the Parliament is dissolved.

46. What will happen in relation to the work of Committees on the date of dissolution?

All committees cease to exist on dissolution. Accordingly, conveners and deputy conveners cease to hold those offices on that day.

Correspondence received by any Member during the dissolution period in their capacity as convener, deputy convener or member of a committee should be forwarded to the clerk of the committee. The clerk will then issue a holding reply and bring the matter to the attention of whoever is appointed convener of the relevant committee in the new session.

47. What will happen to petitions on and during dissolution?

Petitions may not be lodged during dissolution, but petitions lodged in the current session and not disposed of by the date of dissolution do not fall, and may be proceeded with once the new session has begun.

Since the Public Petitions Committee (PPC), and any subject committees established in the new session will be new committees and not merely continuations of the committees established in the present session, any referral of a petition by the PPC to a subject Committee in the present session is terminated on dissolution. It will be for the PPC in the new session to decide what referrals to make in respect of petitions carried over from the current session.
Cross-party Groups

48. What will happen to Cross-Party Groups on the date of dissolution?

At dissolution of Parliament all Cross-party Groups will cease to exist.

After the Scottish Parliamentary election, Cross-party Groups must seek to establish themselves through the Standards, Procedures and Public Appointments Committee and should contact its clerks at the start of the session.

Information on the process will be posted on the CPG webpage and emailed to all Conveners and secretaries of existing Cross-party Groups, prior to 23 March 2016.

IT Services

49. What access to IT systems and support will my staff and I have during dissolution?

During dissolution, all MSP and MSP staff accounts will remain active, and although MSPs and their staff will not have access to the Holyrood building, they will continue to have use of IT services remotely (including via mobile devices and local offices). Members are reminded that during this period parliamentary resources must not be used to take on new casework, undertake any party political work or for any election campaigning.

Members using mobile devices for on-going constituency casework may continue to have these costs met as per the normal arrangements.

50. How can I access data and emails during dissolution?

Email and calendars can be accessed using parliamentary or personal mobile devices which have been configured for parliament emails using Exchange ActiveSync. In addition to full MS Outlook functionality, access to G:\ drive data is available via parliamentary laptops, desktops in the local office or Spark.

51. What other options are there to access my data files if I don’t want to use parliamentary equipment or Spark?

MSPs or their staff may prefer to copy their files onto a USB stick.

Please note that this service will not be undertaken by BIT staff. However, the Engagement Manager or staff at the BIT Engagement Desk will be happy to demonstrate to Members or their staff how to copy the files for themselves.
52. Can I send emails from my Parliament email account?

Technically there is no restriction on the ability to send emails, but the email system is only to be used in connection with on-going casework. It is up to Members to judge whether an email does indeed relate to on-going casework.

In the event of a complaint involving misuse of IT resources and services, the SPCB reserves the right to interrogate all usage and email log files.

53. If I experience a problem with parliamentary IT during dissolution, what should I do?

BIT will continue to provide support for the following:

- Mobile devices (smartphones and tablets),
- The centrally provided IT at the local offices,
- Spark in accessing all data, emails and systems.

Please contact the IT Helpdesk on (0131) 348 6100 for assistance.

54. What will happen to my Parliament phone number?

Voicemail accounts will remain active and Members are encouraged to record their own voicemail message for the period of dissolution.

It is suggested that the message format be similar to the example one below,

"Thank you for calling the office of X. Due to the general election on 5 May 2016, the Scottish Parliament has been dissolved and I am not currently a Member of the Scottish Parliament. I cannot therefore take on new case work. If you are calling about a matter I am already dealing with then please leave your contact details after the tone and someone will get back to you as soon as possible."

If you would like any assistance in setting up a voicemail message for dissolution, please contact the Engagement Manager, the BIT engagement desk, or the IT helpdesk.

55. What will happen to my data and emails if I am not re-elected?

Data and emails can be provided on a USB stick on request. Please contact the IT helpdesk in the first instance.

56. How will I be affected if I work in the local office only?

There will be no change to the IT services available. Please be aware though that the same restrictions regarding the use of IT resources for election related work apply in local offices, i.e. that use of these services is for on-going casework only.
Mobile Devices

57. I am standing at the election; will I be able to use my mobile devices (phones, smartphones and tablets) purchased via the expenses scheme and will the on-going costs during dissolution continue to be met from my expenses?

