



The Scottish Parliament
Pàrlamaid na h-Alba

GUIDANCE FOR MEMBERS AND THEIR STAFF DURING A SCOTTISH PARLIAMENTARY ELECTION CAMPAIGN

FOREWORD

Any election period can be a very demanding time for Members and their staff, made even more so this time round by the added impact of covid-19. There is a great deal of work to complete, not to mention the anxiety which comes with fighting the election itself, or the equally significant challenge of standing down as an MSP. Staff of the Scottish Parliamentary Service are committed to supporting and assisting Members throughout this period.

Members will know that at a normal Scottish parliamentary election the Parliament goes into dissolution about 6 weeks before the election and Members are no longer MSPs and therefore cannot access parliamentary resources. This ensures a level playing field with other candidates who are standing for election. However, given the pandemic, changes to normal election arrangements have been introduced by way of the Scottish General Election (Coronavirus) Act 2020. One of the changes is that instead of taking place six weeks before the election, dissolution takes place on 5 May, the day before the poll itself on 6 May 2021. This change ensures that the Parliament can be recalled should ongoing public health matters require it. The Parliament will instead enter a period of recess on 25 March 2021.

Parliamentary resources must not be used at any time for party political or election campaign purposes. To ensure that there remains a level playing field at the election for all candidates in relation to the use of parliamentary resources, Members will wish to be aware that the SPCB has agreed that the following guidance will apply for the duration of the pre-election campaign period. This period will start on 25 March 2021, the start of recess, and will extend to the date of the poll. Members should also read the policy statement from the SPCB on the use of MSP status during this period.

The guidance has been produced to provide all Members and their staff with advice on how parliamentary services will be affected before and during the election period. Members and their staff are encouraged to make themselves fully aware of all parts of this guidance. Additional guidance has been prepared specifically for Members who are not standing at the election.

In preparing this guidance we have included as much detail as possible to help Members through the election period. Should there be any further changes which impact on the guidance, or indeed any changes required in light of covid-19, this document will be updated and Members advised accordingly.



Presiding Officer



Clerk/Chief Executive

SPCB POLICY STATEMENT – MSP STATUS

As the legal entity of the Scottish Parliament, the Scottish Parliamentary Corporate Body has made the following policy statement:

The next elections to the Scottish Parliament are due to take place on 6 May 2021. Dissolution of the Parliament normally takes place around six weeks before each election. The Scottish General Election (Coronavirus) Act 2020 established the date of dissolution of the current Parliament as beginning on 5 May 2021 (or the day before any delayed election, should the election be postponed under the provisions of the Act). While Members of the Scottish Parliament will therefore, unusually, retain their status as MSPs up to the day before the election, it is important to note that the “short” campaign period for the election commences on 25 March 2021.

During any pre-election period, the SPCB seeks to ensure that public resources are not used in any way that might prejudice, or be seen to prejudice, the result of an election, and for all candidates standing to be treated the same. The SPCB has policies in place that restrict use of parliamentary resources for any party political or election campaigning activity in order to create a degree of parity with non-MSP candidates.

As well as restrictions on the use of parliamentary resources set out in ‘Guidance for Members and their staff during a Scottish Parliamentary Election Campaign’ and the ‘Guidance for Members not Standing at the 2021 Scottish Parliamentary Election’, Members should not use their MSP status or refer to another Member’s status, in any election-related activity. This means, for example, any party political or election campaigning material should refer to the Member’s name only and not include the title ‘MSP’.

If Members are in any doubt as to what they can and cannot do, they should contact the [Clerk/Chief Executive’s Office](#).

Guidance to assist Members and their staff during an Election Campaign

This guidance has been produced to assist all Members and their staff before, during and after the election period in 2021.

The current five-year session of Parliament will end at midnight on **4 May 2021** and dissolution will begin immediately thereafter on **5 May 2021**, with the election taking place on **6 May 2021**. While Members will continue to be MSPs up to the date of dissolution, some restrictions on use of parliamentary resources, and use of the title 'MSP', will apply during the pre-election campaign period (hereafter referred to as the 'campaign period'). This period will begin on **Thursday 25 March 2021**.

In order to replicate the dissolution period as far as possible, the Parliament has agreed that it will enter a period of recess on 25 March 2021 until the end of the campaign period when the Parliament is dissolved on 5 May.

The Parliament has also agreed to close the Office of the Clerk for the campaign period, as well as making some variations to the rules.

These steps are intended to ensure that there remains a level playing field at the election for all candidates while still allowing for a recall of Parliament if necessary. SPCB resources cannot be used for campaigning purposes in support of any candidate.

Members are asked to direct questions on the information in this guidance to the contact details provided throughout the text and below. Any questions relating to this guidance document itself should be directed to the [Chief Executive's Office](#).

Any specific access arrangements which are required to be implemented during the campaign period, dissolution or immediately after the election due to covid-19 or any other restrictions, will be notified at the time.

