

Consultation - Review of Rules and Guidance on the use of Senedd Resources

This document relates to Rule 8 of the Code of Conduct.



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1. How to submit a response

1. If you would like to submit a response to the Accounting Officer's consultation you can do so by sending your responses to the following:

Post:

Clerk of the Welsh Parliament
Tŷ Hywel
Cardiff Bay
Cardiff CF99 1SN

E-mail: Aoconsultation@senedd.wales

2. The closing date for submitting responses is **17 January 2022**. Any responses received after this date will not be considered.

3. If you need assistance in preparing your response please contact the secretariat on the details above.

2. Privacy Notice

4. The Senedd Commission is the data controller of the information you provide, and will ensure it is protected and used in line with data protection legislation. Our general privacy policy is available from our website at: <https://senedd.wales/help/privacy/privacy-notice/>. However, this section describes how and why the Commission uses personal data for the specific purposes of this consultation, and about your rights in relation to your personal data.

Why we are collecting, and what we do with, information

5. Your submission will be used to inform decisions on proposed changes to the Accounting Officer's Rules and Guidance on the Use of Senedd Resources. Submissions will be seen in full by the Accounting Officer and the secretariat administering this consultation. Some personal information may be shared with different teams within the Senedd Commission in considering any changes and how any changes should be administered. It may also be necessary to share responses, including personal information, with the secretariat for, and Board members of, the Independent Remuneration Board of the Senedd.

6. We may publish extracts from your submission within documents produced following the consultation, including on our website. This may include your personal information. Any submissions included in published documents will remain in the public domain indefinitely. Once in the public domain, third parties, such as media or broadcast outlets, may reuse these published parts of contributions for their own purposes. Please let us know if you would prefer that your submission is not published.

7. Responses will be retained on the Senedd Commission's secure ICT systems (which includes third party cloud services provided by Microsoft). Any transfer of data by Microsoft outside of the EEA is covered by contractual clauses under which Microsoft ensure that personal data is treated in line with the relevant legislation. To find out how Microsoft will use your information, you can read their privacy statement [here](#).

8. Responses, including personal information held within them, will be retained for no longer than six months after the completion of the consultation. After the six month period, we will retain anonymised responses. Any information that has been published into the public domain will remain there indefinitely.

9. In the event of a request for information being made under access to information legislation, it may be necessary to disclose some of the information that you provide. We will only do this if we are obliged to do so by law.

Our legal basis for processing your personal information

10. Our legal basis for processing your personal data is that it is necessary for the performance of a task carried out in the public interest. The task is to facilitate our work and undertake our public functions to provide the Senedd with the services it requires for its purposes.

11. We may process your special category personal data if you choose to provide any. Special category personal data is defined in the UK GDPR as personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data, data concerning health or data concerning a person's sex life or sexual orientation. This personal data is processed on the basis that it is necessary for reasons of substantial public interest, read in conjunction with section 10 of, and paragraph 6 of Schedule 1 to, the Data Protection Act 2018.

Your rights

12. You have a number of rights, including the right to request access to your information. You also have the right to request from us that:

- any inaccurate information we hold about you is corrected;
- information about you is deleted (in certain circumstances);
- we stop using your information for certain purposes or circumstances; and
- your information is provided to you or a third party (in certain circumstances).

13. Those rights will not apply in all instances, and the Commission will confirm whether that is the case when you make a request.

Contact details

14. If you would like to engage any of the rights, ask a question or make a complaint, please contact the Data Protection Officer at:

data.protection@senedd.wales

0300 200 6565

15. If, following a complaint, you remain dissatisfied, you can also complain to the Information Commissioner's Office. The ICO's address is:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Helpline number: 0303 123 1113

3. Introduction

16. The Standards framework for Members of the Senedd includes the Code of Conduct for Senedd Members ('the Code') and Rules and Guidance on the Use of Senedd Resources ('the Rules'). A new Code was agreed by the Fifth Senedd on 24 March 2021, and took effect at the beginning of the Sixth Senedd. 'Rule 8 of the Code' requires Members to comply with rules on the use of resources provided by the Senedd Commission, which are made, from time to time, by the Principal Accounting Officer ("the Accounting Officer") of the Commission. The provision is a restatement of a similar provision found in section 10 of the previous Code of Conduct¹.

17. The principal accounting officer of a public sector organisation is the custodian of public trust in its use of public resources. The principal accounting officer is responsible for the regularity and propriety of expenditure, robust evaluation of different mechanisms for delivering policy objectives, value for money, the management of risk, and accurate accounting for the use of resources. To support these responsibilities the accounting officer requires an effective assurance regime.

18. The principal accounting officer for the Senedd is the Chief Executive and Clerk². In this document we refer to them as the "Accounting Officer".

19. "Rules and Guidance on the Use of Senedd Resources" were first issued as a stand alone document ahead of the 2016 elections with the approval of the then Accounting Officer. They brought together in one place various financial rules and procedures that had developed over many years to ensure the expenditure of Commission resources for their intended purposes. The present Accounting Officer committed, in summer 2020, to review these Rules on a regular basis to ensure that the provisions outlined continue to be relevant in changing circumstances, as well as to reflect the experience gained from their operation. . Having initially introduced an informal process for seeking the views of Members, the Accounting Officer is now instituting a more formal process for reviewing of the Rules.

¹ Section 10 of the previous Code of Conduct.: "Members are required to comply with the 'Rules and Guidance on the Use of Assembly Resources' and any guidance on the use of Assembly resources specifically relating to an election campaign."

² See section 138, Government of Wales Act 2006

20. Revised Rules were issued in September 2020 and aim to provide greater clarity regarding the ways in which Commission resources may be used. This was in response to requests from some Members and experience gained through the Members standards and complaints processes. The Rules were presented in a new format which also incorporated guidance for Members and their staff, with a view to making them clearer and easier to use.

21. At the beginning of this year, once the revised rules had been in operation for a few months, all Members were invited to submit views if they considered there to be any matters that were unclear or omitted. At the same time a number of areas for change were highlighted within the Rules. These included areas of the Rules which would benefit from additional clarification, or which needed to be adjusted in light of experience, and issues raised by the Independent Remuneration Board and Standards Commissioner. Examples included security considerations for photo passes for Members spouses/partners, use of logos/branding and implications of hybrid/home working.

22. The changes put forward for consultation at this time take account of a number of issues that have been raised by Members and reflect the Accounting Officer's responsibilities.

23. Representations have also been made identifying ways in which some wording in the Rules could be adjusted, either for consistency or to make the meaning clearer. Those proposals are not about changing the substance of the Rules.

