

Election of Leader of the Scottish Labour Party 2026

Candidate Code of Conduct

1. This code of conduct has been produced for all aspiring candidates and validly nominated candidates in the selection of Leader of the Scottish Labour Party in order to assist the smooth running of all stages of the process.
2. The provisions of this code of conduct apply to any aspiring candidate and those campaigning on their behalf.

CONDUCT OF CANDIDATE CAMPAIGNS

3. Subject to the agreement of all candidates a candidates' ballot booklet will be distributed electronically, or by post to members without a valid email address. The administration fee for all nominated candidates for access to membership lists and production of the candidates' ballot booklet is £5,000.
4. No candidates or persons acting on behalf of a candidate will use their own material, access to publicity or any media outlets to disparage or brief against any other candidate. Candidates or persons acting on behalf of candidates shall at all times comply with the Party's Rules and Codes of Conduct.
5. Candidates who are members of the Shadow Cabinet will be expected to carry out their duties without interruption.
6. No financial inducement to constituency parties, affiliates, MSPs, or MP, or to individual members or affiliated supporters may be offered to attempt to secure support.
7. No candidate may take part in Third Party Hustings unless they have received the necessary nominations. Candidates may only accept invitations to hustings if all validly nominated candidates are in attendance.
8. Candidates validly nominated by the PLP will, prior to the start of a OPOV ballot, be provided with equal access to Party systems and data for campaigning purposes. These arrangements shall be determined by the

Procedures Committee. No access to Party systems or membership data shall be permitted until a data release form has been signed by the candidate, agent and any other relevant individuals handling data, and returned to the Scottish General Secretary. All candidates, their agents and volunteers must abide by the conditions determined by the Procedures Committee on the use of data.

9. Any membership, supporter, CLP and affiliate secretary contact lists or data provided are solely for the purpose of this election and must be securely deleted or destroyed immediately following the outcome of the election. All Candidates must provide the Scottish General Secretary with a certificate of secure destruction of any data belonging to the Labour Party within 14 days of the end of the campaign. Access to Party systems and data pursuant to Paragraph 7 of this Code of Conduct shall cease immediately following the end of the campaign. Any candidate who does not adhere to these rules may be in breach of the Data Protection Act 2018 and UK GDPR and the party's rules.
10. No individual with access to Party membership data (including elected representatives and Party role holders – Members of Parliament, Councillors, CLP role holders) shall use that data to communicate about the election unless explicitly permitted by official Party communications released on behalf of the Procedures Committee. This includes communications to promote a preferred candidate, save for as provided for by this Code of Conduct. Any breach of these provisions may result in a sanction determined by the Procedures Committee and/or disciplinary action under the Party's Rules and Codes of Conduct. Where evidence of a breach of these provisions is received, access to Party systems shall be suspended while investigations take place.
11. The Scottish Labour Party's digital team will facilitate the sending of an equal number of emails on behalf of each candidate. This process will run by the rules set out in the appendix below.

12. Candidates are permitted to mail Labour Party members, Labour Party Units, affiliated organisations and elected representatives with any canvassing/promotional material at cost to the individual candidates.
13. An aspiring candidate (or someone with a clear conflict of interest with regards to any individual candidate) cannot attend any discussions that deals with election business unless specifically invited by the Scottish General Secretary. Conflict of interest does not normally include nomination, either personally or as a member of an affiliated organisation, of an individual candidate.
14. A guidance note for candidates will be provided about data protection laws.
15. The Scottish General Secretary will undertake the role of independent arbitrator. Once the timetable has been agreed the Scottish General Secretary will also act as Secretary to the Procedures Committee and Returning Officer.
16. Only the Scottish General Secretary or any person appointed by the SEC, such as the Party Chair, will make or issue media comments in respect of the process. This does not preclude candidates undertaking press, Radio or TV interviews; though under no circumstances should any candidate disparage any other aspiring candidate.

FOLLOWING PUBLICATION OF THE TIMETABLE

17. Following the publication of the timetable by the SEC, and opening of the nomination process, formal written nominations must be submitted to the Scottish General Secretary. Nominations received after the deadline prescribed in the timetable will not be considered valid.
18. Candidates will be declared valid by the Procedures Committee only at the close of the nomination process, although they may have achieved the threshold prior to this date.
19. Validly nominated candidates will be written to by the Scottish General Secretary and formally informed of their nomination.