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Contacts

Allowances Office	0131 348 6659 / 6609	allowancesenquiries@parliament.scot travelenquiries@parliament.scot
Business IT	0131 348 6100	ithelpdesk@parliament.scot
Facilities Management	0131 348 5100	FMHelpdesk@parliament.scot
FOI/Data Protection	0131 348 6913	foi.officer@parliament.scot
Human Resources	0131 348 6500	humanresources@parliament.scot
Lobbying Register Team	0131 348 5402	lobbying@parliament.scot
Media Relations	0131 348 6852	mediarelations@parliament.scot
Pay and Pensions	0131 348 6695	PayandPensionEnquiries@parliament.scot
Public Information	0131 348 5000	info@parliament.scot
Scottish Public Pensions Agency	01896 893 090	msspscheme@gov.scot
Security Office	0131 348 6554	becky.thomson@parliament.scot
SPCB secretariat	0131 348 5307	SPCB-secretariat@parliament.scot
SPICe	0131 348 5300	SPICe@parliament.scot
Standards, Procedures and Public Appointments (committee clerks)	0131 348 5177	standards.clerks@parliament.scot
Visitor Services	0131 348 5200	visitorservices@parliament.scot

Before The Campaign Period (pre 25 March 2021)

Access to the Parliament

1. What access will there be to Holyrood and parliamentary services in the run-up to the campaign period?

Members and their staff will continue to have full access to Holyrood and use of parliamentary services, subject to any covid-19 restrictions in place, up until 25 March 2021 .

2. When will Members and their staff be expected to start removing their belongings from Holyrood offices?

During the campaign period one of the SPCB's objectives will be to prepare all MSP offices for re-occupation after the election by cleaning all offices, redecorating and refurbishing offices as necessary and carrying out any essential maintenance. This will ensure that all Members will be welcomed into a clean and freshened office after the election.

Members and their staff are asked to start removing their belongings following the last meeting of the Parliament on Wednesday 24 March, although they will still have access to the Holyrood building to collect belongings up to and including Thursday 25 March, i.e. the first day of the campaign period. Members and their staff are asked to clear their personal belongings, papers and books from their rooms, desks and storage cabinets, along with items kept at tea points and in fridges.

Facilities Management will be in contact with Members regarding the storage of any items which should stay on site until after the election. Facilities Management will also provide crates, labels and security tags to facilitate the packing operation, and will offer assistance to any Members who are in need of additional support. A notice will be issued nearer the time giving further information and guidance.

3. Will there be any implications for parliamentary services in the run-up to the campaign period?

We have detailed below those areas where there are implications to a service for Members, such as the issuing of newsletters, availability of equipment or the support to Members in preparing for the campaign period.

SPICe

4. Will all my enquiries to SPICe be answered before the campaign period?

We will make every effort to complete outstanding Members' enquiries by the start of the campaign period, but any enquiries that cannot be answered by then will fall. Members will be informed if their enquiry is unlikely to be answered.

5. Do I need to return any books I have borrowed from SPICe before the campaign period?

Members and their staff are asked to return by close of normal office hours on Friday 19 March 2021 all books, inter-library loans and other items borrowed from SPICe. This is to ensure that Members and their staff are not subject to the charge which will be made for any missing title that has to be replaced.

6. Do I need to cancel the newspapers I get in my office?

No. SPICe will cancel these subscriptions automatically at the start of the campaign period.

IT Services

7. What is the deadline for submitting IT work requests?

Members will be able to submit work requests up to the start of the campaign period (25 March) as normal and we will continue to action the majority of such requests up to this time. However, as BIT staff will be supporting Members in preparing for the campaign period, we may not be in a position to undertake work requests for development, installations, or upgrades received after 31 January 2021. All work requests submitted after this date will be considered on a case-by-case basis.

8. What help will I be given from BIT to prepare for the campaign period?

BIT will provide assistance to Members in carrying out any IT-related tasks that need to be completed before the campaign period: for example,

- how to set up a voicemail message for the duration of the campaign period and instructions on how to retrieve voicemail messages while there is no access to the building;
- how to set up an automated email response from your parliamentary email for the duration of the campaign period;
- guidance on how to use smartphones and tablets, with particular emphasis on parliamentary emails;
- any general IT guidance.

Please feel free to contact the Engagement Manager, BIT Engagement desk or IT Helpdesk (x86100) with any queries.

Expenses

9. Can the cost of annualised payments such as insurance, security or software costs be charged to my Expenses?

Such costs will be met, but in the event the Member is not returned a proportion of the costs may require to be repaid to the Allowances Office.

10. What do I need to think about in relation to terminating my local office lease?

This is a matter for each individual Member to consider. If Members keep up their leases for the period of the campaign period this will mean that their local office will be available for dealing with casework. It would also enable staff, whose salaries continue to be met out of the Members' Expenses Scheme and who would not be involved in campaigning, to work from the local office during this period.

Any Member wishing to terminate their lease for the period of the campaign period should contact the Allowances Office for guidance. All costs incurred in giving up a local office to allow it to be used for campaigning will be charged to the Office Cost Provision and Members will be asked to supply a copy of formal termination agreements to the Allowances Office.

Any equipment and furniture provided by the Parliament or purchased using the Office Cost Provision may be used only for on-going constituency case work.

If Members are closing or moving their local offices, they can contact the Facilities Management helpdesk on (0131) 348 5100 to arrange a removal service. This includes the uplift, moving, storage and disposal of furniture. FM will also provide necessary packing materials such as crates, security tags, labels etc.

11. Are there any deadlines for the purchase of rail ticket flexi passes?

The Allowances Office is not currently providing a flexi pass ticket service and it is anticipated that this position will remain throughout the remainder of Session 5. Single and return tickets can be provided but any tickets purchased through the Members' Expenses Scheme must not be used for campaigning purposes.

MSPs' Salaries and Pensions

12. Will there be any effect on my salary?

All Members who are standing at the election will continue to receive their salary up to and including the day of the election. Members not standing will be paid up to and including the day before dissolution – 4 May 2021.