24. The remainder of this document outlines the proposals for consultation.

25. The current Rules and Guidance can be found here: **[Section 2.3 - Rules and Guidance on the Use of Senedd Resources](#)**

4. Proposals on the employment of staff funded by Commission resources

Background

26. The Independent Remuneration Board is responsible for setting pay and allowances for Members. Its Determination on Members' Pay and Allowances ('The Determination') provides a Staffing Expenditure Allowance to enable each Member to claim staffing expenditure costs, where these are wholly, exclusively and necessarily incurred to enable the performance of the Member's duties. Each Member is the employer of their own staff.

27. Similarly each political party with three or more members within the Senedd is provided with access to an allowance to assist their Members in the undertaking of their work in the Senedd. This Support for Political Parties' Allowance is payable only in respect of costs which are incurred by Members wholly, exclusively and necessarily for the purpose of the performance of their duties as Members. Each political party leader is an employer where this allowance is used to employ staff.

28. The Rules (Rule 3) require that Members must ensure that, during the time they are contracted to undertake work which is remunerated with Commission resources, all staff employed by them only undertake work in connection with the Member's duties (i.e. the purpose for which the provision is made). This excludes personal, business or commercial activities or communications; work relating to any other role; party political activity and activities resulting in financial gain to the Member or any other person.

Considerations

29. During the course of the Fifth Senedd, comments were made by the Standards Commissioner that the wording of the existing Rule 3³ could be clearer. Concerns were also raised that, in the case of a complaint being made about activities undertaken by staff, a lack of record keeping would leave the Member (or their staff) exposed and potentially unable to

³ "Rule 3 – The employment of staff funded by Commission resources

Staff employed by Members must, during the time they are contracted to work which is remunerated with Commission resources, only undertake work in connection with a Member's duties."

provide evidence as to whether or not the time was devoted to activities covered by the Determination.

30. Further, the Standards Commissioner has also raised concerns that, in some cases, it may be difficult for a Member to demonstrate that they have taken steps to ensure their staff have undertaken work purely in connection with the Member's duties.

31. In a letter to the Independent Remuneration Board, in Spring 2020 the (then) Acting Senedd Standards Commissioner asked the Board to consider the inclusion of a requirement in the Determination for support staff to record their hours of work. The Commissioner suggested this would discourage support staff from undertaking non-Senedd work (i.e. work on behalf of their political party) during working hours paid for under the Determination and would provide a clear distinction between work undertaken to support the discharging of the duties of Members of the Senedd and party political activity. The Board concluded that the rules were clear that the Determination did not allow for resources, which includes staff time, to be used for party political activity. It did not feel that there were further steps that could be taken to address potential breaches of this rule through the Determination, but agreed to discuss the matter further with the Acting Standards Commissioner and Senedd Commission⁴. The Accounting Officer temporarily introduced a rule around the election period in 2021 which required Members to keep accurate records of hours worked by staff in relation to Members' duties (including Group staff).

32. ACAS advise⁵ that employers should keep a record of employees' working hours (including overtime) to show that they are not working over the legal limit. This applies even where the employee has more than one job. Where this applies, the employer must make sure their employee is not working more than an average number of hours per week across both (or all) jobs. If an employee has 'opted out' of the limit, the employer must keep a record of this.

33. The Independent Remuneration Board requires all support staff who are funded through allowances provided in the Determination to be employed on standard terms and conditions⁶,

⁴ <https://senedd.wales/media/0gtpldmm/rep-e.pdf#page=59>

⁵ [The 48-hour average weekly limit: The maximum hours an employee can work - Acas](#)

⁶ The Determination section 7.9

which provide for working time. The contract also envisages planned and approved absences such as annual leave, sickness absence, and parental leave.

34. A number of Members have stated that they already require recording of staff working time and absences. Where this has not routinely been the case, advice sought by some Members in the Fifth Senedd demonstrates their experience that the absence of proper records gave rise to difficulties in managing staffing issues.

35. Some Members have expressed concerns that the unique circumstances and pressures of their role makes it difficult to adopt standard arrangements as to how their staff deliver the work for which they are paid. However it should be noted that Members are personally responsible for all the expenses which they incur, including staff pay. It is not only advisable but is a legal requirement in some circumstances (as explained above) to demonstrate hours worked, and non-working time. Doing so protects both Members, and their staff, especially where "routine" working hours and staffing arrangements do not apply.

36. The Accounting Officer is proposing making changes relating to the employment of support staff which will advise Members to ensure there is sufficient clarity around the specific hours worked by their staff during the time they are contracted to undertake work which is remunerated with Commission resources. The alternative approach would be to introduce a permanent requirement for Members to keep accurate records of hours worked by each staff member employed by them, who are funded through Commission resources, and that this should reflect working time and also planned and approved absences such as annual leave, sickness, maternity leave and types of leave.

Proposal 1. It is proposed to amend existing Rule 3 to use more clear wording by stating "Members must ensure that all staff employed by them only undertake work in connection with the Member's duties during the time they are contracted to undertake work, which is remunerated with Commission resources."

Proposal 2. It is proposed to supplement guidance to Rule 3 to advise that Members must consider what processes they need to put in place in order to ensure that their staff only undertake work in connection with the Member's duties (ie the purpose for which the provision is made) during their working time. That process might include keeping accurate records of hours worked by each staff member, but it will not be a requirement.

5. Proposals on defining party political for the purpose of the use of resources

Background

37. The Senedd provides resources for the use of Members in their role as elected representatives serving all their constituents equally. Accordingly it is a fundamental and generally accepted principle that such resources are not used to further party political purposes.

38. The Rules apply to the use of Senedd resources including claims for resources for which Members are entitled to claim under the Determination. They do not apply in other circumstances.

39. Underlying the application of this principle and a number of the specific practical issues discussed here is the need for a shared understanding of what constitutes party political activity for the purpose of regulating the use of resources provided to Members from the public purse through the Commission budget.

40. The current Rules define party political activity as:

“anything that could be perceived by a fair minded and impartial observer as party political, but does not include the discussion and deliberations by Members and their staff related to the political response to business before the Senedd including the business of the political groups within the Senedd, or the use of logos or branding in accordance with these Rules”.

41. “Member’s duties” are defined as activity in relation to business in the Senedd and constituency or regional business undertaken by a Member.

Background to use of public funds by parties

42. Limitations on the amounts of money that can be spent on political campaigning activity have been in place since at least the Corrupt and Illegal Practices Prevention Act 1883. The Act required that the expenses of candidates were published and could be measured against a limit as to how much could be spent on “political campaigns”. It laid down rules for the conduct of parliamentary candidates, including a strict limit on expenses.

