



House of Commons  
Committee on Standards

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# The House of Commons standards landscape: how MPs' standards and conduct are regulated

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**Third Report of Session 2023–24**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons  
to be printed 23 May 2024*

## Committee on Standards

The Committee on Standards is appointed by the House of Commons to oversee the work of the Parliamentary Commissioner for Standards, except in relation to the conduct of individual cases under the Independent Complaints and Grievance Scheme; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Financial Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

### Current membership

[Ms Harriet Harman MP](#) (*Labour, Camberwell and Peckham*) (Chair)

[Alberto Costa MP](#) (*Conservative, South Leicestershire*)

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### Powers

The constitution and powers of the Committee are set out in Standing Order No.149. In particular, the Committee has power to order the attendance of any Member of Parliament before the Committee and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of the Commissioner, be laid before the Committee. The Committee has power to refuse to allow its public proceedings to be broadcast. The Law Officers, if they are Members of Parliament, may attend and take part in the Committee's proceedings, but may not vote.

### Publications

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Committee reports are published on the Committee's website at [www.parliament.uk/standards](http://www.parliament.uk/standards) and in print by Order of the House.

### Committee staff

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# Introduction

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1. The Standards Committee has carried out an inquiry into the landscape of bodies and processes that have some role in regulating the conduct of Members of Parliament. The landscape is complicated, involving at least 14 key bodies,<sup>1</sup> three Codes<sup>2</sup> and numerous sets of rules.<sup>3</sup> We show its basic elements in an organogram set out at Annex 1.<sup>4</sup> We have looked at whether the landscape could be simplified and made more accessible both to Members and the wider public. This report is intended to serve as a reference document for anyone who wants to understand the system of standards regulation of MPs.

2. We planned to publish this report in June 2024, but the Prime Minister's announcement on 22 May 2024 that Parliament would imminently be dissolved for a general election meant that we have had to conclude work on the report at very short notice. Some elements we had hoped to include in the report have therefore had to be omitted,<sup>5</sup> and the unavoidable curtailing of discussion entailed by this compressed timetable means that the report does not contain as full a package of recommendations (for instance, in respect of induction of Members) as we would have hoped. We nonetheless feel that it is important to put into the public domain as much as we can of the fruits of our inquiry.

3. It is clear that high standards of ethics and integrity in Parliament, independently enforced, are what the public want and expect. Members of Parliament have a key role in public life and ought to be the upholders of democracy. The Seven Principles of Public Life are embedded in the House of Commons Code of Conduct for Members of Parliament ('the Code of Conduct') and should govern everything that they do in their capacity as Members

4. Our review was initiated following a decade and a half of rapid evolution of processes within Parliament and its connected institutions. During that time, public attitudes have shifted towards requiring higher standards of conduct across society at large, especially in relation to issues such as bullying, sexual wrongdoing and abuses of power in workplace relationships. It is right that Parliament should not lag behind other professions and workplaces.

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1 The following bodies represent the landscape of different committees, offices, external groups and/or individuals that have a role in the regulation of MPs: (1) Direct regulation of MPs: Parliamentary Commissioner for Standards; Committee on Standards; Independent Complaints and Grievance Scheme (ICGS); Independent Expert Panel (IEP); Independent Parliamentary Standards Authority (IPSA) and the Compliance Office for IPSA; Mr Speaker and his deputies (for conduct in the Chamber); Committee of Privileges; Electoral Commission; (2) Indirect or advisory regulation of MPs: Committee on Standards in Public Life (CSPL); the political parties; (3) Regulation of Ministers or former Ministers: Advisory Committee on Business Appointments (Acoba); the Prime Minister; Independent Adviser on Ministers' Interests; Cabinet Office.

2 The Code of Conduct for Members of Parliament, the Parliamentary Behaviour Code and the Ministerial Code.

3 The rules set out in the Code of Conduct, and subordinate sets of rules including the rules on the use of stationery, the rules governing All-Party Parliamentary Groups, and other rules set out in the House's Rules Register - see paras 24 and 124 below.

4 See the second section of this report, "The key elements of the standards landscape", for more detail about the bodies and processes involved.