MSP Staff

13. Can my employees, paid from the Expenses Scheme, help with my campaigning and electioneering?

A member of staff whose salary is met out of the Members' Expenses Scheme can participate in the election campaign outwith their contracted hours or provided they take leave (either paid accrued annual leave or unpaid leave). Therefore:

- (a) If a member of staff is taking annual leave in accordance with their contract of employment, no adjustment needs to be made as they are free to do as they wish in their own time and there is no need to tell the Human Resources Office.

OR

- (b) If a member of staff is taking unpaid leave, the Pay and Pensions Team must be informed accordingly to enable the appropriate adjustments to their pay.

Services provided by an individual voluntarily in their own time and free of charge are **not** treated as election expenditure. But Members should note that the cost of services provided by an individual who assists candidates with their campaign in other circumstances *could* be treated as election expenditure and be subject to the related accounting rules. Members are reminded that it is the candidate's responsibility to be clear whether or not any particular individual is acting in a voluntary capacity when campaigning. If Members have any doubts we recommend that they check how the rules apply to their particular circumstances with their local electoral returning officer.

Members are encouraged to contact the Human Resources Office as early as possible for help and guidance should they have any concerns or questions on any issue relating to the employment of staff and their participation in campaigning and electioneering on the Member's behalf.

14. What are my responsibilities as an employer in relation to the election?

Members are required to take a number of essential steps in respect of potential staff redundancy such as issuing of early-warning letters, consultation meetings, etc. This process needs to begin early. Full details will be provided by the HR Office, a representative of which will arrange to meet with you from December 2020 to guide you on the steps you must take.

15. What is the position regarding staff's untaken leave ?

The [Working Time \(Coronavirus\) \(Amendment\) Regulations 2020](#) amend the regulations by allowing staff to carry over up to 4 weeks of annual leave where it was not "reasonably practicable" to take this leave as a result of the effects of Covid-19.

The rules on payment in lieu of any untaken annual leave where a staff member's employment comes to an end have been amended, to include any leave that has been carried forward under this new provision.

The Members' Expenses Scheme makes provision via the Winding Up provision to pay

in lieu of any untaken annual leave. This applies to situations where their employing MSP stands down or is not returned following the 2021 election.

Office Supplies and Equipment

16. Can I obtain any new equipment/furniture from the Parliament in the run-up to the election?

Requests for new equipment/furniture may be submitted up to 1 January 2021.

Thereafter Members can be provided with equipment and furniture only to replace lost, damaged, stolen or faulty equipment or furniture.

17. What should I do if I need to purchase equipment from Expenses?

Members can also purchase equipment and furniture and meet the costs from their Office Cost Provision (OCP) under the Members' Expenses Scheme (for items not supplied by the Parliament) to replace any faulty or broken items.

However, from 1 January 2021 Members should seek the endorsement of the Allowances Office prior to incurring any equipment costs in excess of £100 to be claimed from their OCP.

Newsletters, Circulars and Annual Reports

18. Can I continue to issue non party-political material during the campaign period?

Publications such as annual reports, newsletters, surveys, circular letters, leaflets, surveys or web materials used to contact or consult with constituents or local groups, adverts, banners, and signage and hoardings which provide information about how to contact a Member, may not be issued within 4 months of a Scottish parliamentary election. This means that in 2021 no such publications funded from parliamentary resources, may be distributed or delivered in the period 5 January until 5 May 2021.

Under this policy, publication of annual calendars is not permitted in an election year. Calendars for 2021 may be circulated, prior to the deadline of 5 January 2021, but can only include dates up to the campaign period, ie up to and including 24 March 2021.

Please also see question on 'Advertising'.

Surgeries

19. Can I continue to hold surgeries in my region or constituency?

Parliamentary resources must not be used to support surgeries following the date of the start of the campaign period (25 March 2021).

Postal Voting

20. Can I use parliamentary stationery and resources to issue information on postal voting?

Parliamentary resources must not be used to issue information on postal voting. Where a Member receives an enquiry about postal voting, parliamentary resources may be used to respond to the enquirer directing them to their local returning officer.

Advertising

21. Can I use Expenses to pay for advertising before the campaign period?

Posters and leaflets advertising a Member's contact details and surgeries up to the period of campaign period can be paid for from the Members' Expenses Scheme, but as Members are already aware the Scheme states that expenses may only be used to support a Member in carrying out their parliamentary duties.

Broadcasting and Photography

22. Are there any implications on the use of broadcasting or photography material I should be aware of before the campaign period?

Prior to the campaign period, Members are free to film and photograph material in the building as an engagement tool. The clips can also be used by Members to promote a local campaign they might be running in their locality providing they do not stray into party political territory. Filming in the Main Chamber must have prior approval of the Presiding Officer.

The SPCB permits the use of Parliament copyright material under our open copyright licence. The material cannot be used for advertising endorsements or for party political activity such as electioneering.

The Rules of Coverage states that Members must seek approval of other Members before using material featuring them.

Outreach and Education Services

23. Up until what date can I call on the services of the Gaelic development officers and other language services?

Access to support for Gaelic, BSL and other languages supported by the Parliament

will continue to be available for parliamentary activity up to and including 4 May 2021.

Events and Exhibitions

24. Up until what date can I arrange Member-sponsored events and exhibitions?

Members will be aware that at present such activity is not available.

Visitor Services

25. Will I be able to book seats for my visitors in the public gallery or Members' tours?

Members will be aware that at present such activity is not available.

