

Scottish Parliamentary Corporate Body 25 June 2026 (Session 7)

SPCB governance - Delegation to the Clerk/Chief Executive

Executive summary

1. This paper seeks approval to issue the updated delegation of functions letter from the SPCB to the Clerk/Chief Executive, as a matter of good governance, at the start of Session 7.

Issues and options

2. Paragraph 5 of Schedule 2 of the Scotland Act enables the SPCB to delegate any of its functions to the Presiding Officer, or to the Clerk. The effect of delegating these functions is to transfer responsibility and provide lawful authority for their exercise by the SPCB's delegate.
3. A delegation of functions letter is issued by the SPCB to the Clerk/Chief Executive, authorising the Clerk to carry out all the day-to-day functions of the SPCB to provide the Parliament, or ensure the Parliament is provided with, the property, staff and services required for the Parliament's purposes, subject to requirements set out in the letter. This enables the effective and lawful exercise of functions on behalf of the SPCB, noting that where functions are delegated they are not retained by the SPCB unless specifically reserved.
4. The SPCB agreed an updated delegation in March 2026. The delegation is intended to streamline SPCB business, enabling routine operational decisions to be taken by the Clerk, with escalation of novel or contentious matters.
5. The updated delegation letter is at **Annexe A**. It requires approval by the SPCB and will be issued by the Presiding Officer on behalf of the SPCB to the Clerk/Chief Executive.

Governance

6. This paper relates to SPCB governance arrangements and compliance with the Scotland Act.

Resource implications

7. There are no financial or staffing implications arising from this update.

Publication Scheme

8. This paper can be published in line with the SPCB Publication Scheme. The content is administrative in nature.

Next steps

9. Subject to approval, the Presiding Officer will issue the updated delegation of functions letter to the Clerk/Chief Executive.

Decision

10. The SPCB is invited to approve the issue of the updated delegation of functions to David McGill, Clerk/Chief Executive for Session 7.

Office of the Deputy Chief Executive
June 2026

Annexe A: Delegation of functions of the Scottish Parliamentary Corporate Body letter



The Scottish Parliament
Pàrlamaid na h-Alba

The Presiding Officer

David McGill
Clerk/Chief Executive

By email

X June 2026

Dear David

DELEGATION OF FUNCTIONS OF THE SCOTTISH PARLIAMENTARY CORPORATE BODY(SPCB)

Section 16(1) of the Public Finance and Accountability (Scotland) Act 2000 (asp 1) provides that the Clerk of the Parliament is Principal Accountable Officer for the Parliamentary corporation. This carries with it the responsibility for signing the Scottish Parliamentary Corporate Body's (SPCB) annual accounts. As Principal Accountable Officer, you are answerable to the Scottish Parliament for the propriety and regularity of financial transactions under your control and for the economical, efficient and effective use of resources placed at your disposal.

Whilst you have the financial authority to commit expenditure, you require authority from the SPCB to undertake the functions of the Corporate Body. The delegation of functions set out in this letter supersedes any previous delegation to you.

Under Schedule 2, para 5 of The Scotland Act 1998, the SPCB authorises you, as Clerk/Chief Executive, to carry out all of the day-to-day functions of the SPCB in order to provide the Parliament, or ensure the Parliament is provided with, the property, staff and services required for the Parliament's purposes, with the exception of:

- Recruitment/appointment of the Clerk/Chief Executive and Deputy Chief Executive.
- Appraisal/poor performance of the Clerk/Chief Executive.
- Discipline/grievance issues in relation to the Clerk/Chief Executive and the Deputy Chief Executive.

REFERENCE: SPCB (2026) - Paper 44 – by correspondence

- Terms and conditions of service (including any reward-based policies, salaries, pensions and any significant or potentially contentious policies on HR practice) for parliamentary staff and MSPs' staff so far as relevant.
- Enforcement of the Reimbursement of Members' Expenses Scheme subject to any delegations which may be made from time to time in relation to specific approvals within the Scheme.
- Approval of the Annual Accounts of the SPCB and the annual budget (and any significant changes to it during the year).
- Capital expenditure in excess of £10m.
- Approval of contract awards in excess of £5m.
- Code of conduct relating to broadcasting of proceedings of the Parliament.

The SPCB also authorises you [and the Deputy Chief Executive in your absence] to sign contracts and documents which must be constituted in writing, on behalf of the SPCB, where it is not reasonably possible for these to be signed by a member of the SPCB.

The SPCB has additionally agreed the following operational matters shall be delegated to the Clerk of the Parliament, excepting any novel and/or contentious issues pertaining to these:

- Complaints about Members' parliamentary funded communications up to £2,500.
- Complaints about Members' use of parliamentary resources, based on minor cost/insignificant issues.
- Disability provision applications up to £2,500.
- Requests for overnight stays associated with parliamentary business duties outside of Edinburgh.
- Security upgrade requests based on Police Scotland assessments.
- All additional staffing resource decisions [for a Member or a Member's staff absence], with any claim considered to be unreasonable escalated to SPCB for decision.
- Additional Expenses up to £2,500.

Subject to any directions which the SPCB may give you from time to time, you have full authority to take the decisions necessary for the proper discharge of your functions within the scope of this delegation, with due consideration to any equalities, environmental and health and safety legislation or any other legal duties and guidance/best practice, subject to you keeping the SPCB informed, or seeking guidance from at an early stage, on any issues which may be considered novel, contentious or potentially politically sensitive.

Yours sincerely

Kenneth Gibson MSP
Presiding Officer

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