

SPCB POLICY ON MEMBERS' PUBLICATIONS

General

1. Members may only use parliamentary resources to meet the costs of producing and distributing publications which inform constituents about the work of Parliament or the way in which they have carried out their parliamentary duties in the Parliament or locally within the constituency or region for which they were elected. For the purpose of this policy document, a publication is: an annual report, newsletter, circular letter, leaflet, survey or web material used to contact or consult with constituents or local groups, or adverts, banners, signage and hoardings which provide information about how to contact a Member.
2. Circulated publications must not be distributed outside a Member's electoral area. Regional Members are also reminded that, under rule 8.1.5 of the Code of Conduct for Members, they have a responsibility to all those in the region for which they were elected and they must work in more than two constituencies within their region.
3. The Parliament's Corporate Identity must appear on Member's communications. The Identity must form part of the header at the top of the Member's communications, alongside the Member's name and their area of representation. See Annex A for examples.



The Scottish Parliament
Pàrlamaid na h-Alba

For more information please see the Policy on the use of the Scottish Parliament Corporate Identity by MSPs and the Scottish Parliament's Brand Guidelines

4. Where costs have been incurred in the printing and/ or preparation of any such publication, which includes staff time paid for from the Scheme, it **must** include a note which is clearly visible in the following terms:

'The costs of this publication have been met from parliamentary resources'.

Content

5. Publications funded from parliamentary resources must be factual and relate to the Member's work as a parliamentarian. This does not include a Member's work as a party spokesperson or member of the Scottish Government.

6. Parliamentary funded publications must not include:

- Any material that promotes the political views of any person, political party, the government, or other organisation involved in political campaigning
- Any material that criticises any person, political party, the government, or other organisation involved in political campaigning;
- Any material that promotes, criticises or campaigns for or against anyone seeking election;
- Material likely to provide a personal benefit to a Member or other person or organisation;
- Communications that are non-parliamentary in nature including greetings messages or messages which promote commercial enterprises;
- Fundraising of any kind.

7. Publications can refer to the “Scottish Government” or the “Government”, but must not refer to the Government by party. Any reference to a government initiative should be factual in nature and directly related to how it impacts on the Member’s electoral area.

8. As set out in paragraph 6 above, surveys or any other publication paid for from parliamentary resources must not be used for party political or campaigning purposes and therefore constituents’ personal data cannot be made available to third parties including, in particular, political parties or national political campaign organisations.

9. To make this clear to constituents, any survey or publication must therefore include the following disclaimer:

‘The personal data provided in this survey is to inform my parliamentary work and will not be shared with third parties including campaign or political organisations.’

10. When seeking information from constituents which includes personal data in the form of a survey or other publication, Members must comply with the Data Protection Act 2018 and the UK General Data Protection Regulation 2018. When seeking information for a survey you must provide a privacy notice to comply with the transparency requirements of the GDPR. More information about this is available here: <https://archive2021.parliament.scot/abouttheparliament/19155.aspx>

11. A breach of the Data Protection Act or of the GDPR can have significant repercussions including sanctions from the UK Information Commissioner to the data controller which in this case is the MSP, claims for compensation from individuals who have been distressed or damaged by a data breach or a Member or a member of their staff could be committing an offence. For advice and guidance on data protection contact dataprotection.officer@parliament.scot

12. The policy on content also applies to material made available on websites funded out of parliamentary resources. Members may provide links to external websites provided there is a disclaimer highlighting that the SPCB has no responsibility over the content of such external websites.

Use of logos

13. Members may include in a publication a reference to their party affiliation together with the description of their electoral status alongside their name. However, it is not acceptable to incorporate such information beside the Parliament's Corporate Identity or within half a page of it. Where a Member refers to their parliamentary political party it must not be above the mid-line on any page and can only be included by using the following template:

"[Communication] issued by [Name]
Member of the Scottish Parliament for [constituency/ region] (party affiliation in brackets)"

14. The use of political party logos or political campaign emblems is not permitted on any parliamentary funded publication. Photographs used must be free of party political or campaign material. A parliamentary publication funded jointly with an MP or local councillor should use the Parliament's Corporate Identity alongside the Westminster or local authority logo of the joint issuer.

15. Members may wish to issue a joint circular letter with an MSP, MP or local councillor. It is important that all costs must be divided equally at the point of ordering and separate invoices issued to each joint issuer by the supplier.

16. Where a Member wishes to issue an annual report or newsletter with an MSP, MP or local councillor again all costs must be divided equally. Members will, however, wish to note that for MPs there are restrictions in relation to reimbursement of the costs of such publications. Should a Member wish to issue a joint annual report or newsletter they should contact the Allowances Office to discuss the restrictions and gain advice on how the costs could be claimed before entering into any agreement that would incur costs.

17. In terms of stationery for joint communications Scottish Parliament headed paper can be used provided that the logo or emblem of the joint issuer is added in line with paragraph 14 above and both logos are given equal prominence. The cost of using any headed paper must be divided equally, with the joint issuer reimbursing an equal share of the cost of the paper. Scottish Parliament headed envelopes and pre-paid envelopes cannot be used for joint communications. Members should use either plain or dual branded envelopes to issue joint publications.

18. A copy of any agreement for cost sharing for publications produced jointly with an MSP, MP or local councillor should accompany any invoice submitted.

Timing

19. No publications prepared under this policy may be issued within 4 months of a Scottish parliamentary election.

20. In years where there is a UK parliamentary general election, Scottish local government election or any national referendum no publications may be issued within 3 months of the date of these elections or referendums. Members are responsible for ensuring that no publications are delivered to constituents beyond these deadlines.

21. In the event of a Scottish parliamentary by-election or UK parliamentary by-election in a Scottish constituency, no publications prepared under this policy may be issued in the relevant constituency area between the date the by-election is called and the date of the by-election.

22. Members may apply, **in advance**, for an exception in relation to issuing circular letters beyond the above deadlines in paragraph 20 by contacting the Head of Allowances Office. In order to qualify for an exception, it must:-

- Be about a definite and clear local issue which is time sensitive in relation to the specific deadline (for example an imminent local workplace closure);
- Have a defined list of constituents who will receive it; and
- Not form part of any wider political campaign.

Costs

23. The costs of a parliamentary funded publication including stationery, design, printing and distribution must be met from the Engagement provision of the Reimbursement of Members' Expenses Scheme. Members who include any material not allowed under this policy, who do not meet the timescales outlined above or who, if appropriate, do not apply in advance for an exception must fund the whole cost of the publication personally.

24. Parliamentary printers or photocopiers must not be used to produce annual reports or newsletters.

25. Members' attention is drawn to the Members' Code of Conduct (rules 7.2.1 and 7.2.2). Members are responsible for ensuring that this policy is fully complied with. Failure to do so may also expose the Member to allegations of misuse of parliamentary resources and the Member may be asked to repay any costs involved.

26. While the responsibility rests with the Member to comply with the policy, should any Member wish to seek advice on the content of any publication or on issuing joint publications to reduce the risk of any complaint being upheld, a draft of the publication can be submitted to the Head of Allowances Office for advice prior to printing. The Head of Allowances can be contacted by telephoning 0131 348 6609 or by emailing Allowances.Enquiries@parliament.scot .

April 2021

Annex A

Examples of how the Corporate Identity should be positioned alongside the Member's name and area of representation.



J Bloggs MSP
Member of the Scottish Parliament
for X Constituency / y Region

The Scottish Parliament
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Annual Report 2021-22

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J Bloggs MSP
Member of the Scottish Parliament
for X Constituency / y Region



The Scottish Parliament
Pàrlamaid na h-Alba

Here for you



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