20. Nominated candidates must inform the Scottish General Secretary of the acceptance of their nominations, once declared as validly nominated by the Procedures Committee following the close of nominations.
21. All nominations will remain valid once submitted unless the nominated candidate withdraws in writing to the Scottish General Secretary or if the candidate fails to meet the requirements set out above. In this instance all MSPs and the MP who had nominated the withdrawn candidate will be entitled to submit a further nomination prior to the close of nominations.
22. Any candidate wishing to withdraw will need to do so in writing to the Scottish General Secretary by the deadline set in timetable or they will be included on the ballot paper. The next voting preference of any elector would then be used.
23. Validly nominated Candidates are required to appoint an Agent. Agents will be expected to attend meetings with the Scottish General Secretary and Procedures Committee as necessary.

SUPPORT FOR VALIDLY NOMINATED CANDIDATES

24. The party will provide or offer the following support for all validly nominated candidates, should they choose to accept it:
 - Each validly nominated candidate will be listed on the Scottish Labour Party leadership contest section of the website. This will include the candidate's statement, list the nominations and supporting nominations, and include a link to their campaign website where supplied.
 - All hustings events associated with the election organised by the Scottish Labour Party will be open to all validly nominated candidates.
 - The Press Office will direct all media bids to the agents of validly nominated candidates or to the candidates themselves.
 - The Labour Party will supply to all eligible electors a candidate's statement booklet along with the ballot, at a cost of £5,000 to candidates.

- In addition to the official ballot mailing, each validly nominated candidate will be supplied contact details for a Labour Party approved printer. Candidates will be able to print and post material to members and supporters at their own cost within the expenditure cap as set out below.

THE BALLOT

25. The ballot itself will be distributed only through the official machinery. No candidate or supporter(s) of a candidate will attempt to unduly interfere in the application for, casting, and return of votes.
26. No candidate or members acting on her/his behalf will interfere with or put under duress any member in regard to how they vote.

CANDIDATE SPENDING AND DEALING WITH DONATIONS AND LOANS

27. Candidates in this election are defined as “regulated donees” under Schedule 7 to the Political Parties, Elections and Referendums Act 2000 (PPERA) and are required to fully comply with the rules on accepting and reporting donations and loans given towards their campaigns. The legal requirements set out below apply to both aspiring and validly nominated candidates and are not dependent on the publication of the election timetable or completion of the nominations process. It is the personal responsibility of all candidates to ensure that full and accurate records of all donations and loans are kept and that all statutory requirements are met.
28. All donations and loans with a value of more than £500 are subject to controls under PERA. Candidates must only accept donations and loans of more than £500 from permissible donors and lenders who are defined as:
 - Individuals registered on a UK electoral register (including registered overseas electors)*
 - UK registered political parties
 - UK registered trades unions
 - UK registered companies that are actively carrying on business in the UK
 - UK registered building societies
 - UK registered limited liability partnerships

- UK registered friendly societies
- UK based unincorporated associations

*for the avoidance of doubt, individual donors from the Isle of Man or Channel Islands are not permissible donors under PPERA

29. Candidates are responsible for ensuring that donations and loans given towards their campaigns are permissible within statutory timescales. Donations must be checked for permissibility within 30 days of receipt and lenders must be checked for permissibility before any loan arrangement is entered into – there is no 30 day grace period as is the case for donations. It is an offence under PPERA to accept donations or loans from impermissible sources, or to accept donations or loans from anonymous or unidentifiable sources. Candidates must ensure that they obtain sufficient information about donors or lenders to be able to carry out the necessary checks.

30. Any gifts in kind such as seconded staff, free or discounted use of premises or free printed materials must be valued at the market rate. Gifts in kind with a value of more than £500 will constitute controlled donations, and must be from permissible sources. PPERA also specifically regulates the sponsorship of events, meetings and publications – any such payments with a value of more than £500 will also constitute controlled donations and must also be from permissible sources.