43. “Short Money” (named after the minister who proposed the idea) was introduced for the House of Commons in 1974 and was made available to assist opposition parties to carry out their functions in parliament, including scrutinising the government, funding for the opposition parties’ travel and associated expenses and funding for the running costs of the Leader of the Opposition’s office. It does not include political campaigning and similar partisan activities, political fundraising, membership campaigns or personal or private business of any kind.

44. When the Senedd was first established as the National Assembly for Wales, its structure proved to be problematic. It did not separate the ‘Executive’ (the Government) from the ‘Legislature’.

45. Consequently, all advice and support for Members carrying out their committee and Plenary roles was provided from within the civil service whose primary focus was to serve the Assembly Secretaries (broadly equivalent to ministers) who exercised the powers formerly vested in the Secretary of State for Wales. This resulted in confusion and difficulties in terms of confidentiality, transparency and the adequacy and prioritisation of the needs of Assembly Members who were not part of the ‘Executive’.

46. The Government of Wales Act 2006 redefined and reshaped the Assembly, separating the ‘Executive’ (which became known as the initially as the ‘Welsh Assembly Government’) and the Assembly Commission was created to provide property, staff and services to support the Members of the Assembly. At this stage a Member was entitled to claim a Staff Salaries Allowance to cover the costs of employing staff in an administrative, clerical or secretarial capacity or to undertake research where those costs were ‘wholly, exclusively and necessarily’ incurred in connection with their duties as a Member of the Assembly.

47. In July 2007, the Assembly Commission agreed to increase Assembly Members’ direct support. The rationale for the change was to provide support specifically for the additional legislative and scrutiny duties of Members as a result of the Government of Wales Act 2006.

48. From the Third Assembly, elected in 2007, party groups of three or more Members were also able to employ staff centrally. The rules relating to the allowances available to assist groups of three or more Assembly Members were authorised by section 18 of the National Assembly for Wales (Assembly Members and Officers), (Salaries, Allowances etc.) Determination 2006 (the ‘2006 Determination’).

49. The purpose of the allowance was to assist groups in the discharge of their work in the Assembly. The allowance was payable only in respect of costs which were incurred by them ‘wholly, exclusively and necessarily’ for the purpose of discharging their responsibilities.

50. These staff were additional to the staff whom each Member could individually employ, to support them in their duties as a Member. The number of staff was based on the number of Members in the party group and whether or not any Member of the party group was represented in the Welsh Government. This addressed the longstanding issue of resourcing ‘backbench’ Members.

51. The next development was the passing of the National Assembly for Wales (Remuneration) Measure 2010 (“the Measure”) which established a statutory independent body (the Independent Remuneration Board) to set Members’ salary levels and to monitor and review other financial support available for Members, including allowances for travel, pensions, office costs and staff support. The Independent Remuneration Board is also responsible for determining the allowances to support groups, mainly to provide staffing support.

52. The Independent Remuneration Board reported for the first time in March 2011⁷ and set out their view of the Assembly’s strategic purpose, and Members’ core functions. They had found that the Assembly and its Members recognise three main strategic functions:

- scrutinising Welsh Government policy and finance;
- scrutinising and making laws; and
- representing constituents.

53. The Board recognised that the number of staff allocated to groups who form part of the Welsh Government is less than that allocated to opposition groups, but that policy development is conducted, at least in part, for Welsh Government parties by the Civil Service. They also recognised that the Senedd as a legislature is not based on an adversarial Westminster-style model. Instead, practice within the Senedd is to acknowledge the role of all opposition party leaders in holding the Government to account. The Board explained that group offices are structured according to the particular priorities and needs of individual groups. They work to coordinate strategic support and direction for party groups within the Senedd, and to assist

⁷ [gen-ld8488-e-english.pdf \(senedd.wales\)](#)

Members' individual staff in the provision of support for party spokespersons across the full range of Ministerial portfolios.

54. The Electoral Commission allocates Policy Development Grants to political parties. The grant gives political parties the funds to develop policies to include in their election manifestos, and explicitly includes those for elections to the Senedd. Grant money must not be used for routine party administration, electioneering or opinion polling but can be used for polling that is specifically related to the development of policies for inclusion in manifestos.

Considerations

55. The Independent Remuneration Board's view is that activity/content of material that would be perceived as party political should not be funded from Senedd Resources. In a letter to the Accounting Officer in relation to providing greater clarity to Members around what is an acceptable use of Commission provided resources the Board set out that it had:

"...deliberately sought, through some of the changes it has made to the Determination for the Sixth Senedd, to remove any potential for public funds to be used for party political purposes. Whilst acknowledging that it is not possible to eliminate party politics from Senedd business, the Board's guiding principle is to ensure that only Senedd business is funded by the taxpayer and not party business."

56. Published reports of complaints cases where the previous definition of party political had caused difficulties can be found on the Commissioner's website⁸. The Standards Commissioner was therefore consulted on revising the definition of 'party political' and is content with the current definition set out in the Rules.

57. In relation to the use of Senedd resources, some Members have made representations about the way in which their activities (and communications about them) are limited or restricted by the Rules in the way they define party political activity.

58. A Member of the Senedd is not required to be a member of a political party or a Senedd political group, and there are also a number of examples of Members making changes to their personal affiliation during the course of a Senedd session.

⁸ [Commissioner Reports | Standards Commissioner Website \(standardscommissionerwales.org\)](https://standardscommissionerwales.org)

59. Within the current rules, Members are able to inform constituents of ways they are delivering their role as a Member. This may include a reference to their party affiliation, but Members must treat all constituents equally, irrespective of the actual or suspected party political opinions or allegiance, when engaging or corresponding with them using Commission resources.

60. By way of illustration, in communication with their constituents a Member would be able to refer to a portfolio role where they are the spokesperson for the group on a specific matter, for example by making reference to their participation in Senedd business and relating it to the areas they were elected to represent. A Member would not be able to use resources for purposes beyond that for which they are provided by the Determination. Funds provided to party groups enable support for spokespersons across the full range of Ministerial portfolios. This is predominantly through group staff, but a group's 'remaining balance' may be used to meet other needs in undertaking their work in the Senedd e.g. hire of facilities or necessary translation services.

61. The expression "business before the Senedd" encompasses all the activities permitted under Standing Orders such as: oral questions, debates, statements, scrutiny and passing of bills, committee scrutiny and activities such as challenging and holding Ministers to account. These activities are delivered in the way each political group feels appropriate, within the rules of proceedings etc, such as through appointed spokespeople.

62. Use of Senedd resources must relate to a Member's parliamentary duties and be appropriate to the purpose of the provision. For example, party group staff may work for the group's Members to produce a speech for their group spokesperson to deliver as part of Senedd proceedings. Communications must not include any reference to a position held within a party rather than within the Senedd.

