



The Scottish Parliament  
Pàrlamaid na h-Alba

Scottish Parliamentary Corporate Body  
Thursday 8 May 2025 (Session 6)

## Reimbursement of Members' Expenses Scheme - Exceptional Expense Request Due to By-Election

### Executive summary

1. The SPCB is invited to consider an exceptional expense application in relation to the SPCB's policy on Members' parliamentary funded communications and the upcoming by-election.
2. Meghan Gallacher MSP is seeing an exceptional expense due to the need to delay her annual report distribution across her region which includes the Hamilton, Larkhall and Stonehouse constituency, as her report was scheduled to be delivered between the by-election being announced and the date of the by-election.

### Issues and options

3. 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.
4. Allowing Ms Gallacher to continue with the planned distribution was presented by e mail to the SPCB on 22 April 2025 in paper 23, which is attached at **Annex A**. Given the range of views expressed by Members on the matter via e mail correspondence, and the importance of protecting the integrity of the rules around elections, the Presiding Officer made the decision for paper 23 to be discussed at the meeting today. As a result, the report has been delayed so that this discussion can take place.
5. The delay to distributing the annual report at the scheduled time has resulted in a 100% additional charge of £4,864 from Royal Mail to deliver these annual reports. Royal Mail also stated that due to the short notice provided to change the delivery time, it may not be able to guarantee a full pause to the scheduled delivery, and that some or all of the reports may be recycled in the time between the scheduled delivery date and the new delivery date. If Royal Mail do recycle some of the annual reports they will need to be reprinted but at this point they

## **REFERENCE: SPCB (2025) - Paper 24**

are unable to confirm if that will be the case, so how many reports may need reprinted is currently unknown.

6. As the Member has acted on SPCB guidance to delay the scheduled distribution of her annual report until after the by-election, officials would recommend the SPCB approve this exceptional expense application for rearranging the delivery date at a cost of £4,864, and any further costs if Royal Mail have recycled copies of the annual report and they need to be reprinted.

## **Governance**

7. The Reimbursement of Members' Expenses Scheme allows for a Member to apply to the SPCB for reimbursement of any exceptional expenses to be incurred by that Member in connection with the performance of parliamentary duties.
8. It should be noted that per the Members' Expenses Scheme guidance that a Member should not incur any costs until the agreement of the SPCB has been obtained.

## **Resource implications**

9. It is confirmed that there are sufficient funds in the overall expenses budget to meet the costs indicated

## **Publication Scheme**

10. This paper can be published in line with the publication policy.

## **Next steps**

11. To advise the Member of the SPCB decision.

## **Decision**

12. The SPCB is invited to approve this exceptional expense application so that the Members' Engagement Provision is not negatively impacted due to the timing of the by-election within their region.

**Allowances Office**  
**May 2025**

## **Annexe A: SPCB Paper 23**

### **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 28<sup>th</sup> 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 15<sup>th</sup> April to take place on 5<sup>th</sup> 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 28<sup>th</sup> 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 6<sup>th</sup> 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

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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 (17<sup>th</sup> 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 28<sup>th</sup> 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