Clerking Services

26. Will I be able to lodge motions and amendments up until the campaign period?

Members may continue to lodge motions and amendments to motions up to 4.30 pm on Wednesday 24 March 2021. These will be included in the Business Bulletin published on 25 March but Members should keep in mind that they will be unable to indicate their support for them once the Office of the Clerk is closed at midnight on 24 March.

27. Will I be able to lodge oral parliamentary questions up until the campaign period?

It is expected that time for oral questions (First Minister's Question Time and Question Time) will be scheduled as normal until the commencement of the campaign period. Oral questions not taken at the last Question Time will be treated as written questions and answered the following day.

28. Will I be able to lodge written parliamentary questions up until the campaign period?

The last date on which written questions can be lodged will be 4.30pm on 11 March 2021. This will leave 14 days for outstanding questions to be answered.

29. When is the last date for me to introduce a Members Bill?

Standing Orders stipulate a cut-off point for Members' Bills of the first sitting day in June (or, exceptionally, the last sitting day of September) of the year preceding the general election. The final day for introducing Members' Bills having now passed, no more may be introduced.

Proposals for Members' Bills may be lodged up to close of business on Wednesday 24 March 2021, but Members should keep in mind that:

- draft proposals normally require to be accompanied by a consultation document and it is already too late for a consultation (which must run for at least 12 weeks) to be completed before dissolution
- it will not be possible for other Members to indicate support for any final proposals during the campaign period.

Any member considering lodging a proposal before the beginning of the campaign period should contact the Non-Government Bills Unit (ngbu@parliament.scot) for further advice.

All proposals, and any Members' Bills which have not been passed by the Parliament before the start of the campaign period, will fall at dissolution on 5 May.

30. What do I need to be aware of in relation to the work of Committees?

In order to replicate normal dissolution arrangements, the Parliament has agreed a variation to the rules which means that committees will not be able to meet in the recess period. Committees will therefore be required to conclude their business before 25 March and will not be able to meet thereafter. The exception to this would be if the Parliament was recalled, in which case a committee may meet but only to consider procedural matters related to the subject of the recall, such as consideration of subordinate legislation.

In addition, specific emergency provision has been made to allow the COVID-19 Committee to meet in the absence of a parliamentary recall, should developments require it. This provision will only allow the COVID-19 Committee to meet in an emergency, not simply to review developments in matters within its remit.

At dissolution on 5 May, all committees will cease to exist.

31. What will happen to a petition lodged before the campaign period?

As the Office of the Clerk will be closed, petitions may not be lodged during the campaign period. A petition lodged in the current session which has not been disposed of by the date of dissolution, does not fall and may be continued over to the new session.

Career support/advice

32.What career support is available to MSPs and their staff?

In the lead up to and following the election, the HR Office will be offering a programme of career support and assistance to MSPs and their staff. The 2 programmes on offer aim to ensure MSPs and their staff are best prepared for the future, whatever that might be; retirement, starting a business, being a consultant or securing full time employment. The programmes will be delivered in-house, supported by external specialists. Further information will be communicated to Members and their staff over the coming weeks. If you are interested in exploring how this might look for you, please contact Lesley Pirie (lesley.pirie@parliament.scot), HR Manager (Members' Services).

During The Campaign Period and Dissolution (25 March – 5 May)

Access to the Parliament

33. How will access to Holyrood work over the campaign period?

All Members and their staff may, until 6pm on Thursday 25 March 2021, enter the Parliament estate to collect their correspondence, papers and personal effects from their desks and storage cabinets.

To ensure that all candidates or prospective candidates are treated equally the SPCB has agreed that Members and their staff may not work in the Parliament estate or use the telephones or equipment after that date.

As of this date, Members will no longer have access to parliamentary accommodation or services at Holyrood, unless it relates specifically to parliamentary activity. As security passes will have been temporarily deactivated from midnight on 25 March (see section below on security passes), if Members do require access for parliamentary activity (other than a general 'recall of Parliament') they are asked to contact the [Security Control room](#) in advance.

34. Where can staff work if they are not permitted to work from the Parliament?

Members' staff may work in Members' local offices or from home if they are going to assist with constituency work during the campaign period. Members will wish to note that any travel costs associated with this temporary re-location, if being met from public funds, would require to be met from Members' Expenses. Please see also questions 56 and 57.

35. What about office door keys and desk and furniture keys?

All keys for the doors of vacated offices should be left in the digital key cabinets in Members' offices.

Keys for desks and storage furniture should be left in the appropriate locks.

36. I was provided with a lone worker device by the Security Office. What should I do with it?

If a Member and/or their staff were issued with lone worker devices by the Security Office, these devices can either be returned to the Security Office at the start of the campaign period or once local offices are wound up.

Security Passes

37. If I am standing for election will I and my staff have to hand in our photographic security passes?

Members and their staff will not be required to hand in their security passes at the start of the campaign period if the Member is standing at the election. However, it should be noted that all such passes will be temporarily disabled at midnight on Thursday 25 March 2021. This will enable Members and their staff to collect their belongings during the first day of the campaign period. The retention of these passes will also make the process of re-enabling passes after the election an easier process for Members, their staff and parliamentary staff. Passes will be re-activated automatically if Parliament is required to sit during this period.

Members who are not standing for election and their staff should see the additional guidance that has been prepared specifically for [Members who are not standing at the election](#).

38. What will happen to the photographic passes of those I have sponsored, as a Member?

Organisations or individuals who have sponsored photographic passes will not be required to hand in their security passes during the campaign period if the sponsoring Member is standing at the election. However, it should be noted that all such passes will be disabled at midnight on Wednesday 24 March 2021.

