

Committee on Standards in Public Life

*Standards in
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Employment of Family Members through the Staffing Allowance: Proposals for consultation

Thank you for your letter of 28 February, inviting the Committee on Standards in Public Life to comment on the proposals in your sixth Report. I am grateful for the opportunity to do so. I am sure you will understand that the timetable you have set for responses does not allow any time for my committee to consult others and to take evidence before formulating our response, as is our normal practice as an evidence-based body.

There are a number of general points.

First, the current ability of Members of Parliament to use public money to employ members of their own family is an unusual arrangement which might not be allowed elsewhere. There are arguments for allowing it to continue, as I have already acknowledged. But, if so, these need to be set out very clearly; and if the arrangement is not to bring the House into disrepute, nor run the risk of unjustified aspersions being cast on the many family members who work diligently and entirely properly for MPs, my Committee is strongly of the view that it has to be completely transparent and sensibly monitored.

If for whatever reason it proves not to be possible to police the arrangement adequately, the alternative would be that the practice should be banned, as I understand to be the case in the US House of Representatives.

Second, my Committee welcomes your desire to ensure a system of disclosure which is adopted by the House as a whole and not left to be an issue of partisan point scoring. But there must be risks in seeking a partial solution to only one part of the general issue of members' allowances currently being reviewed by the Members Estimates Committee. For

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example, is there a case for a more radical change in the basis on which all members' staff are employed, such as adopting a centralised arrangement based on fair and open competition? There must be a danger that limited changes on disclosure will not satisfy critics of the present arrangements, will not serve the purpose of encouraging public confidence and trust in their MPs, and will not for that reason prove to be sustainable.

Third, we see merit in setting disclosure of related staff within the wider context of publication of relevant information about all Members' staff (paragraph 8a). This would increase disclosure of the details of Staffing Allowance expenditure generally, would better help to set the employment of family members in the context of Members' staffing overall, and would better signal the importance of treating all staff, whether within a relationship with the Member or not, on a fair and equal basis. It could also obviate the need for the complexity of some of the proposed requirements around the need to define the prescribed relationships. Wider disclosure would clearly raise serious issues of data protection, personal safety of staff and/or privacy which need to be dealt with carefully and definitively before such a system could be implemented. We strongly endorse the Committee's suggestion that the MEC address these issues in its wider review.

Subject to those very important points, my committee has the following comments on the current proposals.

The Alternative Approaches

We strongly believe that a purely voluntary scheme (paragraph 8b) would not be adequate, not least because it would create speculation about individual Members who decide not to register.

What should be disclosed in the Register?

We agree (paragraph 19) with the recommendation that the name, relationship and role of the staff members be registered: indeed, we think it likely that the minimum proposal of simply registering numbers of such staff would be unsustainable as it would simply create media interest in identifying individuals and their relationship to a registering Member.

We note (paragraph 20) that disclosure of staff salaries (even by range) is not proposed, on the basis that the relevant pay ranges are publicly available on the web, and a connection can be made, if required, between the two sources of information. On the face of it, this seems an unnecessarily oblique approach, and we think it would be more logical, as well as more transparent, to include the pay range applicable to the relevant job description in the register. It would be possible for the House Authorities to certify that the individual is being paid at the correct rate for the job, based on the relevant job description (which we understand already has to be lodged in order for that member of staff to be paid).

Given the nature of the Conway case, it would be helpful for the hours

specified in any employment contract – or at least whether the individual is employed on a full-time or part-time basis – to be included in the disclosure.

Bringing the requirement into effect

Ideally, my Committee would support introduction of the scheme from 1 April, but there are clearly some significant practical, legal and contractual issues that need to be ironed out.

CHRISTOPHER KELLY