63. By way of comparison, the Scottish Parliament provides that expenses cannot be reimbursed in relation to a Member's activities where they relate to a Member's role as party spokesperson⁹ and sets out the provisions available to support Members in carrying out their parliamentary duties. They define "parliamentary duties" to mean "any task or function which a member could reasonably be expected to carry out in that member's capacity as a

⁹ [Reimbursement of Members' Expenses Scheme \(parliament.scot\)](#) (pg31)

member...but does not include¹⁰ a member's activities which are in relation to that member's role as a party spokesperson or representative."

64. Under the Political Parties, Elections and Referendums Act 2000 (PPERA) there are rules on spending and fundraising that political parties must follow in the run-up to elections.

65. Campaign spending is what the party spends on certain activities to promote itself, or criticise other parties, during the regulated period. The Electoral Commission set out in their guidance¹¹ that campaign spending includes items or services bought before the regulated period begins, but used during it. Campaign spending includes, for example, "the manifesto and other documents setting out your party's policies" and "party press conferences or other dealings with the media".

66. This serves to illustrate the importance for party group members distinguishing between party political activities, including those which could later be regarded as campaign spending, and activities to deliver parliamentary duties. Inappropriate use of resources provided by the public purse via the Senedd Commission, which must not be used for party political activity/campaigning, could be an election offence.

67. It is the responsibility of Members not to put themselves in a position where the Electoral Commission might have cause for concern, or where a potential breach of the law might occur. It is the Accounting Officer's responsibility to have an effective regime in place to ensure the regularity and propriety of expenditure and to provide assurance, as custodian of public trust in the use of public resources.

68. The current definition of party political acknowledges the political nature of responding to business before the Senedd. However it currently omits reference to campaigning, which is referenced within specific Rules themselves, or seeking to achieve a particular result in a referendum. It is proposed to clarify the definition by including reference to these matters.

69. The Accounting officer is proposing amending the wording of the definition relating to party political to bring clarity to the existing provisions that resources should not be used for these purposes.

¹⁰

¹¹ [Senedd election party guidance 2021 \(electoralcommission.org.uk\)](https://www.electoralcommission.org.uk)

Proposal 3. It is proposed that the existing definition of ‘party political’ is retained, other than to add clarification to include reference to campaigning generally and in referendums. The Rule would thus read as follow:

“party political” – means anything that could be perceived by a fair minded and impartial observer as party political **or seeking to achieve a particular result in an election or referendum (whether as a member of a registered political party or not)**, but does not include the discussion and deliberations by Members and their staff related to the political response to business before the Senedd including the business of the political groups within the Senedd, [or the use of logos or branding in accordance with these Rules¹²].

Proposal 4. In relation to Rule 1 guidance, about Members’ personal accountability, it would be made clear that Members must bear in mind, as an overarching principle, that Senedd resources must not be used for party political activity.

¹² The words in square brackets are to be subject to further consideration in light of replies to the proposals in Part 7 below.

6. Proposals on data protection

Background

70. One of the key roles frequently undertaken as a Member of the Senedd is to raise issues on behalf of constituents. As such, Members collect and use personal information relating to constituents. From time to time, they might also contact their constituents to ask them, for example, to complete surveys to gather information and opinions on matters relevant to their role as a Member of the Senedd.

71. Data protection law imposes responsibilities on every Member, as a Data Controller, when they are handling the personal data of other people.

72. The Rules are consistent with the Determination and require that “Members must comply with applicable legislation relating to the protection of data and information when using Commission resources.”

73. Members are required to set out privacy information, usually in the form of a privacy notice, which sets out how and why personal data is used, as well as other information required by data protection law. This information must be clear and accessible to data subjects. It is the Member’s responsibility to ensure that the notice is compliant with data protection law.

74. The Commission can give guidance and training to Members on general compliance with data protection law. This is available on the intranet, as well as through training sessions that were offered at the start of the Sixth Senedd: <https://cynulliad.sharepoint.com/sites/mem-pst/SitePages/GDPR.asp>. A new privacy notice template for constituents has recently been provided.

Considerations

75. Members’ legal responsibilities as data controllers exist independently of other requirements relating to the way that they access public resources.

76. Members sometimes need to share an individual’s personal information where it is necessary as part of seeking assistance with casework or to obtain information relevant to a case.

77. IPSA make it clear in their guidance that MPs should not share data that has been collected through parliamentary surveys or other parliamentary work with a political party¹³.

78. The principles underpinning the Determination prevents Members from sharing any personal information an individual has provided in relation to engagement activities which are funded by the Senedd Commission for party political or campaigning purposes.

79. This is particularly pertinent in light of the recent fine imposed on a political party for sending marketing emails to individuals without explicit consent to do so. It should be made clear to those who are providing data to Members of the Senedd, at the point that the data is collected, how it will be used. Those uses must respect (among other things) the law, the Determination and the Rules.

80. Advice from MBS about privacy notices is about whether or not the costs are recoverable under the Determination. It is not legal advice and does not constitute an assessment of whether or not the Member is complying with the law.

81. Members are advised that, where use of resources relates to publications or content that contain personal data (including text, footage or images), the Member must ensure that the data has been collected and used in line with the law.

82. Members must ensure that privacy notices accurately reflect this. Members must ensure that data collected as part of their engagement activity funded by the Commission (including surveys - whether digital or physical) is not used for any party political activity or otherwise shared with their political parties.

83. Members are advised to adopt this (or similar) wording in communicating with constituents about surveys etc, as follows: 'The personal data provided in response to this [survey/publication] is to inform my parliamentary work and will not be shared with third parties. Any reference to information provided in your response will be treated anonymously.'

84. The Accounting Office is proposing changes relating to the need for privacy notices. This is intended to provide greater assurance that the use of Senedd resources is compliant with data protection requirements.

¹³ Rules & eligibility | IPSA (ipsaonline.org.uk)

Proposal 5. It is proposed to introduce a requirement for a simple clear statement to be used when any Commission funded communication or engagement activity will result in the collection of personal data to make clear that it will not be shared, other than to necessarily support case work, and that information provided will be treated anonymously.

7. Proposals on communication and engagement with constituents using Commission resources

Background

85. Provisions in Chapter 6 of the Determination for the Sixth Senedd entitle Members to claim reimbursement of all reasonable costs relating to the running of a constituency or regional office and engaging with constituents. This is known as the Office and Constituent Liaison Fund. The Determination sets out that “Any costs claimed for from this Fund must take account of the principle on political party activity outlined in Chapter 1. In case of doubt, advice on making claims from this fund should be sought from the Members’ Business Support Team (MBS).” There are also some relevant provisions in Chapter 7 (Policy, Research and Communications Fund) of the Determination. This is distinct from provision made for the groups, which is for undertaking their work in the Senedd.