The use of these mobile phones, smartphones and tablets by Members may continue throughout dissolution. However, whilst Members will be able to use their mobile devices, all charges incurred other than in relation to on-going casework, must be met personally. This will help to ensure that Members are not seen to be gaining an unfair advantage over other candidates standing at the election.

Members can continue to use these mobile devices for on-going constituency casework and have those costs met from the Members’ Expenses Scheme.

SPICe

58. Can I make use of SPICe services during dissolution?

No. All SPICe services, including the research service and the facilities in document supply will be closed to Members and their staff from 24 March 2016 until the day after polling day. Passwords to online services will also be disabled.

59. Will I still have access to my Press Association subscription during dissolution?

No. All electronic news and information services will be unavailable to Members and their staff from 24 March 2016 until the day after polling day. Passwords will be disabled for this period.

Public Information Office

60. Will I be able to use the Public Information Office’s services during dissolution?

During dissolution, Members will be able to use Public Information to obtain information about the work of the Parliament on the same basis as members of the public.
Expenses

61. What Expenses can be claimed/ paid after the date of dissolution?

Under Rule 1.1.2 (Objectivity of the Members’ Expenses Scheme), a Member is entitled to the reimbursement of expenses which have been incurred only for the purpose of carrying out parliamentary duties. Members who are returned at the election will be entitled to claim the cost of travelling to the Parliament and, if necessary, overnight expenses in order to take the oath or make an affirmation.

Members who are not returned at the election will be entitled to claim travel expenses to and from the Parliament complex and, if necessary, overnight expenses in order to collect any belongings stored at the Parliament during dissolution. These costs will be met from the winding-up provision. Any parliamentary business costs incurred during the period of dissolution will be charged to the provision entitlement for that period.

Expenses in connection with political campaigning, fund raising, party membership appeals or any other party-political content cannot be paid from the provision made in the Members’ Expenses Scheme.

The maximum level for all expenses during dissolution will be calculated on a pro-rata basis for the period 1 April until polling day.

Any monies owed will require to be repaid to the Allowances Office before dissolution. All costs incurred prior to the date of dissolution will require to be charged against the expenses entitlement up to the date of dissolution.

62. I have accommodation in Edinburgh using my Edinburgh accommodation provision (EAP) and I am standing at the next election. What expenses can I claim?

Eligibility to claim the EAP will continue after dissolution up to the end of polling day. The amount of EAP Members are entitled to in the financial year 2016-2017 will be calculated on a pro rata basis from 1 April 2016 until polling day. All expenses normally met from the EAP will continue to be met providing there are sufficient funds to do so.

Party Leaders’ Allowance

63. Is there any effect on the party leaders’ allowance during dissolution?

The party leaders’ allowance is to assist the non-government party leaders to carry out the extra duties required as parliamentary party leaders and parliamentary party spokespersons and should in no way be used for party-political purposes. Party activities, and activities in connection with the election, are therefore wholly outside the scope of the parliamentary duties which are covered by the party leaders’ allowance. As such, it is not anticipated that any cost incurred during dissolution will qualify for payment under the provision made within this allowance.
Financial Assistance for Registered Political Parties

64. Will my party still be able to claim financial assistance during dissolution?

Payment of financial assistance is paid on a yearly basis and will therefore be available during the dissolution period; however, all expenses incurred by parties under the Scottish Parliament (Assistance for Registered Political Parties) Order 1999 must be to enable their Members to perform their parliamentary duties. This means that this assistance must not in any way be used in connection with the election campaign.

Office Supplies and Equipment

65. Can I use the furniture and equipment provided by the Parliament during dissolution?

The equipment, furniture and supplies provided by the Parliament are for use in undertaking parliamentary duties and cannot be used for the purposes of canvassing or election campaigning, or any party activity related to elections.

Equipment and furniture in local offices must only be used to allow staff to deal with on-going casework.