5 Notably an annex setting out a detailed timeline of developments in the House's standards system (though key developments are summarised in para 6 of this report), and a more extended discussion of international comparisons (though we summarise these in paras 244-49 below and set out the key data we have collected in Annex 7).

5. Meanwhile, public concern specifically about the conduct of Members has been increased by controversies such as those relating to Members' expenses in 2009–11 and more recently allegations of bullying, harassment and sexual misconduct within Parliament, as well as by misconduct revealed through individual disciplinary cases.

6. In response to those public concerns, the House of Commons has strengthened its approach to Members' misbehaviour. Since 2009 the House has:

- Approved legislation creating independent statutory bodies<sup>6</sup> to set the level of Members' pay and expenses, and to investigate and sanction breaches of the relevant rules.
- Strengthened the powers of the independent Parliamentary Commissioner for Standards and accepted the principle that Members should not interfere with his or her operational independence.<sup>7</sup>
- Added lay members - members of the public selected through fair and open competition - to the Standards Committee and given them a voting majority on the Committee.<sup>8</sup>
- Endorsed a Parliamentary Behaviour Code ('the Behaviour Code') applicable to the parliamentary community (Members, Lords, their staff, staff of the two Houses, and others who work in or visit Parliament).<sup>9</sup>
- Created an Independent Complaints and Grievance Scheme (ICGS) to investigate allegations of harassment, bullying and sexual misconduct against Members and other members of the parliamentary community.
- Created an Independent Expert Panel (IEP) headed by a former judge and with no MP involvement, to consider sanctions and appeals in ICGS cases.
- Approved legislation creating a right of recall of Members who have committed serious breaches of the rules.
- Approved an extended list of sanctions against Members in both ICGS and non-ICGS cases, including specific aggravating and mitigating factors.

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6 The Independent Parliamentary Standards Authority (IPSA) and the IPSA Compliance Officer (which are separate statutory bodies)

7 The House decided on 7 January 2019 to approve the Committee's [Fifth Report](#) of 2017-19 which recommended abolishing requirements for PCS to seek the Committee's permission before launching inquiries into former Members or non-recent cases, and which stated that "We believe there should be no exceptions to the general principle that the Committee does not seek to direct the Commissioner's operational decision-making".

8 There are 7 elected members (Members) and 7 lay members on the Committee, but the Chair, who must be an MP, has only a casting vote. When the House took the initial decision in 2012 to add lay members to the Committee on Standards and Privileges, it also decided, following a Procedure Committee recommendation, that the participation of lay members should extend only to standards issues, not to privileges ones, and that therefore the existing committee should be split into two separate committees, the Committee on Standards and Committee of Privileges, with lay members being included only in the former, on the grounds that the House's privileges, unlike conduct matters, should be dealt with by elected MPs only. Originally there were 3 lay members and 11 elected members on the Standards Committee; since 2015 there have been equal numbers. The lay members did not originally have voting rights, but were granted these in 2019.

9 Votes and Proceedings, [19 July 2018](#), item 7

- Accepted the recommendations of a judge-led review of fairness and natural justice in the House's standards system, including creating an independent right of appeal for Members to the IEP.
- Approved and published a plain-English 'Procedural Protocol' to explain the system and its checks and balances.
- Revised and overhauled the Code of Conduct and other subordinate sets of rules.<sup>10</sup>

7. The intention behind these changes has been (1) to ensure there is justified public trust in the regulatory bodies involved; (2) to encourage a culture of compliance with the Seven Principles of Public Life; (3) to foster a climate in ICGS cases where complainants feel able to make a complaint; (4) to facilitate effective accountability, enforcement, transparency, investigation and sanctioning in the cases where that is needed; and (5) overall, to enable the public to have justified confidence in the standards of conduct of MPs and make the House of Commons as a whole worthy of public trust.

8. Taken cumulatively, the changes have been far-reaching. They put the House in a comparable position to other democratic assemblies world-wide - and in some respects ahead of others - in developing a modern standards system which encourages good practice by elected representatives, has strong independent elements, and has effective machinery to investigate alleged breaches and impose sanctions where needed. (See Annex 7 for a table of international comparators.)