86. The Independent Remuneration Board has moved away from including an indicative list of permissible items/activities that may be claimed for under this allowance (as outlined in section 6.2 of the Determination) as the list had ceased to reflect the varied use of the allowance. Rather, Members can make a claim against the allowance for reasonable costs associated with maintaining an office and engaging with their constituents, within the parameters of the Determination. MBS assesses claims with the aim of ensuring decisions are consistent with the Determination, Accounting Officer rules, additional guidance from the Remuneration Board or Accounting Officer, and precedent.

87. A number of the provisions of the Rules apply to communication and engagement activities, both generally way and in relation to specific activities.

88. Rule 7 requires that Members must treat all constituents equally when engaging or corresponding with them using Commission resources, irrespective of the actual (or suspected) party political opinions or allegiance of constituents.

89. Rule 8 sets out that communication and engagement by Members with their constituents using Commission resources must:

- a. not be party political,

- b. not be of a nature that could otherwise be perceived by a fair minded and impartial observer as campaigning for a particular result in an election or referendum,
- c. adhere to the Guidance on the application of this Rule to the use of party symbols, logos or other branding, and
- d. state clearly that it is funded by the Senedd Commission from public funds.

90. As set out above, it is a long-standing condition of parliamentary funding that support available to Members is not provided to enable party political activity. For example, Members must not sponsor or organise events on the Senedd estate that involve personal, business or commercial activities or communications or which constitute party political activity, including use of party logos or branding, or campaigning for a particular result in an election or referendum.

Considerations

91. Members are entitled to claim reimbursement of reasonable costs relating to the running of an office and engaging with constituents. The Rules apply when Senedd resources are used. They do not apply in other circumstances. However, items/materials produced for constituent engagement using Senedd resources must not be supplemented with additional materials that would not be permitted. For example, a newsletter being posted using Senedd resources must not have party political content included in the envelope, a sign or advert should not have extra features beyond what is allowed through the Rules or the Determination.

92. This has long been the case. However, it is proposed to amend the way this requirement is expressed to make it clear that items/materials produced for constituent engagement using Senedd resources must not be supplemented with additional materials that would not be permitted.

93. Members may use parliamentary resources for the purposes set out in the Determination. For individual Members, this includes meeting the costs of communication and engagement activity that aims to inform constituents about the way in which they have carried out their Member duties in the Senedd or locally within the constituency or region for which they were elected. It may also include information about the work of the Senedd.

94. The proposed amendments to the Rules cover a number of distinct aspects of communication and engagement namely the use of party symbols, logos or other branding, websites and social media. Each of these is discussed in turn below. It is also intended to tackle

the unusual structure to Rule 8 (c) which requires adherence to the Guidance on the application of this Rule rather than simply stating the rule [and so the associated guidance will also be adjusted](#).

Proposals on the use of party symbols, logos or other branding

95. The use of discreet party logos is currently allowed in permitted printed material for constituent engagement, including personalised stationery. This is set out in the guidance to Rule 8 currently.

96. Advertising, content or materials must not give the impression that they have been funded by a political party and must not be used in a way that they could be perceived by a fair minded and impartial observer as campaigning for a political party (or individual)¹⁴.

97. Members must not use any party logo or branding in relation to Member sponsored events on the Senedd estate.

98. Some Members have expressed the view that they cannot effectively undertake their role without encompassing party activity, and state that their constituents expect to be informed of the party allegiance they hold, for example, in order to make judgements as to how the Member might represent them.

99. The Standards Commissioner set out in his annual report¹⁵ that the increase in the number of complaints he received about use of Senedd resources was due to alleged contraventions of the Rules on the use of Senedd Commission resources in relation to the use of party logos and branding on Senedd funded material. The Commissioner expressed concern that the Rules in relation to these matters were imprecise leading to different interpretations. He was supportive of efforts being made to clarify these matters.

100. In considering what is appropriate use of resources, other parliaments take a more restrictive approach.

¹⁴ Current AO Rules - Rule 8 and associated Guidance

¹⁵ [*Commissioner-for-Standards-Annual-Report-2020-21-lr.pdf \(standardscommissionerwales.org\)](#)

101. IPSA will not pay MP claims for funding of any material, other than websites, that contains a party political logo or emblem¹⁶.

102. The Northern Ireland Assembly (NIA) requires that a Member's Office sign must contain the Assembly logo and may include the name or logo of a political party. However, costs may not be claimed if the name or logo of a political party on the sign is larger than the Assembly logo and the total size of the Assembly logo (combined with the name or logo of a political party if there is one) is limited¹⁷. NIA members do not appear to be provided with allowances for engagement other than for advertising factual information relating to contact details and surgeries.

103. The Scottish Parliament does not permit the use of a party logo in any publication funded through parliamentary resources – such as newsletters, signage, adverts, websites etc. Members also cannot use it on their parliamentary emails etc. This is laid out in a number of pieces of guidance which are provided to Members of the Parliament.

104. In line with the principle set out in the Determination that "Claims must not be made for expenditure relating to party political activity¹⁸", in its December 2020 consultation, the Independent Remuneration Board set out its view that in future, the use of party logos on publicly funded communications should be considered so as to avoid the risk of public funds being used for political party purposes. Given that the Rules on the Use of Senedd Resources apply to all resources used by Members and their offices, the Board decided to remove some additional mandated guidance for the Sixth Senedd and wrote to the Accounting Officer to note that it wished to maintain open dialogue to ensure any future adjustments to the Rules reflect experience gained by the Board in the operation of the Determination. The alternative to this approach would be for the Independent Remuneration Board itself to set out more explicitly what it feels to be appropriate parameters in relation to what is regarded as party political in the context of engagement activities. The Rules, in their current form, acknowledge the co-existence of party symbols, logos and other branding, and generally refer to the 'use of party logos or branding'.

¹⁶ [The Scheme of MPs' Staffing and Business Costs - 2021-22 \(ctfassets.net\)](#)

¹⁷ [Assembly Members \(Salaries and Expenses\) Determination \(Northern Ireland\) 2016 as amended by the Assembly Members \(Salaries and Expenses\) \(Amendment\) Determination \(Northern Ireland\) 2020 \(niassembly.gov.uk\)](#)

¹⁸ [Determination \(senedd.wales\)](#)

105. This reflects the way that party political awareness-raising and familiarisation go beyond simple use of a 'logo', broader visual elements associated with party brands also contribute to this activity, in particular party symbols, unique fonts, registered trademarks, and any 'party description' or emblem registered with the electoral commission (under section 28A or 29 of the Political Parties, Elections and Referendums Act 2000) and variants or parts of them.