39. What will happen to my partner's pass?

Members' partners will not be required to hand in their security passes during the campaign period if the Member is standing at the election. However, it should be noted that all such passes will be disabled at the same time as the Member's, that is midnight on Thursday 25 March 2021.

SPICe

40. Can I make use of SPICe services during the campaign period?

No. All SPICe services, including the research and enquiry services, will be closed to Members and their staff from the start of the campaign period until the day after polling day. Passwords to online services will also be disabled.

41. Will I still have access to my Press Association subscription during the campaign period?

No. All electronic news and information services will be unavailable to Members and their staff from 25 March 2021 until the day after polling day. Passwords will be disabled for this period.

Registers of Interests

42. What are Members' responsibilities in relation to their Registers of Interests?

As Members continue to be MSPs, their obligations in relation to the registration and declaration of interests continue until dissolution. This will include the annual assessment they are required to make in relation to the value of any heritable property or interest in shares on 5 April every year. Any queries or requests to update Registers should be directed in the normal way to the Standards Clerks.

Lobbying Register

43. What about the Lobbying Register and relevant Information Returns?

Apart from Presiding Officers, SPCB members and Ministers, who continue in office, Members cease to be MSPs at dissolution. As such, regulated lobbying of those MSPs does not apply until new MSPs are returned. [The Lobbying Register](#) is a public document and former Members can search for and scrutinise published returns, which relate to regulated lobbying relevant to their role as an MSP in Session 5. If any former Member (whether seeking to continue or otherwise) finds a return is inaccurate, they can use the 'Report Inaccurate Information' function button within that return to report this (or feel free contact the [Lobbying Register Team](#) direct).

IT Services

44. What access to IT systems and support will my staff and I have during the campaign period?

During the campaign period, all MSP and MSP staff accounts will remain active, and although MSPs and their staff will not have access to the Holyrood building, they will continue to have use of IT services remotely (including via mobile devices and local offices) and access to IT support. Members are reminded that during this period parliamentary resources must not be used to undertake any party political work or for any election campaigning.

Members using mobile devices for constituency casework may continue to have these costs met as per the normal arrangements.

45. Can I send emails from my Parliament email account during the campaign period?

Technically there is no restriction on the ability to send emails, but Members are reminded that the email system is not to be used to undertake any party political work or any election campaigning.

In the event of a complaint involving misuse of IT resources and services, the SPCB reserves the right to interrogate all usage and email log files.

46. If I experience a problem with parliamentary IT during the campaign period, what should I do?

BIT will continue to provide support for the following:

- Mobile devices (smartphones and tablets);
- Centrally provided Surfaces and laptops

Please contact the [IT Helpdesk](#) for assistance.

47. What will happen to my Parliament phone number?

Voicemail accounts will remain active and Members are encouraged to record their own voicemail message for the campaign period.

It is suggested that the message format be similar to the example below:

“Thank you for calling the office of [xx]. Due to the Scottish Parliament Elections on 6 May I am not currently working from Holyrood. Please contact me on [personal or local office number] or email me at [email address].”

If you would like any assistance in setting up a voicemail message please contact the Engagement Manager, the BIT engagement desk, or the IT helpdesk.

Mobile Devices

48. I am standing at the Election – will I be able to use my mobile devices (phones, smartphones, tablets) purchased via the Expenses scheme and will the on-going costs during the campaign period continue to be met from my expenses?

The use of these mobile phones, smartphones and tablets by Members standing at the election may continue throughout the campaign period. However, whilst Members will be able to use their mobile devices, all charges incurred while carrying out party political or election campaign activities, must be met personally. This will help to ensure that Members are not seen to be gaining an unfair advantage over other

candidates standing at the election.

Members can continue to use these mobile devices for constituency casework and have those costs met from the Members' Expenses Scheme.

Websites

49. I have a personal website funded from the Office Cost Provision. Can I continue to use it during the campaign period?

The website cannot be used for political electioneering or canvassing. All links to Members' personal websites from the Scottish Parliament website will be cut from the first day of the campaign period.

50. I have a private website paid for by myself. What do I need to do?

Websites which have been paid for by the Member themselves need not be removed from the web, however all reference to being a Member of the Scottish Parliament must be removed from the website.

51. I have social media accounts (such as Twitter and Facebook) which I use as an MSP. What do I need to do?

All social media profiles must be amended so that there is no reference to the MSP status of a Member during the campaign period.

Expenses

52. What Expenses can be claimed/ paid after the start of the campaign period?

Under Rule 1.1.2 (Objectivity of the Members' Expenses Scheme), a Member is entitled to the reimbursement of expenses which have been incurred only for the purpose of carrying out parliamentary duties. Members who are returned at the election will be entitled to claim the cost of travelling to the Parliament and, if necessary, overnight expenses in order to take the oath or make an affirmation.

Members who are not returned at the election will be entitled to claim travel expenses to and from the Parliament complex and, if necessary, overnight expenses in order to collect any belongings stored at the Parliament during the campaign period. These costs will be met from the winding-up provision. Any parliamentary business costs incurred during the campaign period will be charged to the provision entitlement for that period.

Expenses in connection with political campaigning, fund raising, party membership appeals or any other party-political content cannot be paid from the provision made in the Members' Expenses Scheme.

The maximum level for all expenses during the campaign period will be calculated on a pro-rata basis for the period 1 April until polling day.