9. To say this is not for one moment to be complacent. There have been recent cases of Members falling badly below the standards the public expects of them. Parliament must be vigilant against the development of cynical or even corrupt practices by any Member. More needs to be done to change the institutional culture which allowed abuses of bullying, harassment or sexual misconduct to take place. But the House has moved decisively from a position in which there were tacit cover-ups or indulgence of bad behaviour, to one where Members know there will be serious consequences if a complaint against them is upheld.

10. In the past five years, 10 Members have left Parliament as a direct result of disciplinary investigations - either by resigning their seats, being deprived of their seats by the recall process, or not contesting a general election immediately following the imposition of sanctions.<sup>11</sup> High status within the House does not protect Members: those who in the past five years have been found to have committed serious disciplinary offences include Members who have held office as Prime Minister, Secretary of State, Minister of State, select committee chair, and Speaker of the House.<sup>12</sup>

11. Increasing the effectiveness of the standards system can have the paradoxical effect of diminishing public confidence in Members' conduct by bringing to light abuses which in earlier times would have remained hidden. But such cases, deplorable though they are,

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10 The subordinate rules referred to are the House's Stationery Rules and its Rules relating to All-Party Parliamentary Groups.

11 For details, see Annex 5.

12 Respectively Rt Hon Boris Johnson (Privileges Committee case), Rt Hon Owen Paterson (Standards Committee case), Rt Hon Keith Vaz (Standards Committee case) and Rt Hon John Bercow (ICGS case). For details see Annex 3.

show that the system has real “teeth”, making it less likely that similar abuses will be committed in future. Jeopardy has replaced impunity and that is a major deterrent to those who might otherwise engage in bad behaviour.

12. The House retains its historic right to control its own affairs. Recommendations from the Standards Committee or the Independent Expert Panel that an MP should be suspended or expelled come before the whole House for decision. The House has decided that the relevant motions have to be taken without debate or the possibility of amendment. Our organogram at Annex 1 shows how Members of the House collectively have ownership of its standards system; every element in it has been approved by the House, and it deserves the adherence of all Members. The organogram also shows how the system contains a number of independent elements:

- the Parliamentary Commissioner for Standards
- the Independent Complaints and Grievance Scheme
- the Independent Expert Panel
- the lay members with a voting majority on the Standards Committee.<sup>13</sup>

The extent of such independent elements within the House’s self-regulatory framework is, to the best of our knowledge, unmatched in any other parliament globally, and should give reassurance to the public that in disciplinary cases Members no longer “mark their own homework”.

13. The system now contains robust elements, including formal rights of appeal, to ensure scrupulous fairness to all involved. None of the evidence we received, written and oral, has suggested that the standards the House subscribes to in its Code of Conduct are too high. None of our witnesses suggested that there have been miscarriages of justice whereby Members have been subject to sanction which they did not deserve.

14. The standards system is complicated and has become more so in recent years, as a result of the sequence of changes made by the House, making it hard for MPs, let alone the public, to understand the system. As part of our inquiry we looked at options for simplifying the system, but have concluded that there is little scope for radical change by way of mergers or abolition of the system’s component parts. However, we make positive suggestions for better alignment between parts of the system and for explaining it better both to Members and their staff, to House staff and to the wider public.

15. It will be for our successor Committee in the next Parliament to take our work and recommendations forward, and we urge them to do so.

## Our inquiry

16. We announced the inquiry on 18 July 2023. Its terms of reference were set out in the format of questions to which we sought responses. These were as follows:

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<sup>13</sup> These elements are part of the House’s ‘core’ system for dealing with complaints against Members. Other independent elements shown in the organogram include independent statutory bodies (the Electoral Commission and IPSA), the Prime Minister’s independent adviser on Ministers’ interests, and the Committee on Standards in Public Life.