31. Donations and loans of more than £1,500 (including donations and loans of more than £500 from the same source in a single calendar year that add up to more than £1,500) must be reported to the relevant authorities. Who candidates report to is dependent on the elected office they hold:

- Candidates who are Members of the Scottish Parliament must report donations and loans to the Standards Clerks in the Scottish Parliament

In all cases, donations and loans must be reported to the relevant authority within 28 days of receipt.

32. Donations and loans may need to be reported either because a single donation or loan of more than £1,500 has been received, or because a donor or lender has given several smaller donations and/or loans of more than £500 in a single calendar year that have aggregated to more than £1,500. Where multiple donations and loans from the same donor or lender

are reported through aggregation, the total amount received in a particular calendar year must be reported to the relevant authority within 28 days of the date on which the aggregated amount exceeds the threshold.

33. Any impermissible, anonymous or unidentifiable donations of more than £500 must be returned where possible to the original source or forwarded to the Electoral Commission if anonymous or unidentifiable, within 30 days of receipt. The details of any impermissible donations candidates have returned and the manner in which they were dealt with must be reported directly to the Electoral Commission within 30 days of returning the donation regardless of the elected office the candidate holds – MSPs are not required to report impermissible donations they have returned to the relevant Parliamentary authorities.
34. The Electoral Commission will obtain details of relevant donations and loans from the Registrar and Standards Clerks for publication on their website. Publication of donations and loans to regulated donees is on a monthly basis.
35. All candidates are expected to appoint an agent who will document income and outgoings throughout the campaign including the period prior to their nomination. At the end of the campaign all accounts must be submitted to the Governance and Legal Unit of the Labour Party no later than 60 days after the announcement of the result. These accounts should detail all income and expenditure, including notional income/expenditure and itemise all donations or loans (cash or in-kind) of more than £500.
36. A cap on all cash expenditure, resources and donations in kind will be set at the equivalent of £1 per Labour Party member as of the last audited figure and 50p per affiliated supporter eligible to vote in accordance with the procedural rules for this election, per each validly nominated candidate. The Scottish General Secretary, on behalf of the Procedures Committee, will act arbiter of any queries regarding the cap. The final spending cap will be communicated to all validly nominated candidates.

THE CAP INCLUDES:

- All candidate's printed material
- All mailings to electors, elected representatives party officers, affiliated organisations, and other representatives of third party organisations from the candidate, or sent on behalf of the candidate;

- Phonebank lines and calls
- Costs of electronic communication (see appendix below)
- Hustling meetings organised by affiliates or other third party organisations where not all candidates are invited.
- Any other promotional material designed to secure the election of the candidate in question
- The market value of any of the above items given free of charge

THE CAP DOES NOT INCLUDE

- Staffing
- Office costs
- Third party member to member communications e.g. Union member to member, or communications by an affiliate, such as the Fabians, to its members.

37. Any surplus funds shall be paid to the Scottish Labour Party with the submission of the return of election expenses.

38. All candidates are required to advise donors that surplus donations may need to be declared by the Labour Party, and that information relating to donations over £500 may be disclosed to the Party for these purposes.

39. Any breach of this code will be reported to the Procedures Committee by the Scottish General Secretary, the decision of the Procedures Committee will be considered final in all regards.

40. Advice on regulatory matters relating to donations and loans can be obtained from the Party's Governance and Legal Unit who can be contacted at donations@labour.org.uk.

Appendix – Labour Leadership Election Email Rules

The Scottish Labour Party's digital team will facilitate the sending of a two emails on behalf of each candidate on dates to be determined by the Scottish General Secretary in consultation with the candidates.

Notice

The final text must be provided 24 hours before the proposed send time.

Each campaign must provide a named contact who has final approval to confirm that each test message is acceptable. The message will only be sent on approval by the nominated contact. This will not be an opportunity for copy changing, but simply an opportunity to check for any errors.

Audience

Each message will be sent to all eligible voters who have not unsubscribed from the emails of the given candidate or emails in general.

Requirements and specification

Prior to the deadline for each send, each candidate must provide information containing the following:

- Subject line for the email.
- Name of sender for the email.
- Copy for the email, any links should be contained within the copy.

A standard footer will be added to all emails, including unsubscribe information.