Any monies owed will require to be repaid to the Allowances Office before dissolution. All costs incurred prior to the date of dissolution will require to be charged against the expenses entitlement up to the date of dissolution.

53. I have accommodation in Edinburgh using my Edinburgh accommodation provision (EAP) and I am standing at the next election. What expenses can I claim?

Eligibility to claim the EAP will continue during the campaign period up to the end of polling day. The amount of EAP Members are entitled to in the financial year 2021-22 will be calculated on a pro rata basis from 1 April 2021 until polling day. All expenses normally met from the EAP will continue to be met providing there are sufficient funds to do so.

Party Leaders' Allowance

54. Is there any effect on the party leaders' allowance during the campaign period?

The party leaders' allowance is to assist the non-government party leaders to carry out the extra duties required as parliamentary party leaders and parliamentary party spokespersons and should in no way be used for party-political purposes. Party activities, and activities in connection with the election, are therefore wholly outside the scope of the parliamentary duties which are covered by the party leaders' allowance.

Financial Assistance for Registered Political Parties

55. Will my party still be able to claim financial assistance during the campaign period?

Payment of financial assistance is paid on a yearly basis and will therefore be available during the campaign period; however, all expenses incurred by parties under the Scottish Parliament (Assistance for Registered Political Parties) Order 1999 or any resolution of the Parliament under section 97 of the Scotland Act 1998 must be incurred solely to enable their Members to perform their parliamentary duties. This means that this assistance must not in any way be used in connection with the election campaign.

Local Offices

56. Can I use my region or constituency office during the campaign period?

Local offices can remain open.

As Members' offices are paid for from the Members' Expenses Scheme, the office (or, in the case of a shared office, the relevant part of that office), or any equipment provided to the Member cannot be used for any canvassing or election campaigning or any party-political activity.

Office signage does not need to be covered or removed during the campaign period.

57. Can I use the furniture and equipment provided by the Parliament during the campaign period?

The equipment, furniture and supplies provided by the Parliament are for use in undertaking parliamentary duties and cannot be used for the purposes of canvassing or election campaigning, or any party activity related to elections.

Equipment and furniture in local offices must only be used in connection with parliamentary activity.

58. How would I pay for staff travel to the local office?

Where staff are temporarily re-located to the local office during the campaign period to work on constituency casework, Members can pay for their staff travel from their Staff Travel Provision or the Office Cost Provision.

59. Is there a generic voicemail message I should use in my region or constituency office during the campaign period?

We anticipate that Members will be keeping their local offices open during the campaign period. On the day of dissolution however (5 May), should Members have the use of voicemail in their local offices, all reference to the office being that of a Member of the Scottish Parliament should be removed.

If you would like any assistance in setting up a voicemail message in the local office for the campaign period and/or dissolution, please contact the IT helpdesk.

Surgeries

60. Can I hold or advertise to hold surgeries during the campaign period?

No surgeries may be advertised to be held between the date of the start of the campaign period (25 March 2021) and the date on which Members take the oath or affirmation. Parliamentary resources must not be used to support surgeries following the date of the start of the campaign period (25 March 2021).

Casework

61. Can I take on new casework during campaign period?

Members may continue with existing casework. Where Members are approached to take on new casework during the campaign period, we would encourage Members to ask constituents whether they would accept a delay in dealing with the matter. We realise however that in certain circumstances some constituents may require urgent assistance and this is permissible under the guidance.

In offering help, Members may continue to draw on the support of their staff funded from the Reimbursement of Members' Expenses Scheme and to use parliamentary stationery. However, the Parliament building will be shut and the SPICe inquiry service will also be suspended for that period. Members and staff would be expected to undertake any casework in their local office or at home.

In replying to constituents there should be no party political or electioneering material included in any replies nor should any publicity be generated in respect of the casework.

62. Can I provide contact details for the campaign period ?

Yes, Members should advise correspondents of any change to contact details during the campaign period for dealing with casework. This is to ensure anyone with casework can continue to have contact with the Member.

Members should, however, be aware that the cost of advertising their contact details as prospective candidates before or during the campaign period cannot be met out of parliamentary expenses.

Postal Services

63. What will happen to mail addressed to me at the Parliament?

All mail received in the Parliament for Members and their staff during the campaign

period will be forwarded by the mail room. Addresses for this purpose will be taken from the information supplied by Members to SPICe.

Parliament Stationery and Corporate Identity

64. Can I use the Parliament's Corporate Identity (logo) during the campaign period?

The Parliament logo must not be used for the issue of election material or material of a party-political nature at any time including during the campaign period.

For further guidance on the use of the Parliament's logo please see the [Policy on the use of the Scottish Parliament's logo](#).

65. Can I use Scottish Parliament stationery during the campaign period?

Material in relation to any election campaign must not be photocopied or printed using parliamentary equipment or supplies.

Parliament stationery, the Parliament logo, pre-paid envelopes or stamps provided through the stationery and postage provision and the Parliament's mail system must not be used for the issue of election material or material of a party-political nature.

66. What can I use for casework during the campaign period?

During the campaign period, when dealing with constituency casework Members may continue to use office supplies provided for parliamentary use.

Members can claim any postage costs for this type of correspondence during the campaign period from the Stationery and Postage Provision and/or the Office Cost Provision.

Members are reminded that any party-political or election-related business must be carried out using stationery supplied by the Member or the party, and not using parliamentary stationery or other resources.