- a) What does the current landscape of bodies and processes regulating Members (including Members who are also Ministers) look like to the public?
- b) Whilst the history of the standards system in Parliament and Government is piecemeal, does the system have coherence? Are there obvious anomalies?
- c) Is there any scope for simplification or consolidation? What would be the benefits and what would be the risks?
- d) How do political party processes and formal regulatory processes interact? Should there be greater consistency in internal party processes?
- e) Are there ways in which different processes, or the relationship between different bodies, could be streamlined for Members?
- f) Could the role and remit of different bodies be better explained or promoted?
- g) Could there be an easier way for members of the public to make complaints or raise concerns about conduct, where they are not sure which body has oversight?
- h) Does the Recall of Members Act 2015, and other legislation relating to the disqualification of Members, operate satisfactorily? How could it be improved?
- i) What can be learned from parallel processes in other parliaments/assemblies within the UK and elsewhere?<sup>14</sup>

17. During the inquiry we received 28 items of written evidence and took oral evidence from 24 witnesses.<sup>15</sup> We are grateful to everyone who assisted the inquiry.

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14 Committee on Standards website, 18 June 2023, [press notice](#). In launching the inquiry, we indicated that the standards system in the House of Lords would not form part of our review which has focussed on the House of Commons.

15 Sessions with the chief whips of the three largest parties represented in the House, and with representatives of those parties, were held in private; all other oral evidence was taken in public and the transcripts are available on our website.



## The key elements of the standards landscape

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18. We set out below the key elements of the standards landscape with brief details on each body, grouped by which aspect of Members’ conduct each body deals with. An illustration of the relationships between these groups is set out in the organogram at Annex 1.

### Breaches of the Commons Code of Conduct

19. Breaches of the Code of Conduct for Members of Parliament (and of subordinate rules governed by the Code) are a matter for the Parliamentary Commissioner for Standards, the Committee on Standards, and the Independent Expert Panel (with final decisions on serious sanctions being taken by the House). We deal with each of these in turn in the following paragraphs. Further details about the processes involved are given in the Procedural Protocol agreed by the House in 2022.<sup>16</sup>

### *Parliamentary Commissioner for Standards*

20. The post of Parliamentary Commissioner for Standards was created in 1995, following a recommendation from the Committee on Standards in Public Life chaired by Lord Nolan. (Other ‘Nolan reforms’ agreed to by the House at the same time were the adoption of a Code of Conduct for Members of Parliament, and the reconstitution of the Committee on Privileges to become the Committee on Standards and Privileges with responsibility for considering cases referred to it by the Commissioner.) The current Commissioner is Daniel Greenberg CB.

21. The role and powers of the Commissioner are set out in House of Commons Standing Order No. 150. He is an independent Officer of the House, appointed by the House. Among other duties, he is responsible for:

- investigating matters relating to the conduct of Members
- overseeing investigations and making findings in Independent Complaints and Grievance Scheme (ICGS) cases
- maintaining the Register of Members’ Financial Interests and other registers
- advising Members on issues of registration
- advising the Standards Committee on the interpretation of the Code of Conduct and “matters of propriety”.

The Committee on Standards has responsibility for oversight of the Commissioner, except in relation to ICGS cases.<sup>17</sup>

22. The Commissioner investigates alleged breaches of the Code of Conduct. Anyone may make a complaint to the Commissioner about the conduct of an MP. The Commissioner

<sup>16</sup> House of Commons, [Procedural Protocol in respect of the Code of Conduct](#) (HC 1084), approved by the House on 18 October 2022 and by the Committee on Standards on 7 February 2023, published 24 February 2023 (hereafter referred to as “Procedural Protocol”)

<sup>17</sup> Standing Order No. 149(1)(a)

has discretion as to whether to launch an investigation. In deciding whether to do so, he will consider whether the matter complained of is within his remit<sup>18</sup> and whether there is sufficient evidence to justify an investigation. The Commissioner also has a right to launch investigations on his own initiative. It is for the Commissioner alone to decide whether a formal investigation would be justified or proportionate.<sup>19</sup> The House has approved the general principle that the Committee on Standards does not seek to direct the Commissioner's operational decision-making.<sup>20</sup>

23. On the basis of his investigation, the Commissioner arrives at an opinion as to whether there has been a breach. If his opinion is that there was no breach, that is the end of the matter (his decision, and the accompanying evidence pack, are published on his website). If the Commissioner's opinion is that there was a breach, he may in certain circumstances<sup>21</sup> "rectify" the matter using his own powers given him by the House (broadly, this involves the Member accepting there has been a breach, offering an apology and if necessary restitution of funds, and this outcome being published on the Commissioner's website), or in serious cases he may refer the matter to the Committee on Standards.