Parliament Stationery and Corporate Identity

66. Can I use the Parliament’s Corporate Identity (logo) during dissolution?

The Parliament logo must not be used for the issue of election material or material of a party-political nature at any time including during dissolution. For further guidance on the use of the Parliament’s logo please see the policy on the use of the Scottish Parliament Corporate Identity by MSPs.

67. Can I use Scottish Parliament stationery during dissolution?

Material in relation to any election campaign must not be photocopied or printed using parliamentary equipment.

Parliament stationery, the Parliament logo, pre-paid envelopes provided through the stationery and postage provision and the Parliament’s mail system must not be used for the issue of election material or material of a party-political nature.
68. What can I use for on-going casework during dissolution?

During dissolution Members can use only the plain paper that is already supplied for parliamentary use, for on-going constituency casework during dissolution.

Members can claim any postage costs for this type of correspondence during dissolution from the Stationery and Postage Provision and/or the Office Cost Provision. Members can also, if they wish, purchase small supplies of blank envelopes and stamps prior to dissolution for parliamentary use during dissolution.

Members cannot, however, use parliamentary headed paper, or unpaid or pre-paid envelopes with the Parliament’s corporate identity on them for ongoing constituency work during dissolution, nor should pre-paid envelopes be used for ongoing constituency casework.

Any party-political or election-related business must be carried out using stationery supplied by the Member or the party, and not using parliamentary stationery.

Photography

69. Can I use SPCB copyright photography during dissolution?

SPCB copyright photography must not be used during dissolution. In accordance with the copyright information published on the Scottish Parliament website, photographs should not be used for party-political material.

SPCB copyright photographs previously issued must not be used in material published after dissolution.

Images which may have previously been cleared for use on a Member’s private website may remain if they were published online prior to dissolution. However a disclaimer must be placed on the website to make it clear that it was established while the Member was still a Member of the Scottish Parliament. See questions 82-85 for full information on private websites and rider information.

Data Protection

70. What should I do if I need to process personal information during dissolution?

It is a statutory requirement that each Member registers as a data controller with the UK Information Commissioner. However during dissolution there is in effect no data controller and so the amount of processing which can be legitimately done has to be limited to only that which is strictly necessary and with the consent of the data subject.
Local Office Issues

71. Can I use my region or constituency office during the dissolution period?

Local offices can remain open for the benefit of constituents with on-going constituency business. Should a constituent wish to arrange a meeting on a new matter then the meeting cannot be held within the local office and the Member should deal with such enquiries as a candidate.

As Members’ offices are paid for from the Members’ expenses scheme, the office (or, in the case of a shared office, the relevant part of that office) cannot be used as a base for canvassing or election campaigning or any party-political activity.

72. How would I pay for staff travel to the local office?

Where staff are temporarily re-located to the local office during dissolution to work on on-going constituency casework, Members can pay for their staff travel from their Staff Travel Provision or the Office Cost Provision.

73. Is there a generic voicemail message I should use in my region or constituency office during dissolution?

Should Members have the use of voicemail in their local offices and wish to use it during dissolution, all reference to the office being that of a Member of the Scottish Parliament should be removed. A voicemail message for during dissolution might say, for example:-

"Thank you for calling the office of X. Due to the general election on 5 May 2016, the Scottish Parliament has been dissolved and I am not currently a Member of the Scottish Parliament. If you are calling about a matter I am already dealing with then please leave your contact details after the tone and someone will get back to you as soon as possible."

If you would like any assistance in setting up a voicemail message in the local office for dissolution, please contact the IT helpdesk.

Surgeries

74. Can I hold or advertise to hold surgeries during dissolution?

As Members cease to be Members on the day of dissolution, they cannot carry out surgeries as a Member. No MSP surgeries may be advertised to be held between the date of dissolution and the date on which Members take the oath or affirmation. Members should ensure that constituents are aware in advance that all MSP surgeries will cease as of the date of dissolution.
Casework

75. Can I take on new casework during dissolution?

As Members cease to be Members on the day of dissolution, they cannot undertake new casework as a Member. However, if a Member is standing for re-election they can provide assistance as candidates. Parliamentary resources must not be used for this purpose.

MSP Contact details during dissolution

76. Can I provide contact details for the dissolution period?

Yes, Members should advise correspondents of any change to contact details during dissolution for dealing with on-going casework. This is to ensure anyone with on-going casework can continue to have contact with the Member.

