



The Scottish Parliament
Pàrlamaid na h-Alba

Published 16 December 2020
SP Paper 893
14th Report 2020 (Session 5)

Finance and Constitution Committee Comataidh Ionmhais is Bun-reachd

Scottish Parliamentary Standards (Sexual Harassment and Complaints Process) Bill Financial Memorandum



Published in Scotland by the Scottish Parliamentary Corporate Body.

All documents are available on the Scottish Parliament website at:
<http://www.parliament.scot/abouttheparliament/91279.aspx>

For information on the Scottish Parliament contact Public Information on:
Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@parliament.scot

Contents

Introduction	1
Financial Memorandum	2

Finance and Constitution Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- (a) any report or other document laid before the Parliament by members of the Scottish Government containing proposals for, or budgets of, public revenue or expenditure or proposals for the making of a Scottish rate resolution, taking into account any report or recommendations concerning such documents made to them by any other committee with power to consider such documents or any part of them;
- (b) any report made by a committee setting out proposals concerning public revenue or expenditure;
- (c) Budget Bills; and
- (d) any other matter relating to or affecting the revenue or expenditure of the Scottish Administration or other monies payable into or expenditure payable out of the Scottish Consolidated Fund.
- (e) Constitutional matters falling within the responsibility of the Cabinet Secretary for the Constitution, Europe and External Affairs.



finance.constitution@parliament.scot



0131 348 5215

Committee Membership



Convener
Bruce Crawford
Scottish National Party



Deputy Convener
Murdo Fraser
Scottish Conservative
and Unionist Party



Alasdair Allan
Scottish National Party



Tom Arthur
Scottish National Party



Jackie Baillie
Scottish Labour



Alexander Burnett
Scottish Conservative
and Unionist Party



Angela Constance
Scottish National Party



Patrick Harvie
Scottish Green Party



Dean Lockhart
Scottish Conservative
and Unionist Party



John Mason
Scottish National Party



Anas Sarwar
Scottish Labour

Introduction

1. The [Scottish Parliamentary Standards \(Sexual Harassment and Complaints Process\) Bill](#) was introduced on 13 November 2020 by Bill Kidd on behalf of the Standards, Procedures and Public Appointments Committee.
2. The Bill—
 - allows the Commissioner for Ethical Standards in Public Life in Scotland to investigate complaints that an MSP's staff member was (before 7 January 2020) sexually harassed by that MSP;
 - removes a time-limit, so that the Commissioner can investigate historic complaints about MSPs' conduct without having to be directed by the Parliament to do so;
 - removes the need for complaints (and notices withdrawing complaints) to be signed.

Financial Memorandum

3. As set out in the [Financial Memorandum](#), the Bill extends the remit of the Commissioner for Ethical Standards in Public Life in Scotland (the Commissioner) to include complaints against an MSP alleging sexual harassment of a member of that MSP’s staff occurring prior to 7 January 2020.
4. The Financial Memorandum explains that additional costs attributable to the Bill will result predominantly from any new complaints which are made to the Commissioner alleging sexual harassment by an MSP of a member of their own staff, where the alleged harassment took place prior to a revision of the Code of Conduct for MSPs made on 7 January 2020.
5. It is anticipated that the costs on the Scottish Parliament associated with additional work for MSPs and Parliament staff will be absorbed within the Parliament’s normal running costs. The additional cost on the Commissioner for Ethical Standards in Public Life in Scotland have been estimated in the table below.

Table reproduced from the Financial Memorandum

Costs	2021/22	2022/23	2023/24	2024/25	Totals
Minimum	£14,625	£7,485	£7,400	£400	£29,910
Average	£24,375	£25,425	£23,975	£1,000	£74,775

Source: Commissioner for Ethical Standards in Public Life in Scotland

6. The Finance and Constitution Committee issued a call for views on the Financial Memorandum which closed on 14 December 2020. The Committee received no responses to this call for views.
7. At Stage 1, a Committee Bill is not referred to a lead committee for a report on its general principles. The Finance and Constitution Committee will consider and report on the Financial Memorandum and the DPLR Committee must report on any provisions conferring power to make subordinate legislation, or conferring power on the Scottish Ministers to issue any directions, guidance or code of practice.

8. The Committee has no comment to make on the Financial Memorandum.

