REPORT: USE OF PARLIAMENTARY RESOURCES

1. A formal complaint has been made regarding the alleged use of parliamentary resources by Colin Beattie MSP in his political fundraising for the forthcoming Scottish Parliament election. Mr Beattie has also written to the SPCB to invite the Corporate Body to consider whether any breach of the rules has taken place. This report sets out the relevant issues and invites the Corporate Body to determine how the matter should be taken forward.

Background

2. The matter was referred to the SPCB for consideration, following a report in the Sunday Herald on 17 January that Mr Beattie had offered a personal tour of the Scottish Parliament as a reward for a pledge of £150 to his re-election campaign funds. This formed part of a list of rewards with associated pledges which appeared on a crowd-funding website. http://www.crowdfunder.co.uk/re-elect-colin-beattie

3. In order to enable us to consider whether the crowdfunder breached the SPCB’s policies, Mr Beattie was invited to respond to a number of questions regarding the matter. The letter from the Head of Financial Resources to Mr Beattie, dated 21 January 2016, is attached at Annex A and Mr Beattie’s reply, dated 25 January 2016, is attached at Annex B.

Use of Parliamentary Resources – Relevant Provisions

4. In considering this matter, the SPCB will wish to have regard to the relevant provisions in the Code of Conduct for Members of the Scottish Parliament and its policies on the use of parliamentary resources.

5. The Code of Conduct for Members of the Scottish Parliament sets out in Section 7.2.1 and 7.2.2 that “the SPCB has statutory responsibility to provide the property, staff and services required for the Parliament’s purposes and is legally responsible for ensuring that, in doing so, it complies with the law. The SPCB accordingly puts in place policies and procedures for such reasons as the good governance of the organisation as a whole, compliance with legal requirements, the efficient and effective operation of the Parliament’s premises and facilities and the protection of services and facilities from misuse or the perception of misuse. Members must abide by the policies that are adopted by the SPCB”.

6. Parliamentary resources are provided by the SPCB to support Members with their parliamentary duties and must not be used to any significant extent for any other purpose including any party political purpose. The SPCB’s policy on Charities and Fund Raising specifies that, in fulfilling their parliamentary duties and as they relate to the use of parliamentary resources, Members may not engage in any fundraising for party political purposes.
Issues and Consideration

7. The SPCB is invited to consider the responses contained in Mr Beattie’s letter of 25 January (Annex B) to the questions raised in our letter of 21 January (Annex A).

What were the dates for the design, agreement and live running of the crowdfunder?

8. Mr Beattie’s response provides the requested details of the crowdfunder and advises that the offer of a parliamentary tour was included in error.

Is the crowdfunder web page, containing the offer of parliamentary tours and a meal at the Parliament, still active and/or viewable by the general public?

9. Mr Beattie advises that the Crowdfunder webpage is still viewable, but is inactive.

Can you confirm that no pledges were made or monies received in respect of these items?

10. Mr Beattie has confirmed that no pledges were made or monies received in respect of the parliament tour.

Can you confirm that no individual has been offered or received a tour or a meal at the Parliament in respect of this crowdfunder?

11. Mr Beattie has confirmed that no individual has been offered or received a tour or a meal at the parliament in respect of this crowdfunder.

Options

12. The SPCB will note from Mr Beattie’s response that he fully acknowledges that the offer of a parliament tour should not have been made as part of his fund raising campaign and that he apologises for his error. Although the offer of a parliament tour clearly breached the SPCB’s policy on use of parliamentary resources, no actual resources have been used.

13. The options available to the Corporate Body in respect of this matter are :-

   a. To write to the Member, reminding him of the SPCB’s policy on the use of parliamentary resources and of his personal responsibility in this matter.

   b. To refer the complaint to the Standards, Procedures and Public Appointments Committee together with a recommendation for action.
Publication Scheme

14. This paper can be published in line with the Parliament’s publication scheme.

Decision

15. The SPCB is invited to determine whether or not there has been a breach of the SPCB’s policies on the use of parliamentary resources and, if so, how the matter should be taken forward.

Financial Resources
January 2016
Use of Parliamentary Resources

Thank you for your email of 19 January 2016 addressed to the Presiding Officer in which you invite us to consider whether your ‘crowdfunder’, as reported in the Sunday Herald Digital article on 17 January, breaches the SPCB’s policy on the use of Parliamentary Resources. I can advise you that the SPCB has also received a formal complaint on this matter from a third party.

Parliamentary resources are provided by the SPCB to support Members with their parliamentary duties and must not be used to any significant extent for any other purpose including any party political purpose. The SPCB’s policy on Charities and Fund Raising specifies that, in fulfilling their parliamentary duties and as they relate to the use of parliamentary resources, Members may not engage in any fundraising for party political purposes.

I have been asked to look into the matter and, to enable me to do so, I would be grateful if you would let me have your responses to the following questions. I note that you have already provided some information in your email to the Presiding Officer.

1. What were the dates for the design, agreement and live running of the crowdfunder?

2. Is the crowdfunder web page, containing the offer of parliamentary tours and a meal at the Parliament, still active and/or viewable by the general public?

3. Can you confirm that no pledges were made or monies received in respect of these items?

4. Can you confirm that no individual has been offered or received a tour or a meal at the Parliament in respect of this crowdfunder?
5. Is there any other information you would like to be brought to the SPCB’s attention for its consideration of this matter?

I would be grateful if you would let me have your responses by 1pm on Wednesday 27 January, to enable me to prepare a paper for the SPCB’s next meeting.

Yours sincerely

Derek Croll
Head of Financial Resources
Mr Derek Croll  
Head of Financial Resources  
Financial Resources Group  
Edinburgh  
EH99 1SP

Dear Mr Croll,

Use of Parliamentary Resources

Thank you for your letter of 21\textsuperscript{st} January 2016. I shall respond to the points raised by you in due order:

1. The Crowdfunder ran from 4\textsuperscript{th} August 2015 to 28\textsuperscript{th} September 2015. It was under discussion at the campaign committee during August. A number of rewards options were put forward by various members including a tour of the parliament by myself since they saw this as making use of no parliamentary resources. This was not agreed, but clearly there was confusion and the option was published. This Crowdfunder was intended as a “tester” to see if it was too early for such an appeal.

2. The Crowdfunder web page is still viewable but is inactive and the rewards section is neither active nor viewable by the public. I note that in your letter reference is made to a meal at the parliament. That was never an option. The potential offer for a meal deliberately did not specify where since it was felt that the location should be kept flexible. However, a meal at the parliament was neither intended nor on offer.

3. No pledges were made and no monies were received in regard to any potential tour of parliament.

4. No individual has been offered or received a tour of the parliament in respect to this Crowdfunder. As regards the meal please see (2) above.

5. This reward option was unintended but I fully accept that I am responsible for anything published in my name. I regret that I did not myself check the content of the Crowdfunder web site before or after it went live. I apologise for any embarrassment caused.

Yours sincerely

Colin Beattie MSP