24. The Commissioner's responsibilities extend to investigating, where appropriate, alleged breaches of subordinate sets of rules referred to in the Code of Conduct, such as the rules governing All-Party Parliamentary Groups (APPGs) and the use of parliamentary stationery and facilities, including a set of subordinate rules contained in an internal document known as the House of Commons Rules Register.

25. For the Commissioner's separate role in relation to ICGS cases, see paras 35 and 39 below.

26. In 2022–23 the Office of the Parliamentary Commissioner for Standards consisted of a team of 13 people (including the Registrar of Members' Financial Interests), with a staffing budget of £1.06 million.<sup>22</sup>

### **Committee on Standards**

27. The Committee on Standards is set up under House of Commons Standing Order No. 149.<sup>23</sup> It consists of seven MPs elected by the House, together with seven lay members selected following a fair and open competition. The lay members come from diverse

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18 The Commissioner can, inter alia, investigate alleged breaches of the rules of conduct set out in the [Code of Conduct](#) and the rules relating to upholding the Code. He cannot investigate allegations solely about breaches of the Seven Principles of Public Life, conduct in the Chamber (which is a matter for the Speaker), alleged breaches of the scheme for parliamentary expenses (a matter for IPSA), funding of political parties and permissibility of donations (a matter for the Electoral Commission), alleged breaches of the Ministerial Code (a matter for the Prime Minister) or allegations relating to a Member's purely private and personal life. He cannot investigate the following, unless as part of an investigation into an alleged breach of para 11 of the Code ("Members shall never undertake any action which would cause significant damage to the reputation and integrity of the House of Commons as a whole, or of its Members generally"): policy matters; a Member's views or opinions, including those expressed on social media; and a Member's handling of or decision about their casework. Complaints of harassment, bullying or sexual harassment must be made to the ICGS in the first instance, not the Commissioner. See the House's [Procedural Protocol](#), paras 15–20.

19 [Procedural Protocol](#), para 24

20 *Ibid.*

21 As specified in Standing Order No. 150(4).

22 Parliamentary Commissioner for Standards, [Annual Report 2022–23](#) (HC 1519), published July 2023, p 8

23 It has existed since 2013, when the old Committee on Standards and Privileges was split into separate Committees on Standards and of Privileges as a consequence of the House's decision to appoint lay members to deal with standards, but not privileges, matters. See footnote 7 above.

backgrounds and include those with relevant experience of disciplinary hearings. The Committee must be chaired by an MP from the Official Opposition. Its other elected members follow the party proportions in the House: currently 4 Conservative, 1 Labour in addition to the Chair, 1 Scottish National Party. The lay members have full voting rights and an overall voting majority on the Committee (because the MP chair only votes when there is a tie).<sup>24</sup>

28. The Committee has responsibility for overseeing the work of the Parliamentary Commissioner for Standards (except in relation to ICGS cases which are specifically exempted), and to consider individual cases of alleged breach of the Code of Conduct when referred by the Commissioner.

29. The Commissioner refers a case to the Committee by sending it a memorandum describing his investigation together with his opinion as to whether there has been a breach, along with a bundle of all the evidence in the case. He will have previously sent a draft of the memorandum, along with the evidence bundle, to the Member for him or her to check its accuracy in matters of fact. When the Committee receives the memorandum in its final form, it sends it to the Member and invites them to submit written and/or oral evidence. It then reviews the Commissioner's opinion. If it agrees there has been a breach, it decides upon a suitable sanction. It publishes its conclusions in a report to the House. The Commissioner's memorandum is published at the same time.