106. The use of party identification, logos and branding on communication and engagement materials produced with Senedd Commission resources is a sensitive subject and it is considered that Members should be able to understand precisely and clearly what is permitted.

107. Notwithstanding the general principle discussed above that Senedd resources should not be used for party political purposes, two exceptions are proposed:

- That Members can state their party affiliation in plain text; and
- Members may select the colours they use.

108. It is considered that this will be simpler and clearer rule than the current rule 8(c), which it will replace. It is recognised that there is a fine distinction between use of a party logo and describing party affiliation in words. The principle being applied is one of seeking to be clear that parliamentary funding available to Members is not provided for promotion of party awareness or to enable party political activity. This proposal is thus set out for the purpose of consultation.

109. Party affiliation - Members can state their party affiliation in plain text. This means text unembellished and consistent with the text in which it appears (eg the same size, colour, font style etc). It is proposed to mitigate against the risk of perception of public funds being used for political party purposes. Consequently, parliamentary funding will not be available in future to fund any materials, whether physical or digital, which include use of party logos or political campaign emblems.

110. This would mean that existing office signs may continue to include the name or logo of a political party, until replaced by new signage in due course, and existing stocks of physical materials may be used up, but from the implementation of the revised rules no new claim could be made for anything containing a party logo or emblem. This reflects that much office signage is already in place, and the proposed approach will minimise waste of physical materials already produced, whilst creating a clear framework for the long-term.

111. The proposed rule change will also prevent the future use of any party logo on communication materials such as newsletters, advertising, websites, surveys, new signage, surgery notices, annual reports, circulars in response to requests for further information, leaflets, responses to signatories of a petition addressed to a Member claimed for through Commission resources. The same rule would also apply to Members' parliamentary emails, letterheads and other personalised stationery.

112. These arrangements will bring the position into line with that for Member sponsored events, and align the Senedd more closely with that for other parliamentary representatives within the UK.

113. Use of the Senedd logo, in specified ways, will continue to be permitted.

114. Use of colour - This proposal would not prevent the use of party colours in engagement activity with constituents. The guidance associated with this rule would be drafted to remind Members that their use of colour and photos in engagement material and the extent of that use will contribute to the way those materials are likely to be perceived by a fair minded and impartial observer and that care should be taken to prevent a perception of the materials being party political. This will require an exercise of judgement on the part of Members, which they should be prepared to justify if challenged. The alternative would be to set out specific expectations in the guidance, for example that a stripe or border in the colour(s) used by the party to which the Member is affiliated would be acceptable providing it was presented on an otherwise neutral background.

Proposals on Members' websites

115. The Determination allows Members to claim costs for the purpose of running a website to engage with their constituents through their Office and Constituent Liaison Fund. The general format and content of a site is not prescribed. It is for each Member to manage and maintain their website in a way that is, at all times, in compliance with the Members' Code of Conduct, the Determination, the Accounting Officer Rules and the law which applies to the activity (eg data protection).

116. Where Members claim, Rule 10 requires that a Member's website must only be used in connection with a Member's duties and makes clear that this requirement excludes party political content. However the Rule currently excludes the following content, which identifies the

Member for the benefit of visitors to the website, from the restriction on party political content under this Rule:

- Identification of a member's party allegiance
- Displaying the logo or branding of the Member's party;
- Links on the website to one or more (separate) websites that carry party political content. However, the Member's website should make clear that the links lead to websites that are not hosted by the Member and are not funded from Commission resources

117. The other Rules about engagement and communications also apply to websites.

118. It is recognised that websites are not static and can change regularly. Commission staff only check a website when a claim is made, to ensure there is a website with a purpose of allowing the Member to engage with constituents and that the content of the home page is compliant.

119. Checks are not routinely made at other times. The only exception to this is where a Member seeks specific advice from MBS (or others) about a particular item they wish to put on their website.

120. Otherwise, it is for each Member to manage and maintain their website in a way that is, at all times, in compliance with the law and the other requirements listed above. Members must bear in mind, however, that it is always open to a visitor to a Member's website to complain to the Commissioner for Standards that the Rules have been breached by the inclusion of party political content (other than the limited amount of information permitted as set out).

121. Rule 8 requires communication and engagement to state clearly that it is funded by the Senedd Commission from public funds to provide transparency and clarity for the public accessing the site. The Accounting Officer proposes to re-introduce guidance on this and to make explicit in the Rules that this requirement applies to websites, and to do so by setting prescribed wording which must be displayed prominently on a website funded using Commission resources. The requirement under consideration would state:

"The costs of this website have been met by the Senedd Commission from public funds." or such alternative wording as the Accounting Officer may specify from time to time."

122. A Member's Commission funded website must not embed content from other websites which is party political. It must also make clear that any links lead to websites that are not funded from Commission resources. Simple text links on the Member's website to one or more (separate) websites that carry party political content are permitted. The Accounting Officer proposes to amend and clarify the risks of embedded content and the types of link that are permitted.

123. The Accounting Officer also proposes to adjust the wording of Rule 10 to make it more explicit that a Member's website that is built or maintained using Commission resources must only be used in connection with a Member's duties. The reference to logos or branding in Rule 10 would also be removed to reflect the position set out in the section on party logos and branding above.

Proposals on use of social media

124. Members' social media activity undertaken with Commission resources must be directly related to their Member's duties and must not be party political¹⁹.

125. Current guidance sets out that Commission resources are not to be used to create, advertise or promote content that is party political. Promoting social media activity, for example, the use of Facebook (including the "boosting" of Facebook posts) or Twitter Ads, is within this Rule only if the post is directly related to a Member's duties and is not party political. Targeting of the promotional activity must be directed at the constituency or region which the Member represents. This is also consistent with the requirement of SO1.10 (iv) and (v).

126. When using social media, Members are bound by the Code of Conduct for Senedd Members and the further provision in the Rules. Where Members use Commission provided ICT equipment (or services) or do so via a device connected to the Senedd ICT system, they are also bound by the ICT Use and Security Conditions, acceptance of which is a condition of the provision of ICT equipment and facilities to Members.

127. Social media is a constantly evolving area which creates a number of risks and challenges for Members. Members are exposed to being 'trolled' or recipients of online abuse or harassment.

¹⁹ Current Rules No 11

128. There have also been complaints made about some Members' social media activity. This is commented on explicitly in the Standards Commissioner's annual report 2020-21²⁰ "Conduct on social media remained the most common ground for complaints received" and two complaints on social media use were found to have breached the Code in fifth Senedd.

