



The Scottish Parliament
Pàrlamaid na h-Alba

Scottish Parliamentary Corporate Body
Thursday 5 March 2026 (Session 6)

2026 election guidance: guidance for members not returned and updates to existing guidance

Executive summary

1. In September 2025, the SPCB agreed guidance to support Members and their staff during the 2026 Scottish Parliamentary Election campaign and for Members who are not standing at the election. The guidance was subsequently issued to Members and their staff and published on the Scottish Parliament website.
2. A final guidance document has been prepared for Members who are not returned at the 2026 election, as set out in the **Annexe**. The SPCB is invited to consider and agree this guidance. The foreword from the Presiding Officer and the Clerk/Chief Executive will be agreed and included in the final version of the guidance, once it has been approved by the SPCB.
3. The SPCB is also invited to note a small number of updates to the existing guidance documents to reflect revised information and approaches and to ensure consistency with the guidance for Members not returned

Background

4. In September 2025, the SPCB agreed the following guidance for Members and their staff in relation to the use of parliamentary resources during the 2026 Scottish Parliamentary election:
 - [Guidance for Members and their staff during the 2026 Scottish Parliamentary Election campaign](#) (referred to as main guidance in this paper)
 - [Guidance for Members who are not standing at the 2026 Scottish parliamentary election](#) (referred to as guidance for Members not standing in this paper)
5. This guidance was issued to MSPs and published on the Scottish Parliament website in early November 2025, following Parliamentary approval of the Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025 and a Parliamentary Bureau motion which together, established the pre-election recess and dissolution dates in advance of the 2026 election.

REFERENCE: SPCB (2026) - Paper 16 – by correspondence

6. A third and final guidance document has now been prepared for Members who are not returned at the 2026 election, as set out in the **Annexe**. The SPCB is invited to consider and agree this guidance, so it can be issued, alongside the updated existing guidance, to MSPs and their staff and published on the Scottish Parliament's website.

Issues and options

Guidance for Members not returned – changes from 2021 and updates to existing guidance

7. Consistent with the approach to the existing guidance, the guidance for Members not returned maintains the question-and-answer format and is broadly consistent with the 2021 guidance, with references to the COVID-19 pandemic removed.
8. Areas where there is new information (either from the 2021 guidance or since the current guidance was published) are set out in more detail below.

Former Members' pass

9. Members who are not returned or are standing down at a Scottish Parliament election can apply for a Former Members' pass to access the Garden Lobby and use the Members' restaurant. The guidance for Members not returned includes information on how former Members can apply for a pass, should they not be returned at the election.
10. Information on how to apply for a Former Members' pass is not currently included in the guidance for Members not standing. The existing guidance will therefore be updated accordingly.

Security upgrades and lone worker devices

11. The guidance for Members not returned clarifies that security upgrades made to a Member's local office, home and/or Edinburgh Accommodation will not be recovered by the Security Office. It also clarifies that former Members will become responsible for ongoing alarm and maintenance costs for any security measures installed, should they wish to continue with these services. For lone worker devices, the guidance confirms that these must be returned to the Security Office alongside their security passes.
12. There are areas of the existing guidance where it would be helpful to provide information about how security upgrades will be managed after the election as well as how and when lone worker devices should be returned. The existing guidance will therefore be updated at the relevant sections with this information.

Data protection: special category and criminal offence data

13. The Data Use and Access Act 2025 has extended the period for which the conditions for processing special category and criminal offence data for Members who are either not seeking re-election, or are not returned, from four to thirty days after the election is held. This means that Members who are either not returned or are not standing at the election are required to transfer or delete all casework by 6 June 2026.

REFERENCE: SPCB (2026) - Paper 16 – by correspondence

14. While the existing guidance referred to this future change in timescale, it was not clear at the time it was approved when the provision would come into force.
15. The provision commenced on 5 February 2026 and the guidance for Members not returned reflects these new timescales. The existing guidance will be updated accordingly, and the new timescales will be specifically highlighted to MSPs and their staff when the guidance is issued.
16. To assist Members who are not returned to process constituency casework by the statutory deadline, a template letter has been included at Annexe B. A similar template letter has been added to the guidance for Members not standing.

Education Services

17. The main guidance currently states that there will be no Member involvement in any education activities during the campaign period and that Education services will facilitate school visits without Members during the campaign period.
18. During the campaign period, the chamber will be closed, while work on the dais is completed, and the availability of Members will be limited. This presents a rare opportunity for Public Engagement Services to use the campaign period to make service improvements. As such, there will be no education sessions delivered from the beginning of the campaign period until 18 May 2026. MSPs can of course continue to engage directly with schools during the pre-election recess. i.e. before they cease to be a Member on Thursday 9 April 2026.
19. To allow Members to focus on the induction programme after the election, MSP involvement in education activities will begin after the summer recess. The main guidance will be updated to reflect this change in approach.

Career support and advice for MSPs and their staff

20. Since the main guidance and the guidance for Members not returned was approved by the SPCB, work has progressed to develop the programme to support MSPs should they be standing down or not returned at the election, and their staff in more detail. The guidance for Members not returned provides more details of the support available. The existing guidance will be updated to include this additional information.

Mobile devices

21. The guidance for Members not returned includes a link to specific guidance that BIT has recently published on the intranet [on Preparing to return your mobile devices](#) following the election. The guidance for Members not standing will be updated to include a reference to this newly developed guidance.

Governance

22. All relevant offices have contributed to the drafting of the guidance documents, with the Chief Executive's Office providing a co-ordinating role.

Resource implications

23. There are no resource implications specific to this paper. Resource implications for the services listed in the guidance have been factored into local operational planning.

Publication Scheme

24. This cover paper can be published in line with the SPCB Publication Scheme.

Next steps

25. Once agreed, the guidance for Members not returned at the 2026 Scottish Parliament election will be published on the Scottish Parliament website. It will also be communicated to all MSPs and their staff, alongside the minor changes to the currently published guidance as outlined in this paper.

26. The SPCB will receive a further update on the preparations for the 2026 Scottish Parliament election and the induction programme for Session 7 before the campaign period commences on 26 March 2026.

Decision

27. The SPCB is invited to agree the election guidance for Members not returned as set out in the **Annexe** and to note the minor revisions that will be made to the main guidance and guidance for Members not standing.

Clerk/Chief Executive Office
March 2026