Members should, however, be aware that the cost of advertising their contact details as prospective candidates before or during dissolution cannot be met out of parliamentary expenses.

Postal Services

77. What will happen to mail addressed to me at the Parliament?

All mail received in the Parliament for Members and their staff during dissolution will be forwarded by the mail room. Addresses for this purpose will be taken from the information supplied by Members to SPICe.

Visitor Services

78. What if people want to visit during dissolution – can I still take them round?

Members will not, after dissolution, be able to take visitors into any private areas that are accessible by proximity passes. There will be no Member tours during dissolution. The building will remain open to the public during dissolution and public guided tours will continue. The shop, café and crèche will remain open to the public. Members will be able to use the public areas and services in the building as members of the public.
Outreach and Education Services

79. Will there be outreach sessions or education visits during dissolution?

Inward and outward education sessions that involve Members will not operate during dissolution.

Both services will continue to offer staff-led sessions for schools during dissolution (outwith the Easter holiday period). It will be made clear to schools that no Members will be involved in the visits and workshops.

For outreach sessions, schools will be offered, as follow-up session options, a free tour of Holyrood or the chance to make their own arrangements to invite Members into their schools after the election.

After the election, officials will be happy to supply Members (new or returning) with contact details for local schools that have visited during dissolution, if they wish to organise a follow-up session with them.

Events and Exhibitions

80. Can I arrange an event at the Parliament during dissolution?

There will be no Member-sponsored events held at the Parliament during dissolution.

81. Can I arrange Member-sponsored exhibitions in the Garden Lobby and Members’ Lobby during dissolution?

There will be no Member-sponsored exhibitions in the Parliament during dissolution.

Websites

82. What will happen to my details on the Parliament’s website after the date of dissolution?

The biographical information on the Parliament’s website relating to current MSPs will be moved to the section on previous Members for Session 4. Each will be edited to add closing dates for the end of the session where appropriate and contact details will be removed. This will serve as the record of Members for Session 4.

A separate list of contact details for use during dissolution will be available on the website.
83. I have a personal website funded from the Office Cost Provision. Can I continue to use it during dissolution?

Members must either remove the website completely or else attach the following rider:

“This website was established while I was a Member of the Scottish Parliament. As the Parliament has been dissolved there are no Members of Parliament until after the election on 5 May 2016”.

The website cannot be used for political electioneering or canvassing. All links to Members’ personal websites from the Scottish Parliament website will be cut from the day of dissolution.

84. I have a private website paid for by myself. What do I need to do?

Websites which have been paid for by the Member themselves need not be removed from the web, however, a clear rider, as set out at question 83 above, must be attached throughout the dissolution period or all reference to being a Member of the Scottish Parliament must be removed from the website.

85. I have social media accounts (such as Twitter and Facebook) which I use as an MSP. What do I need to do?

All social media profiles must be amended to reflect that there are no Members of the Scottish Parliament during the period of dissolution.
After the Election

Access to the Parliament

86. What access will I have to parliamentary services after the election if I am returned?

Returning Members and their staff will have full access to and use of parliamentary services following the election.

87. What should I and my staff do with our photographic security passes if I am returned?

Any Members who are returned or any staff being employed by a returned or new Member should hold on to their passes, which will be reactivated after the election.

Clerking Services

88. What can a Member do before swearing an oath or making an affirmation?

A Member is not able to take part in any other proceedings of the Parliament until he or she has taken the oath of allegiance or made his or her solemn affirmation at a meeting of the Parliament before the Clerk.

89. What will happen in relation to the work of Committees in the new session?

All committees established in a new session, whether mandatory or subject committees, are new committees. Although new committees would be entitled to continue any work begun by their predecessors, they are by no means bound to do so.

IT Services

90. What access to IT services will my staff and I have after the election?

All returned MSPs and staff will be able to log on as normal after the election.

91. What will happen to my Holyrood office and IT equipment?

Members are encouraged to return to their current office where their IT equipment will remain. Members should record a new voicemail message to replace the dissolution message that will be active.
BIT and FM will then liaise with Business Managers to plan the final office allocation arrangements, which will be duly scheduled and implemented to cause minimum disruption.