129. Despite the risks and challenges, social media remains a cost effective means of communication, in particular given the ability to target boosted content to particular groups.

130. Commission resources may be used to create, advertise or promote content which is not party political, relates to a Member's duties and informs constituents about how these duties are discharged. Promoting social media activity falls within this Rule if the activity is directly related to a Member's duties and is not party political. Likewise, the promotional activity claimed for must be limited in a way that it is aimed at informing a Member's constituents (not wider groups of people) and must not be targeted at a specifically party political audience or for electoral gain.

131. The Accounting Officer proposes to adjust the guidance relating to social media to remind Members of the parameters within which they must operate when using Commission resources.

Proposals

Proposal 6. It is proposed to make explicit that items/materials produced for constituent engagement using Senedd resources must not be added to with additional materials of a party political nature

Proposal 7. It is proposed to allow Members to refer to their party affiliation as part of the way that they inform their constituents of the ways they are delivering their role as a Member of Senedd, provided it is done as a factual statement in plain text.

Proposal 8. It is proposed to mitigate against the risk of perception of public funds being used for party political purposes by removing access to parliamentary funding for any materials, whether physical or digital, which include use of party logos or political campaign emblems. This would apply to claims made from the implementation date for the updated rules.

The guidance associated with this rule would remind Members that their use of colour (including party brand colour) and photos in engagement material will contribute to the way

²⁰ [Commissioner-for-Standards-Annual-Report-2020-21-lr.pdf](#) (standardscommissionerwales.org)

those materials are likely to be perceived by a fair minded and impartial observer and that care should be taken to prevent a perception of the materials being party political.

Use of the Senedd logo, in specified ways, would be permitted.

Proposal 9. It is proposed to amend the wording of Rule 10 to make clear that a Member's website that is built or maintained using Commission resources must only be used in connection with a Member's duties. The reference to logos or branding in Rule 10 would also be removed to be consistent with the proposal above.

Proposal 10. It is proposed to make explicit the requirement for a simple clear statement, displayed prominently, on a website funded using Commission resources to state that the costs of the website have been met by the Senedd Commission from public funds.

Proposal 11. It is proposed to make clear that a website funded using Commission resources must not contain or embed party political content.

Proposal 12. It is proposed to adjust the guidance relating to social media to remind Members of the parameters within which they must operate, and to clarify that, if using Commission resources, promotional activity must be delivered in the way the provision intends, must not be party political and must not be aimed at a party political audience or for electoral gain.

8. Proposals on Security vetting

Background

132. The Senedd Commission has adopted the security vetting standards set by National Security Vetting (NSV), bringing it in line with other Parliaments across the UK. The United Kingdom Security Vetting unit (UKSV) who are part of the Cabinet Office oversee the setting the policy for UK National Security Vetting. NSV consists of Baseline Personnel Security Standard (BPSS), Counter Terrorist Check (CTC) and where applicable the higher level Security Check (SC).

133. As elected office holders, Members of the Senedd are not subject to security vetting before their building passes are issued. All Members are automatically eligible for a security pass to the Senedd Estate upon taking their oath.

134. However, security checks are carried out on all staff working for Members, Commission staff and contractors. All personnel requiring a photo building pass are subject to a CTC check. MS staff fall in to two categories they are either Constituency based or Senedd based. Constituency-based staff are security cleared to BPSS (and provided with a visitor pass on attendance on the Estate) whereas Senedd based staff are cleared to CTC level. The CTC clearance also covers someone working in both. This includes all spouses or partners working for an MS.

135. Employees, including Members' employees must all be security vetted before they begin work, whether based in Tŷ Hywel or elsewhere.

Considerations

136. Historically, spouses or partners not working for an MS would be allocated a security pass without security vetting. This means that this group of building users are significantly out of alignment with security measures on the estate.

137. To bring this group of building users into line with the requirements for all other (non-elected) pass holders under the NSV standards, from the Sixth Senedd, spouses or partners who would like to be issued with a photo building pass will need to complete the CTC level check first. Spouses and partners without security passes would still be able to access the estate as accompanied visitors.

138. It is also proposed to amend the wording of guidance to Rule 15 for clarity from “Members’ employees must all be security vetted before they begin work, whether based in Tŷ Hywel or elsewhere.” To make it clearer that no-one, other than Members, may start work before they have been security vetted, whether based in Tŷ Hywel or elsewhere.

Proposal 13. It is proposed to bring Members’ spouses/partners in line with other (non-elected) building users by requiring the completion of CTC level security checks before being able to be issued with a photo building pass.

Proposal 14. It is proposed to amend the wording of guidance to Rule 15 for clarity to make it clear that no-one, other than Members, may start work before they have been security vetted, whether based in Tŷ Hywel or elsewhere.

9. Clarifications of wording

Background

139. Representations have been made identifying ways in which wording in the Rules could be adjusted, either for consistency or to make the meaning more plain.

140. These proposals are not about changing the substance of the Rules.

141. Similarly there are some areas where the cross referencing to other documents needs to be updated and will be undertaken.

Considerations

142. Considerations in this section relate to a number of aspects of the Rules.

143. The Accounting officer considers that the definition of “election period” should be made clearer, in particular with regard to elections in Wales or elsewhere.

144. Since the beginning of the Covid19 pandemic there have been significant changes to our working environment. Meetings are not routinely held in booked meeting rooms on the Senedd estate. Instead, many meetings take place online (eg through Zoom or MS Teams) or in a hybrid format. It needs to be made clear that the Rules apply to virtual meetings as they do to physical meetings held on the Senedd estate.

145. Wording in relation to staff undertaking work remunerated with Commission resources, the use of websites (including reimbursement of related costs) and security vetting could all be made clearer and those proposals have been encompassed into the appropriate sections above.

146. It is also intended to add text to the introductory section ‘Status of the Rules and Guidance’ to make the context for the Rules and Guidance more clear.

Proposals

147. It is proposed to amend the definition of election period as follows: “election period” – means any period as described below in sub-paragraphs (i) to (viii):

- i. a period when the Senedd is dissolved;

- ii. a period when the UK Parliament is dissolved;
- iii. a referendum period as defined by section 102 of the Political Parties, Elections and Referendums Act 2000;
- iv. a period starting when a notice of election has been issued for the election of councillors for a local government area in Wales and ending on polling day;
- v. a period starting when a notice of election has been issued for the election of a councillor for a local government by-election in Wales and ending on polling day;
- vi. a period starting when a notice of election has been issued for the election of a Police and Crime Commissioner for any area in Wales and ending on polling day;
- vii. a period starting when nominations are invited for candidates to stand for a by-election for a seat in the Senedd and ending on polling day; and
- viii. a period starting when nominations are invited for candidates to stand for a by-election for a Welsh seat in the UK Parliament and ending on polling day

148. On the use of Senedd resources for meetings it is proposed to amend the wording of Rules 13 and 14 so that in relation to sponsoring of events “Members must not sponsor or organise events on the Senedd estate, **or otherwise supported by Commission Resources**, that involve:...” and in relation to booking of meeting rooms “Members may not book, **or use**, meeting rooms on the Senedd estate for party political business”.

