



The Scottish Parliament
Pàrlamaid na h-Alba

SPCB's Policy on Members Parliamentary Funded Communications and Upcoming By-Election

By Correspondence

Reference: SPCB (2025) Paper 23

Executive summary

1. The SPCB is invited to consider a matter in relation to the SPCB's policy on Members' parliamentary funded communications and the upcoming by-election. Meghan Gallacher MSP is seeking SPCB approval to continue to issue her annual report across her region which includes the Hamilton, Larkhall and Stonehouse constituency on 28th April 2025.

Issues and options

2. The SPCB's policy on Members' parliamentary funded communications states that where a Scottish or UK by-election is called Members cannot issue any parliamentary funded communication, other than surgery notices and contact details, in the relevant constituency from the day the by-election date is set up to and including the by-election day itself. They can still issue communications to other parts of their region.
3. Given that the date for the by-election for the Hamilton, Larkhall and Stonehouse constituency was set on Monday 15th April to take place on 5th June officials have written to all Central Region MSPs to advise on what they can and cannot issue during this period and where to.
4. In response to this advice Meghan Gallacher MSP has raised an issue with her annual report which is due to issue week commencing Monday 28th April 2025 in that it was due to include the Larkhall part of the constituency as she had already taken the decision to hand deliver in Hamilton and Stonehouse over the summer. Officials discussed the

matter with Ms. Gallacher, on the basis of previous similar circumstances when there was a UK snap election or when general election dates have been announced as Members are issuing communications. Officials advised Ms. Gallacher to discuss with Royal Mail pulling the relevant constituency post codes from the delivery list and then organise for them to be delivered after the election, or not delivered at all in this instance, or to move the whole issuing until 6th June or later, but that if there was a significant cost to any of the options to revert to officials before proceeding.

5. Ms. Gallacher has now advised officials that after discussing with Royal Mail there is no option to move the delivery without significant cost and impact on her spend against the Engagement Provision. Royal Mail have advised her that whilst only one part of the constituency, Larkhall, with two post codes (ML9 1 and ML9 2), were be delivered to if she wished to make any changes to her delivery booking then there will be additional costs. This was advised to be an additional 50% of the delivery fee if amended that same day (17th April) equating to £2,432 or if changed after this date it would a 100% additional charge equating to £4,864. Given the timing of this it would now be the latter cost incurred if the booking were to be changed.
6. The SPCB will wish to note that they have previously agreed to consider such cases on a case by case basis following a similar instance at the UK election in 2019 that resulted in another Member not issuing their report and then seeking exceptional expenses at a cost of over £4k to amend the report and issue after the election. At that time the SPCB decided they would have preferred to have considered the matter prior to any action by the Member that would incur such significant costs.
7. The SPCB may also wish to note that the report has been reviewed by officials prior to preparing for issue and there is no mention of any prospective candidate in any of the activities detailed in the report. If allowed to proceed the report would issue more than a month prior to the election.
8. Given the Members actions to try and act on officials' advice to move the distribution to after the election and the additional cost to do so, the content of the report and the period of time between the report issuing and the election, officials would recommend that the SPCB allow the process to continue and the report to be issued without incurring an additional £4,864.

Governance

9. Given the policy is for the SPCB to determine it is within their gift to decide if they wish to apply such an exceptional exemption in these circumstances given the potential financial impact.

Resource implications

10. Should the SPCB agree with the recommendation that the Member should continue with the issuing of their annual report then the only resource implication will be that already met within the limits of the Members' Engagement Provision.
11. Should the SPCB not agree with the recommendation then the additional cost would be met from within the Members' Engagement provision limit but would impact on their ability to issue further communications during the remainder of the financial year or could as in a previous example result in an exceptional expenses application.

Publication Scheme

12. This paper can be issued in line with the SPCB publication policy.

Next steps

13. The Member will be advised of the outcome and advised to take forward actions in relation to the issuing of her report accordingly, dependent on the decision taken.

Decision

14. The SPCB is invited to agree that:
 - The Member can continue with the planned annual report distribution during week commencing 28th April as an exceptional exemption to the publication policy requirements due to the additional cost to change arrangements, the content of the report being within policy and the reasonable period of time between the report and the election.

Allowances Office

17 April 2025