30. Lesser sanctions such as an apology can be determined by the Committee, more serious ones (suspension or expulsion) require the approval of the House. In 2021 the House approved a report by the Committee setting out an expanded range of sanctions, and detailing aggravating and mitigating factors the Committee will take into account in determining a sanction.<sup>25</sup> Under the Recall of MPs Act 2015, any suspension of 10 or more sitting days imposed by the House on the recommendation of the Committee triggers the "recall" procedures (see para 237 below).

31. In addition to dealing with individual cases as set out above, the Committee has the power to consider "any matter relating to the conduct of Members". It conducts a formal review of the Code of Conduct on a five-yearly basis, and has produced reports on issues including sanctions, confidentiality, fairness, use of House stationery and facilities, and regulation of All-Party Parliamentary Groups.<sup>26</sup>

32. The Committee is supported by a small secretariat of House staff: three Clerks (one of whom is part-time) and an administrative officer.

### ***Independent Expert Panel***

33. Since 2022 there has been a formal right of appeal against the Committee's finding and/or its proposed sanction to the Independent Expert Panel. No action is taken by the House in respect of a sanction until any appeals process has been exhausted.

34. For more details about the IEP, see para 41 below.

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24 See footnote 7 above.

25 [Votes and Proceedings](#), 21 April 2021, item 9

26 All reports are published on the Committee's [website](#).



## Bullying, harassment and sexual misconduct

### *Independent Complaints and Grievance Scheme*

35. The Independent Complaints and Grievance Scheme (ICGS) is a separate scheme set up jointly by the House of Commons and House of Lords with an independent helpline and its own set of investigators to deal with complaints of bullying, harassment and sexual misconduct within the wider parliamentary community (not just by MPs). Investigations relating to MPs are conducted under the oversight of the Parliamentary Commissioner for Standards.

36. The ICGS, like the Commissioner and the Independent Expert Panel which also have a role in relation to such complaints, is independent of MPs. This is in accord with the recommendation in the 2018 Dame Laura Cox review that “the process for determining complaints of bullying, harassment or sexual harassment brought by House staff against Members of Parliament” should be “an entirely independent process in which Members of Parliament will play no part”.<sup>27</sup>

37. The House approved the establishment of the ICGS in July 2018, at the same time that it approved for the first time a Parliamentary Behaviour Code.<sup>28</sup> The ICGS applies to all current and former members of the parliamentary community and complaints about their behaviours on the parliamentary estate or elsewhere in connection with their parliamentary activities. “The parliamentary community” includes Members of the Commons and the Lords, their staff (including constituency staff), staff of the two Houses, the bicameral Parliamentary Digital Service, contractors and visitors to the estate. The Scheme describes itself as “the first of its kind in any Parliament in the world”.<sup>29</sup>

38. The ICGS consists of:<sup>30</sup>

- The Parliamentary Behaviour Code, which clearly sets out the behaviour expected of all members of the parliamentary community.
- An independent bullying, harassment and sexual misconduct helpline and an Independent Sexual Misconduct Advisory (ISMA) service, provided by the independent charity Victim Support.
- A Bullying and Harassment Policy and separate procedure.
- A Sexual Misconduct Policy and separate procedure.
- Independent investigators.

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27 Dame Laura Cox DBE, [The bullying and harassment of House of Commons staff: independent inquiry report](#), published 15 October 2018, p 6. The House of Commons Commission accepted Dame Laura’s recommendation (statement issued on 24 October 2018; published in Committee on Standards, Fifth Report of Session 2017–19, [Implications of the Dame Laura Cox report for the House’s standards system: Initial proposals](#) (HC 1726), published 10 December 2018), p 22), and the House subsequently implemented key proposals in her report. As noted in para 12 above, the House retains the power to decide on the serious sanctions of suspension or expulsion, though motions to impose such sanctions must be taken without debate or the possibility of amendment.

28 [Votes and Proceedings](#), 19 July 2018

29 LAN0014, para 1

30 The following information is taken from LAN0014, para 2.

- Provisions in the House of Lords Codes of Conduct for Lords Members and their staff, which mean that bullying, harassment and sexual misconduct constitute a breach of those Codes.

