



The Scottish Parliament
Pàrlamaid na h-Alba

Reimbursement of Members' Expenses Scheme – Edinburgh Accommodation Exceptions

04 May 2023

Reference: SPCB (2023) Paper 32

Executive summary

1. The SPCB is invited to agree to the implementation of an exceptions policy in relation to Members and their use of hotel accommodation in Edinburgh in relation to carrying out their parliamentary duties.

Issues and options

2. The Reimbursement of Members' Expenses Scheme has provision in section 2.1 which provides support for Members who are eligible to use accommodation, by way of a hotel or flat, in Edinburgh when carrying out their parliamentary duties.
3. The Scheme determines eligibility on where the individual Member's home address is located and splits these into 3 groups. Any Member who falls into Group 1, is not eligible for Edinburgh Accommodation, any Member in Group 2 can use a hotel and any Member in Group 3 can use either a hotel or rent a flat.
4. We are not proposing to change the Scheme regarding this eligibility for the general everyday use by Members of accommodation in Edinburgh under this provision, however, this paper sets out a proposed approach to allow streamlined administration of those times when an exception to the rules and overnight limit may be required to the normal day to day application and limits of the Scheme and an application would be made under the exceptional expenses provision within the Scheme to the SPCB.

5. Over this session the Allowances Office has seen a significant increase in the occasions when exceptions to the Edinburgh Accommodation policy are submitted to SPCB for agreement at short notice. This has largely been in relation to the impact of events and concerts held in Edinburgh that limit the availability of rooms and/or increase the price of hotel rooms significantly above the overnight limit set out in the Members' Expenses Scheme.
6. There have also been instances when the SPCB have been asked to agree exceptional use for those Members who normally fall into Group 1 but due to circumstances outwith their control it has not been possible for them to get easily or safely home. For example, this has occurred due to bad weather, late parliamentary sitting times as well as last-minute transport cancellations or strikes.
7. This paper and annex propose an approach which delegates responsibility to officials to agree these short-notice exceptions within agreed criteria under the exceptional expenses provision and without the need to refer anything that falls within that criteria to the SPCB. Anything beyond the criteria set out in the proposed approach would be referred to the SPCB for decision.
8. We would propose that responsibility for agreeing exceptions within the policy are delegated to the Group Head of Financial Governance, Head of Allowances and Allowances Operations Manager. Whilst a specific amount has not been identified within the policy, we would propose to apply a "within reason" approach and refer anything we do not feel is within reason to the SPCB for consideration. Based on previous examples of exception approval this could be anywhere between £250 to £500 per person per night. Anything above this amount where we could not find a solution within this, or alternative options were not suitable would be referred to the SPCB.
9. The SPCB is invited to agree the proposed approach and its administration as set out in Annex A attached to this paper and the delegations as detailed above.

Governance

10. In exercising its functions under the Scheme, the SPCB may make such arrangements as it sees fit for administration of the Scheme. The SPCB can and do issue guidance to members on the operation of the Scheme and can do anything else which the SPCB considers necessary or expedient in connection with the administration of the Scheme.
11. Therefore, the SPCB can introduce a policy to help with the administration of such applications made under the exceptional

expenses provision within the Scheme including delegating authority to officials to take decisions on behalf of the SPCB on the matter as it has with other administrative tasks.

Resource implications

12. Official would manage the process of making an application and once a decision is made by the SPCB therefore there is no additional staff resource implications, but the proposed approach will streamline the process and allow us to be more responsive to Members' needs, particularly when a quick decision is needed, and Members need to act quickly to secure accommodation.

13. As with previous decisions it is anticipated that any costs agreed in terms of accommodation or providing access to the provision to those not normally able to do so by exception could be met within the overall Members budget in any given financial year.

Publication Scheme

14. This paper can be published in line with the SPCB's publication policy.

Next steps

15. If the proposed approach is agreed by the SPCB then Members will be advised of the process to be followed in such circumstances.

Decision

16. The SPCB is invited to agree the approach to approving exceptional expenses in relation to Edinburgh Accommodation usage as set out in Annex A of this paper.

Allowances Office
24 April 2023

Policy on Exceptional Use of Edinburgh Accommodation

1. The Reimbursement of Members' Expenses Scheme has provision in section 2.1 which provides support for Members who are eligible to use accommodation, by way of a hotel or flat, in Edinburgh when carrying out their parliamentary duties.
2. The Scheme determines eligibility based on where the individual Member's home address is located and splits these into 3 groups. Any Member who falls into Group 1, is not eligible for Edinburgh Accommodation, any Member who falls into Group 2 can use a hotel and any Member who falls into Group 3 can either use a hotel or rent a flat.
3. This policy relates to the exceptions that arise in relation to Members needs for accommodation in Edinburgh and does not change that provision or any individual Members' eligibility to that provision under normal day-to-day circumstances. This policy applies only in exceptional circumstances as determined by the SPCB.
4. Below are some examples of times when an exception may be considered, this list is not exhaustive:-
 - When no accommodation is available within the limits set out in the Scheme due to lack of availability or due to an unforeseen last minute requirement;
 - When accommodation is available, but the cost is above the limit set by the Scheme;
 - When a Member who is not normally eligible for accommodation under the provision deems that unforeseen circumstances have meant it is not possible for them to return home after carrying out their parliamentary duties and they require accommodation.
5. When considering exceptions officials will take account of the following:-
 - Why accommodation is not available – for example due to an event in Edinburgh creating higher demand than anticipated or increasing costs significantly due to that event and whether the Member could have taken any action to secure accommodation sooner within the limits if under normal circumstances.
 - Whether other options to securing accommodation are more suitable, for example a Member using a taxi to return home where accommodation is not available or where the cost is so high as to be unreasonable and not considered value for money.
 - Where alternatives are not suitable for the Members' needs and the price is significantly higher setting a reasonable limit to secure accommodation after having taken account of all the

relevant circumstances. This may vary due to the circumstances at the time.

- That any proposed costs are within reason and where they are not then they matter will be referred to the SPCB for further consideration.