Data Protection

67. What should I do if I need to process personal information during the campaign period?

The UK Information Commissioner provides the most up to date information on Constituency Casework for Members of Parliament and the processing of sensitive

personal data here:

<https://ico.org.uk/media/for-organisations/documents/1432063/constituency-casework-of-mps-and-the-processing-of-sensitive-personal-data.pdf>

The Office of the UK Information Commissioner provides helpful information regarding data protection and political campaigning requirements here:

https://ico.org.uk/media/for-organisations/docuzments/1589/promotion_of_a_political_party.pdf

Broadcasting and Photography

68. Can I use SPCB copyright photography/broadcasting material during the campaign period?

SPCB copyright photography must not be used during the campaign period. In accordance with the copyright information published on the Scottish Parliament website, photographs should not be used for party-political material or for marketing purposes, including electioneering or campaigning.

SPCB copyright photographs previously issued must not be used in material published after 25 March 2021.

69. Can I continue to film/record/take photographs inside the Parliament?

Recording/filming/photography of a party-political nature or for party-political purposes is not permitted within the building at any time.

Outreach and Education Services

70. Will there be outreach sessions or education visits during the campaign period?

There will be no Members' involvement in any education activities during the campaign period

Events and Exhibitions

71. Can I arrange an event at the Parliament during the campaign period?

There will be no Member-sponsored events held at the Parliament during the campaign period.

72. Can I arrange Member-sponsored exhibitions in the Garden Lobby and Members' Lobby during the campaign period?

There will be no Member-sponsored exhibitions in the Parliament during the campaign period.

Public Information Office

73. Will I be able to use the Public Information Office's services during the campaign period?

During the campaign period, Members will be able to use Public Information to obtain information about the work of the Parliament on the same basis as members of the public.

Members are welcome to return any un-used public information leaflets to the Public Information Office prior to the start of the campaign period.

Visitor Services

74. What if people want to visit during the campaign period – can I still take them round?

The Parliament building is currently closed to the public due to covid-19 restrictions.

Clerking Services

75. Can I make use of Clerking Services during the campaign period?

Clerks cannot provide any assistance to Members from the start of the campaign period whether or not they are standing for re-election, unless it is connected to matters that require to be considered as a consequence of a recall of the Parliament.

76. Will a Business Bulletin be produced during the campaign period?

Unless Parliament is recalled, there will be no bulletin produced during the campaign period. The last two Business Bulletins will be published on the last day of business (24 March) and the first day of the campaign period (25 March).

77. What happens if I have parliamentary questions that have not received substantive answers before the campaign period?

The Government has given its commitment to answer all questions before the campaign period if at all possible. However, there may be questions (for example, ones requiring a lot of research) where this is not possible. The Scottish Government has indicated that in those cases answers will be sent in letters to the Member who asked them and copies of the letters placed in SPICe. Any such answers will be published on the Parliament's website and included in a *Written Answers Report* after the Parliament resumes.

78. What happens if I have motions or amendments outstanding that have not been considered by the Parliament?

All motions or amendments will continue to be live during the campaign period but they cannot be supported by other Members. They will fall at dissolution on 5 May.

Any Member who is re-elected will, of course, be able to lodge such motions again in the new session, should they wish to do so. Members will be able to lodge motions provided that they have sworn the oath or made an affirmation.

79. What happens to Bills at the date of the campaign period?

All Bills that have not been passed by the start of the campaign period will continue to exist but in practice there can be no further scrutiny of these bills. Any such Bill, and all outstanding amendments lodged for such a Bill, will fall at dissolution on 5 May. However, a Bill in the same or similar terms may be introduced in the new session. (Where the new Bill is a Private or Hybrid Bill, special rules apply).

Bills which have been passed by the Parliament but have not yet received Royal Assent at the start of the campaign period may still be submitted for Royal Assent and become Acts. If such a Bill is subject to a reference under sections 32A or 33 of the Scotland Act 1998 or to an order under section 35 of that Act, Parliament may reconsider the Bill in the new session.

80. What happens to Subordinate Legislation?

Statutory instruments can be made during the campaign period but such instruments cannot be laid before the Parliament as the Office of the Clerk will be closed.

Instruments laid in the current session may be subjected to continued scrutiny in the new session (that is, they do not require to be laid afresh). Where an instrument is subject to

parliamentary scrutiny for a period (e.g. 40 days) prescribed under statute and under the Standing Orders, that period is suspended while the Parliament is in recess in the campaign period.

81. What will happen in relation to the work of Committees during the campaign period and at the date of dissolution?

Although committees continue to exist during the campaign period, committees will only be able to meet in very limited circumstances associated with a recall of Parliament (see question 30).

Correspondence received by any Member during the campaign period in their capacity as convener, deputy convener or member of a committee should be forwarded to the clerk of the committee. The clerk will then issue a holding reply and bring the matter to the attention of whoever is appointed convener of the relevant committee in the new session.

82. What will happen to petitions?

As the Office of the Clerk will be closed, petitions may not be lodged during the campaign period. Petitions lodged in the current session (prior to the start of the campaign period) and not disposed of by the date of dissolution do not fall and may be proceeded with once the new session has begun.

Since the Public Petitions Committee (PPC), and any subject committees established in the new session will be new committees and not merely continuations of the committees established in the present session, any referral of a petition by the PPC to a subject Committee in the present session is terminated on dissolution. It will be for the PPC in the new session to decide what referrals to make in respect of petitions carried over from the current session.