39. A complaint against a Member of Parliament made to the helpline will be assessed by an external independent investigator. If, after an initial assessment, the complaint meets the criteria for investigation under the Scheme it will move forward to a full investigation which will be carried out by an external independent investigator. The Parliamentary Commissioner for Standards has oversight of the investigation and if he concludes that the case against the Member has been made out, the House has given him power to apply lower-level sanctions (by informal resolution, or giving words of advice).<sup>31</sup> Higher-level sanctions are for the Independent Expert Panel (see below) to impose or recommend to the House.

40. The ICGS currently employs 13 staff. Its budget for 2023/24 is £1.87 million (£1.32 million for the Commons and £0.54 million for the Lords). These figures include external services (the helpline, independent investigators and training) and staffing costs.<sup>32</sup>

### **Independent Expert Panel**

41. The Independent Expert Panel (IEP) determines higher-level sanctions in ICGS cases. It can instruct the withdrawal of services and facilities from a Member as long as these do not affect the Member's core functions.<sup>33</sup> Withdrawal of service and facilities which affects the Member's core functions, and other serious sanctions including suspension, are for the House to decide on the recommendation of the IEP.

42. The IEP is appointed by the House under Standing Order No. 150A. It was created in November 2020. It is chaired by a former Appeal Court judge, Rt Hon Sir Stephen Irwin. There are seven other members, appointed on the basis of fair and open competition and drawn from a diverse range of professional and personal backgrounds. To be eligible for appointment IEP members must not be present or former members of either House of Parliament.

43. In the calendar year 2023, the eight IEP members claimed £81,375 in fees and £1,745 in expenses. The IEP is supported by a small secretariat of House staff: three individuals working part-time (full-time equivalent of 1.5 staff).<sup>34</sup>

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31 The Commissioner also has power to instigate informal discussions, indicate concern or give words of advice on a Member's reported attitude, behaviour or conduct (see Standing Order No. 150(5) and OPCS's published Explanatory Notes - UK Parliament).

32 [ICGS Annual Report 2022–23](#),

33 "Core functions" of a Member are defined as "(a) participation in the formal proceedings of the House or its committees, and (b) their ability to communicate with and make representations on behalf of their constituents": Committee on Standards, Twelfth Report of Session 2019–21, [Sanctions and confidentiality in the House's standards system: revised proposals](#) (HC 1340), published 30 March 2021, annex. The report and its annex were approved by the House on 21 April 2021.

34 Independent Expert Panel, Annual Report: 2023 (HC 517 of Session 2023–24), published on 1 February 2024, pp 15–17

## Breaches of parliamentary privilege or contempts of Parliament

### *Committee of Privileges*

44. Allegations of breaches of privilege or contempts committed by Members may be dealt with directly by the House, but in recent years the practice has been for them to be referred by the House for consideration by the Committee of Privileges, which enables the Member to set out their case before the Committee and have it considered in detail. The Committee of Privileges is set up by the House under Standing Order No. 148A “to consider specific matters relating to privileges referred to it by the House”.

45. A breach of privilege is defined in Erskine May as a disregard for or attack on the rights and immunities of the House. A contempt is defined as an action, which, while not necessarily a breach of any specific privilege, obstructs or impedes the House in the performance of its functions.<sup>35</sup> Historically, most breaches of the Code of Conduct might have been regarded as contempts, but the House has set up a separate system for dealing with them, through the Commissioner and the Standards Committee, and as a result in recent years the number of alleged contempts referred to the Privileges Committee has been small: only five referrals in the last decade.

46. Contempts found to have been committed by Members since 1995 have included:

- deliberately misleading the House
- being complicit in a campaign of abuse and attempted intimidation of the Committee
- leaking select committee papers to the media or to the Government
- failing to ensure the security of select committee papers and failing in duty of care to staff
- providing an inaccurate answer to a select committee and making an inaccurate statement to the House.<sup>36</sup>

47. The Committee of Privileges can only consider matters referred to it by a specific formal decision of the House; it has no power to launch its own investigations. Referrals may either instruct the Committee to investigate alleged breaches of privileges or contempts, or - less often - carry out general inquiries into defined issues relating to privilege. Because referrals are uncommon, there may be periods of months or even years in which the Committee is not required to meet.

