

SUBMISSION TO COMMITTEE ON STANDARDS IN PUBLIC LIFE

Introduction

1. My submission is made as a member of the public without any political affiliation. Before I retired in 1996 I was a Solicitor in local government with special knowledge of equal opportunities law and practice and was responsible for advice to Councillors on matters of probity, conduct and pecuniary and non pecuniary interests.
2. My main concern relates to the employment by MPs of family members out of Parliamentary allowances (Issue 10). Consideration of this also raises points on Issues 2 (Should the House determine its own allowances?).
3. The underlying thread of all my comments is a belief that those who make laws and sets standards for others should conduct themselves strictly in accordance with those standards – a slightly varied Nolan Seventh Principle of Leadership.

Issue 10. *Is it acceptable that MPs should be able to employ spouses or other family members? If so what safeguards are necessary?*

Equal Opportunities

5. One of the main political thrusts of recent years has been to seek to end discrimination on grounds of disability, gender and race and more lately sexual orientation. One way of ending discrimination in employment is to ensure that recruitment procedures are such that candidates are selected entirely on merit. Fair selection procedures were becoming commonplace when I was employed in local government and I am sure that they are in place throughout the public sector and in many of the large private sector enterprises. *The Committee may wish to seek evidence from the Equal Opportunities and Human Rights Commission.*
6. Fair selection means no more than that vacancies should be advertised, (even if this has to be from an internal work force if redundancy is an issue), job details, essential and desirable qualifications should be set out together with an employee specification and that all candidates should be measured against these by the prospective employer in a process that is fair to all. MP's employees should be subject to these rules if their salaries are paid for by the public purse. One of the constant complaints of MPs is the failure of sufficient women and ethnic minority candidates to win through their own parties selection procedures and become MPs. A job for an MP could well be the first step on the ladder for a budding Parliamentarian. It is beyond my personal comprehension that fair selection procedures are not mandatory for all MPs who seek to employ staff. They should be. MPs should lead the way in employment practice.

7. The recent transfer of all such employees to the House Authorities should lead to proper selection procedures *but the Committee should seek evidence on this point.*

Nepotism

8. Until it came to my knowledge several years ago that MPs were allowed to employ spouses I had assumed that nepotism was a thing of the past in public appointments in the UK. It is wrong in principle. If a family member wishes voluntarily to help an MP voluntarily then this is to be applauded but the employment of relatives out of the public purse can give rise to serious abuses.

9. The MP will have difficulty in being an impartial 'boss' when it comes to quality of work, timekeeping and discipline if the employee is a child or spouse. This is compounded when the salary paid is a significant part of the family income. There is then a clear financial interest which might affect the MP's impartiality if the family member employee is guilty of misconduct. This situation is unacceptable in relation to jobs funded by the public purse. MPs also have considerable discretion on the actual salary paid as the pay scales are lengthy. For example the highest paid jobs as Office Managers/Executive Secretaries and Senior Research/ Parliamentary Assistants run from £18 -£41,000 and £28-£41,000 respectively.

10. *The Committee should invite the house Authorities to give evidence as to whether there is any indication that MPs who have employed family members have done so on generous or inappropriate salaries.*

Pecuniary Interests and Issue 2 – (Should the House determine its own expenses scheme.)

11. Having considered the Rules set out in the Parliamentary Code I had come to the conclusion that an MP who employed a spouse or close relative should have declared that fact as a financial interest under the following heading

Miscellaneous: Any relevant interest, not falling within one of the above categories, which nevertheless falls within the definition of the main purpose of the Register which is "to provide information of any pecuniary interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches, or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament," or which the Member considers might be thought by others to influence his or her actions in a similar manner, even though the Member receives no financial benefit.

12. I do not believe it was the practice of MPs to do so. There is now, as your consultation document points out a new Second Part of the Register which MPs are obliged to complete if they employ family members. The information required seems to be the job description and the degree of relation but the actual salary is not given. It is not clear to me whether registration in Part 2 or the Register counts as a registrable interest for the purposes of Part One which impacts on Parliamentary procedure. *This point*

should be clarified when the Parliamentary Standards Commissioner gives evidence.

13. Having examined part 2 of the Register I was surprised at the number of MPs who employ family members. Counting as best I could while scrolling down a very long list on the computer I counted approximately 206 staff under the category of family members. Of these about 93 were part time. 12 MPs employed 2 family members, one employed 3. In other word about one in three of every MP is paying a family Member out of public funds to work for them.

14. When this issue is debated in Parliament I can see serious problems in the House being able to demonstrate that it has acted without any self interest unless all MPs on Part 2 to the Register withdraw from the Chamber and do not vote. *You may wish to seek advice from the Speaker's Office as to the likelihood of this happening.*

Conclusion

15. The employment by MPs of their spouses, children and other relatives as part of their publicly funded expenditure amounts to nepotism and is wrong in principle. It contravenes Equal Opportunity employment practice and can provide the opportunity for financial abuse. It is widespread in the current Parliament and this reinforces the argument that all decisions about expenses should be taken out of the hands of MPs.

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