

REGISTRATION OF EMPLOYMENT FAMILY RELATIONSHIPS

1. Members will be aware that the Resolution on the Reimbursement of Members' Expenses Scheme (Expenses Scheme) was passed by Parliament on 12 June 2008 and will come into effect on 1st October.
2. Section 3.7 of the Expenses Scheme provides that a Member who submits a claim in respect of the cost of employing a close family member, whether individually or through a pool, must declare that relationship in a register.
3. The Scheme requires that any declaration should be in writing and the SPCB has agreed that the information to be included in the declaration will be:
 - The name of the Member
 - The name of the member of staff
 - The relationship the Member has with the member of staff
 - The employment position held by the member of staff
 - The date the employment commenced
4. Where a member of staff works for a pool and is therefore employed by more than one Member a declaration should be made if any Member of the pool has a close family relationship with the member of staff.
5. This information will be published in the register which will be publicly available. This register is entirely separate from the Register of Members' Interests maintained by the Clerks to the Standards, Procedures and Public Appointments Committee.

Close family relationships to be declared

6. Section 9 of the Expenses Scheme provides a definition of close family members and Members are therefore invited to register the details of anyone who is employed by them and is related as a:
 - (a) a spouse, civil partner or cohabiting partner of the Member; or
 - (b) a parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew or niece of the Member or of a person mentioned in sub-paragraph (a);
7. To assist Members in registering this information a form has been produced, a copy of which is attached at Annex A to this notice.
<http://intranet/organisation/offices-a-i/allowances/docs/RegOfEmpFamilyRel.doc>
8. All forms registering the employment of family relationships should be submitted to the Allowances Office, Room QG.06, The Scottish Parliament, Edinburgh EH99 1SP.

Timescale for registering

9. As stated earlier the new Expenses Scheme comes into effect on 1 October 2008 and Members have up to 30 calendar days to submit the details of any existing members of staff who are employed by them and are related to the Member by any of the above relationships. **Members are therefore asked to submit these details by 31 October 2008.**

10. Where a Member enters into an employment relationship with a new member of staff after 1 October 2008 and where the employee is a close family member as detailed above, a Member will have 30 calendar days from the period of employment commencing to submit details to the Allowances Office to be recorded in the register. Where a new member of staff is being employed the Personnel Office are available to assist the Member with the preparation of the employment contract and as part of this process, and where it is relevant, ensure that Members have access to the forms to register the employment of any close family members.

11. Where a member of staff is no longer in the employment of the Member (and their details are recorded in the register) the Member should notify the Allowances Office in writing to ensure that the date the employment has ceased is recorded in the register. This information will be held, but not published for a period of one year after the employment has ceased.

12. Members should also make written notification to the Allowances Office in those circumstances where an employee is no longer a close family member (as described in paragraph 6 above) but where the employment is continuing. This information will be recorded, but not published for a period of one year after the notification has been provided.

13. The register only applies to the current Session of the Parliament. On dissolution all entries are deleted and at the beginning of each new Session a new register is set up for both new and returning Members. Members will have 30 calendar days from the date of taking the oath or affirmation to register the employment of any close family members.

Publication of the register

14. A copy of the register is held in the Allowances Office and is available for inspection. The register will also be made available on the Parliament's web site and will be updated at regular intervals to ensure that it is as accurate as is practically possible.

Failure to register

15. The new Expenses Scheme provides that where a Member submits a claim for the salary costs or contractual employment costs of employing a close family member, whether individually or through a pool the Member must declare that relationship to the SPCB.

16. Where such a relationship is not declared the SPCB may investigate any claim where a claim for reimbursement of costs has been made. Where, following such an investigation, the SPCB finds that, there being a failure to declare such a relationship, a Member has submitted an improper claim, the SPCB may report this matter to the Standards, Procedures and Public Appointments Committee together with any recommendation for action. The Standards, Procedures and Public Appointments Committee may then recommend to Parliament that any of the Member's rights and privileges be withdrawn, including under the Expenses Scheme the removal of all or part of the Member's entitlement to reimbursement of expenses under the Scheme.

17. Further information on this notice can be provided by contacting Huw Williams on 0131 348 6836.

Directorate of Resources and Governance
September 2008

REIMBURSEMENT OF MEMBERS' EXPENSES SCHEME

SECTION 3.7 - REGISTRATION OF EMPLOYMENT FAMILY RELATIONSHIPS

Name of Member:

Name of Staff Member	Relationship*	Employment Position Held	Date Employment Commenced

Signed (Member of the Scottish Parliament)

Date

* Members must declare employment of close family members who are defined as the following:-

- (a) a spouse, civil partner or cohabiting partner of the Member; or
- (b) a parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew or niece of the Member or of a person mentioned in paragraph (a);