92. What follow-on assistance will be provided?

New Members will be invited to short meetings with BIT who will offer assistance and information about available IT services, including:

- The range of mobile devices and laptops available.
- The case-management system - Microsoft Dynamics CRM - which will be offered to all Members and centrally funded.
- New software solutions including Windows 10 and Microsoft Office 365.

Please note that once new Members have been set up with their IT equipment and services, the above changes in provision will be offered to returned Members.

93. What happens to my work requests submitted before dissolution?

Returned Members will not be required to re-submit work requests, however BIT will request confirmation that any work is still required.

Expenses

94. When can I order a book of rail ticket flexi passes?

Returning Members can obtain multi-pass tickets on their return to Parliament.

MSPs Salaries and Pensions

95. What happens to my salary if I am re-elected at the election?

If Members are re-elected their salary will continue, provided they have taken the oath of allegiance or have made a solemn affirmation at a meeting of the Parliament, as required by section 84 of the Scotland Act.

The HR Office will contact Members who are not returned regarding salary and pensions.

96. Can you summarise the overall impact on my pay and expenses if I am successfully returned to the Parliament after the election?

A Member’s entitlement to pay and expenses after polling day is established once they have sworn an oath or made an affirmation. A Member’s salary will continue and will be paid into their bank account on the last working day of the month in the normal way. Members’ staff salaries will also continue unless the HR Office has been told to stop the salary. The pro-rata Members' Expenses limit is only applicable
if Members leave the Parliament. If Members continue, they may claim the annual or any revised annual figure in the normal way.

**Office Supplies and Equipment**

97. If I am re-elected what should I do with all of the equipment and furniture provided by the Parliament?

Re-elected Members will be expected to use their existing equipment and furniture wherever possible.

**BT Phone Book**

98. What will happen to my entries in the BT Phone Book after polling day?

Members are responsible for inserting, amending and removing the entries against their names under ‘Members of the Scottish Parliament’ in the business listings section of the BT Phone Book. Parliament staff do not have the authority to make any changes to these entries as telephone suppliers and BT will not accept instructions from any Parliament staff in relation to Members’ entries.

After polling day, Members who wish the telephone/fax number of their local office to appear in the business section of the Phone Book should contact the company that provides the local office with a telephone/fax line and ask them to add or change the number(s) in the business section of the Phone Book, as required. (For example, if the local office has a BT telephone line, the Member should contact BT.)

Members who currently have an entry in the BT Phone Book and who are not re-elected should contact the company that provided their local office with a telephone/fax and ask for their name and number(s) to be removed. Parliament staff do not have the authority to get these entries deleted as telephone suppliers and BT will not accept instructions from them in relation to Members’ entries.

BT Phone Book is updated on a rolling programme every 18 months. Changes will appear in the next published edition of the Phone Book.

**Local Office Issues**

99. If I am re-elected, when after the elections can I open my region or constituency office to conduct new parliamentary business?

Members may re-open their region or constituency office to conduct new parliamentary business at any point after they have been elected on 5 May.
Outreach and Education Services

100. When will schools start to visit again and when will outreach re-commence?

The inward and outreach programmes will continue after the election with staff-led sessions offered initially. Members will be invited to sessions from the week commencing Monday 30 May 2016. Bookings for the summer term will open in January 2016 so Members can be notified of session dates as soon as possible after the election.

Bookings for September 2016 onwards will open after the election. Members will be advised ahead of the bookings opening so that they may nominate any schools that they wish to work with as usual.

Visitor Services

101. When can I book public gallery tickets for the oath taking?

Members will be notified separately about arrangements for the public gallery on the first day (for guests to observe the swearing-in of Members).

102. When can I book public gallery tickets and Members’ tours?

Bookings for the public gallery and Members’ tours post-election will open the day after the election.

Events and Exhibitions

103. When can I start to arrange events?

The Events and Exhibitions Team will start to take requests for Member-sponsored events from the day after the election.

104. When can I start to arrange exhibitions in the Garden Lobby and Members’ Lobby?

The Events and Exhibitions Team will start to take requests for Member-sponsored exhibitions from the day after the election.