Cross-party Groups

83. What will happen to Cross-Party Groups?

The Standards, Procedures and Public Appointments Committee is responsible for the registration of Cross-Party Groups. The Committee has agreed that recognition should be removed from all Cross-Party Groups from midnight on 24 March 2021 and that they therefore cease to exist from 25 March onwards. All Cross-Party Groups will be contacted to advise them of this decision.

After the Scottish Parliamentary election, Cross-Party Groups must seek to establish themselves through the Standards, Procedures and Public Appointments Committee and should contact its clerks at the start of the session.

Information on the process will be posted on the CPG webpage and emailed to all Conveners and secretaries of existing Cross-Party Groups, prior to 24 March 2021.

After the Election

Access to the Parliament

84. What access will I have to parliamentary services after the election if I am returned?

Returning Members and their staff will have full access to and use of parliamentary services following the election.

Security passes

85. What should I and my staff do with our photographic security passes if I am returned?

Any Members who are returned and any existing staff being employed by a returned or new Member should hold on to their passes, which will be reactivated after the election.

Two-factor authentication arrangements for entry into the Parliament will be compulsory for all passholders from the start of session 6. Any Members who are returned and their staff, who have yet to register for two-factor authentication, will be required to enter Holyrood via the main public entrance initially before attending the Pass Studio to have their finger template taken. This will enable Members and their staff to pass through the turnstiles at Queensberry House and Canongate entrances.

Clerking Services

86. What can a Member do before taking the oath or affirmation?

A Member is not able to take part in any other proceedings of the Parliament until they have taken the oath of allegiance or made their solemn affirmation at a meeting of the Parliament before the Clerk.

87. What will happen in relation to the work of Committees in the new session?

All committees established in a new session, whether mandatory or subject committees, are new committees. Although new committees would be entitled to continue any work begun by their predecessors, they are by no means bound to do so.

IT Services

88. What access to IT services will my staff and I have after the election?

All returned MSPs and staff will be able to log on as normal after the election.

89. What will happen to my Holyrood office and IT equipment?

Members are encouraged to return to their current office where their IT equipment will remain. Members should record a new voicemail message to replace the campaign period message that will be active.

BIT and FM will then liaise with Business Managers to plan the final office allocation arrangements, which will be duly scheduled and implemented to cause minimum disruption.

90. What follow-on assistance will be provided?

New Members will be invited to short meetings with BIT who will offer assistance and information about available IT services, including:

- The range of mobile devices and laptops available.
- The case-management system – which will be offered to all Members and centrally funded.
- Software solutions including Windows 10 and Microsoft Office 365.

Please note that once new Members have been set up with their IT equipment and services, the above changes in provision will be offered to returned Members.

91. What happens to my work requests submitted prior to the campaign period?

Returned Members will not be required to re-submit work requests, however BIT will request confirmation that any work is still required.

Expenses

92. When can I start claiming Expenses?

New and returning Members will be required to take the Oath and sign the Declaration before they can access the Members' Expenses Scheme and claim reimbursement for expenses incurred.

MSPs' Salaries and Pensions

93. What happens to my salary if I am re-elected at the election?

If Members are re-elected their salary will continue, provided they have taken the oath of allegiance or have made a solemn affirmation at a meeting of the Parliament, as required by section 84 of the Scotland Act.

The Pay and Pensions Office will contact Members who are not returned regarding salary and pensions.

94. Can you summarise the overall impact on my pay and expenses if I am successfully returned to the Parliament after the election?

A Member's entitlement to pay and expenses after polling day is established once they have sworn an oath or made an affirmation. A Member's salary will continue and will be paid into their bank account on the last working day of the month in the normal way. Members' staff salaries will also continue unless the Pay and Pensions Office has been told to stop the salary. The pro-rata Members' Expenses limit is only applicable if Members leave the Parliament. If Members continue, they may claim the annual or any revised annual figure in the normal way.

Local Offices

95. If I am re-elected, when after the elections can I open my region or constituency office to conduct new parliamentary duties?

Members may re-open their region or constituency office to conduct new parliamentary duties at any point after they have been elected on 6 May.

Office Supplies and Equipment

96. If I am re-elected what should I do with all of the equipment and furniture provided by the Parliament?

Re-elected Members will be expected to use their existing equipment and furniture wherever possible. BIT will contact returning members regarding any equipment upgrades required once new members' needs have been addressed. Faults or problems with existing equipment should be reported as normal via the IT Helpdesk.

BT Phone Book

97. What will happen to my entries in the BT Phone Book after polling day?

Members are responsible for inserting, amending and removing the entries against their names under 'Members of the Scottish Parliament' in the business listings section of the BT Phone Book. Parliament staff do not have the authority to make any changes to these entries as telephone suppliers and BT will not accept instructions from any Parliament staff in relation to Members' entries.

After polling day, Members who wish the telephone/fax number of their local office to appear in the business section of the Phone Book should contact the company that provides the local office with a telephone/fax line and ask them to add or change the number(s) in the business section of the Phone Book, as required. (For example, if the local office has a BT telephone line, the Member should contact BT.)

Members who currently have an entry in the BT Phone Book and who are not re-elected should contact the company that provided their local office with a telephone/fax

and ask for their name and number(s) to be removed. Parliament staff do not have the authority to get these entries deleted as telephone suppliers and BT will not accept instructions from them in relation to Members' entries.

BT Phone Book is updated on a rolling programme every 18 months. Changes will appear in the next published edition of the Phone Book.

Engagement activities

98. When will engagement activities start again?

Arrangements for engagements activities such as inward and outward education visits; access to parliamentary business; events and exhibitions; etc will be advertised once current health restrictions are lifted.