149. In the introductory section (Status of the Rules and Guidance) it is proposed to include additional text for clarification “Compliance with these Rules by Members is required by Rule 8 of the Code of Conduct for Senedd Members and alleged breaches may be subject to investigation by the Senedd Commissioner for Standards.” “In addition, complaints about the alleged misuse of Commission resources may be made to the Senedd Commissioner for Standards by any other person.” “It is each Member’s responsibility to ensure they understand and comply with these rules.” and “Additional information to assist Members in complying with these Rules is also available on the Members’ intranet.”

150. It is proposed to amend the definition of “Member’s duties” to reflect the wording in the legislation “– activity in relation to business in the Senedd and constituency or regional business undertaken in the public office of Member of the Senedd”.

151. It is proposed to amend wording of Rule 4(1) to add the word “services” for clarity “(1) Items, **services** and facilities acquired with Commission resources or provided by the Commission for the use of Members must only be used in connection with a Member’s duties.”

Proposal 15. It is proposed to make the adjustments identified in section 9 to improve clarity of wording as part of the updates to the Rules at this time.

10. Summary of proposals

The Accounting Officer is proposing to make the following changes to the Rules and Guidance on the use of Senedd Resources for the Sixth Senedd:

Proposal 1. It is proposed to amend existing Rule 3 to use more clear wording by stating “Members must ensure that all staff employed by them only undertake work in connection with the Member’s duties during the time they are contracted to undertake work, which is remunerated with Commission resources.”

Proposal 2. It is proposed to supplement guidance to Rule 3 to advise that Members must consider what processes they need to put in place in order to ensure that their staff only undertake work in connection with the Member’s duties (ie the purpose for which the provision is made) during their working time. That process might include keeping accurate records of hours worked by each staff member, but it will not be a requirement.

Proposal 3. It is proposed that the existing definition of ‘party political’ is retained, other than to add clarification to include reference to campaigning generally and in referendums. The Rule would thus read as follow:

“party political” – means anything that could be perceived by a fair minded and impartial observer as party political or seeking to achieve a particular result in an election or referendum (whether as a member of a registered political party or not), but does not include the discussion and deliberations by Members and their staff related to the political response to business before the Senedd including the business of the political groups within the Senedd, [or the use of logos or branding in accordance with these Rules ²¹].

Proposal 4. In relation to Rule 1 guidance, about Members’ personal accountability, it would be made clear that Members must bear in mind, as an overarching principle, that Senedd resources must not be used for party political activity, by adding words to this effect.

Proposal 5. It is proposed to introduce a requirement for a simple clear statement to be used when any Commission funded communication or engagement activity will result in the

²¹ ²¹ The words in square brackets are to be subject to further consideration in light of replies to the proposals in Part 7.

collection of personal data to make clear that it will not be shared, other than to necessarily support case work, and that information provided will be treated anonymously.

Proposal 6. It is proposed to make explicit that items/materials produced for constituent engagement using Senedd resources must not be added to with additional materials of a party political nature.

Proposal 7. It is proposed to allow Members to refer to their party affiliation as part of the way that they inform their constituents of the ways they are delivering their role as a Member of Senedd, provided it is done as a factual statement in plain text.

Proposal 8. It is proposed to mitigate against the risk of perception of public funds being used for political party purposes by removing access to parliamentary funding for any materials, whether physical or digital, which include use of party logos or political campaign emblems. This would apply to claims made from the implementation date for the updated rules.

The guidance associated with this rule would remind Members that their use of colour (including party brand colour) and photos in engagement material will contribute to the way those materials are likely to be perceived by a fair minded and impartial observer and that care should be taken to prevent a perception of the materials being party political.

Use of the Senedd logo, in specified ways, would be permitted.

Proposal 9. It is proposed to amend the wording of Rule 10 to make clear that a Member's website that is built or maintained using Commission resources must only be used in connection with a Member's duties. The reference to logos or branding in Rule 10 would also be removed to be consistent with the proposal above.

Proposal 10. It is proposed to make explicit the requirement for a simple clear statement, displayed prominently, on a website funded using Commission resources to state that the costs of the website have been met by the Senedd Commission from public funds.

Proposal 11. It is proposed to make clear that a website funded using Commission resources must not contain or embed party political content.

Proposal 12. It is proposed to adjust the guidance relating to social media to remind Members of the parameters within which they must operate, and to clarify that, if using Commission

resources, promotional activity must be delivered in the way the provision intends, must not be party political and must not be aimed at a party political audience or for electoral gain.

Proposal 13. It is proposed to bring Members' spouses/partners in line with other (non-elected) building users by requiring the completion of CTC level security checks before being able to be issued with a photo building pass.

Proposal 14. It is proposed to amend the wording of guidance to Rule 15 for clarity to make it clear that no-one, other than Members, may start work before they have been security vetted, whether based in Tŷ Hywel or elsewhere.

Proposal 15. It is proposed to make the adjustments identified in section 9 to improve clarity of wording as part of the updates to the Rules at this time.

Are there any further points you would like to make at this time?

Comparison table

	House of Commons	Scottish Parliament	NI Assembly
Body overseeing expenditure	IPSA	The Scottish Parliament Corporate Body	Independent Financial Review Panel
Use of party logos (in different situations)	IPSA do not permit claims for anything with a party logo or emblem other than websites.	The Scottish Parliament does not permit the use of a party logo in any publication funded through parliamentary resources – such as newsletters, signage, adverts, websites etc. Members also cannot use it on their parliamentary emails etc	The NIA require that a Member’s Office sign must contain the Assembly logo and may include the name or logo of a political party. NIA members do not appear to be provided with allowances for engagement other than for advertising factual information relating to contact details and surgeries.
Claims for activity as party spokespeople		The Scottish Parliament provides that expenses cannot be reimbursed in relation to a Member’s activities where they relate to a Member’s role as party spokesperson	
Data Protection	IPSA make it clear in their guidance that MPs should not share data that		

	has been collected through parliamentary surveys or other parliamentary work with a political party		
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