



The Scottish Parliament
Pàrlamaid na h-Alba

Reimbursement of Members Expenses Scheme – Use of Parliamentary Resources 7 March 2024 Reference: SPCB (2024) Paper 19

Executive summary

1. The SPCB is invited to consider a matter relating to the SPCB's policy on Members' publications and use of parliamentary resources whereby an annual report issued by Mr Alex Cole Hamilton MSP included inaccurate references to the electoral area in the text of the report.

Issues and options

2. Under the SPCB's policy on Members' publications and the Code of Conduct Members must accurately describe themselves and their electoral area. The publication policy states that the header at the top of the Member's communications must include the parliament identity alongside the Member's name and their area of representation.
3. The Code of Conduct states that Members should not misrepresent the basis on which they were elected or the area they serve. Members should always describe themselves as "[Name], Member of the Scottish Parliament for [x] constituency or [y] region."
4. A complaint has been received that Mr Cole Hamilton has used the term "West Edinburgh" in his report rather than Edinburgh Western and the claimant believes this is an attempt to confuse constituents in a general election year by referring to a UK Parliamentary Constituency of a similar name.
5. Having looked into the matter officials found that Mr Cole Hamilton had accurately referred to the constituency as Edinburgh Western in the header area of his report as required under the publication policy. However, he had on three occasions within the report used the term "West Edinburgh" instead of Edinburgh Western as follow:

- Page1: “At the same time, so many residents of West Edinburgh are stuck on NHS waiting lists and I’ve been trying to help them get the attention both of the health board and the Government.”
 - Page 4 within two separate photo subtitles “Alex chaired a recent summit about the childcare challenges in West Edinburgh.” And “Representing West Edinburgh at the Coronation.”
6. Officials raised this directly with the Member who advised that he believes the term West Edinburgh is a colloquial reference to the Scottish Parliamentary seat and that he regularly uses it on social media as he does not believe that anyone who lives here actually knows or refers to it as Edinburgh Western. However, the Member did recognise the issues raised and apologised for the use of the term. The Member acknowledged and accepted the requirements in terms of the publication policy and code of conduct and provided a commitment to ensure that any publicly funded material reflects the proper nomenclature going forward.
 7. The SPCB will wish to note that the report was reviewed by officials in the Allowances Office prior to publication and the use of the term was not picked up on at this time.
 8. The SPCB is invited to consider what, if any action, they wish to take in relation to this matter including whether they wish to seek any reimbursement of the costs of issuing the report.
 9. Given that Mr Cole Hamilton had correctly identified the electoral area in the header of the report and has recognised the need to use the correct term we would recommend that the Head of Allowances write to Mr Cole Hamilton on behalf of the SPCB to remind him of the requirements of the policy and code of conduct and do not seek reimbursement of costs on this occasion.

Governance

10. The SPCB policy on Member’s publications requires that Members correctly identify their electoral area in publications. Members are also required to comply with the needs in the Code of Conduct to not misrepresent the area they represent.

Resource implications

11. The cost of printing and distributing the Members’ report comes to a total of £5,900.93 and this has been met from the Engagement Provision of the Members’ Expenses Scheme.

Publication Scheme

12. This paper can be published in line the SPCB's publication scheme.

Next steps

13. To inform the Member of the SPCB's decision and take forward any actions arising from that decision including writing formally to the Member on behalf of the SPCB, or if any reimbursement of costs of the report is sought, to work with the Member to make the necessary arrangements.

Decision

14. The SPCB is invited to consider the circumstances of the inclusion of the term "West Edinburgh" in the publication and decide whether:

- it is content, as recommended, to write to the Member and remind him of the requirements formally; or
- whether it wishes to seek reimbursement in these circumstances or take any further action.

Allowances Office

26 February 2024