48. Referrals take place when the House has passed a motion which is debateable and amendable. It is the responsibility of the Speaker to decide whether to “give precedence” to such a motion (i.e. in effect find time for it to be debated), on the basis that a *prime facie* case has been made out for there having been a breach of privilege or a contempt. The Speaker’s role is to act as a filter to eliminate unfounded, frivolous or vexatious complaints.

49. The Privileges Committee has seven members, whose party affiliation reflects the balance of parties in the House. By convention these members are the same as the elected

35 Erskine May, para 12.1

36 See Annex 3, section III

members of the Standards Committee, and the two committees share the same Chair, reflecting the common origins of the two committees, and the continuing overlap of their work.<sup>37</sup>

50. In several recent inquiries the Privileges Committee has published a procedural resolution setting out its proposed *modus operandi* for the inquiry, with a particular focus on steps taken to ensure fairness to those concerned.<sup>38</sup> The Committee has on a number of occasions reaffirmed its belief that the inquisitorial, as opposed to adversarial, approach adopted in its inquiries (as in the House's standards system generally) is fair to those involved.<sup>39</sup>

51. At the end of an inquiry into an individual case, the Privileges Committee publishes a report to the House giving its opinion on whether a breach of privilege or a contempt has occurred. This is an opinion; it cannot be definitively said that a breach or a contempt has occurred unless and until the House has endorsed the Committee's view. Likewise, significant sanctions such as suspension are for the Committee to recommend but the House to decide upon. The Speaker has ruled that if a Member is suspended for 10 or more sitting days following a recommendation from the Privileges Committee, the provisions of the Recall of MPs Act 2015 are engaged.<sup>40</sup>

52. The Privileges Committee shares a small secretariat with the Standards Committee (see para 32 above).<sup>41</sup>

## Misconduct in the Chamber and in committees

53. The conduct of Members in the Chamber is a matter for the Speaker and his deputies. The House has excluded such conduct from the matters which the Parliamentary Commissioner for Standards can investigate.<sup>42</sup> (However, failure to declare an interest in House (or committee) proceedings may be investigated by the Commissioner.)

54. The Standards Committee discussed this exclusion in a report published in 2021:

This exclusion recognises, first, the importance of free speech in Parliament, and the House of Commons' collective control over its own proceedings; and, second, that the Speaker and his deputies have responsibility for enforcing

37 The overlap in membership is a matter of convention only, not a fixed rule. For the duration of the Privileges Committee's recent inquiry into the conduct of Rt Hon Boris Johnson, the two committees had different Chairs, Sir Chris Bryant having recused himself from the Johnson inquiry (being replaced by Rt Hon Harriet Harman), while remaining Chair of the Standards Committee.

38 See, for instance, Committee of Privileges, Second Report of Session 2022–23, Matter referred on 21 April 2022: proposed conduct of inquiry ([HC 632](#)), published 21 July 2022.

39 See Committee of Privileges, Third Report of Session 2022–23, Matter referred on 21 April 2022: comments on joint opinion of Lord Pannick QC and Jason Pobjoy ([HC 713](#)), published 26 September 2022, paras 22–27; Committee of Privileges, Fourth Report of Session 2022–23, Matter referred on 21 April 2022: summary of issues to be raised with Mr Johnson ([HC 1203](#)), published 3 March 2023, para 10; and Committee of Privileges, Fifth Report of Session 2022–23, Matter referred on 21 April 2022 (conduct of Rt Hon Boris Johnson): Final Report ([HC 564](#)), published 15 June 2023, para 10, footnote 4. See also Committee on Standards, Sixth Report of Session 2021–22, Review of fairness and natural justice in the House's standards system ([HC 1183](#)), published 4 March 2022, para 38 and *passim*.

40 See Committee of Privileges, Second Report of Session 2022–23, [Matter referred on 21 April 2022: proposed conduct of inquiry](#) ([HC 632](#)), published 21 July 2022, paras 12–14 and Appendix

41 For the recent inquiry into the conduct of Rt Hon Boris Johnson, this team was augmented by a full-time Clerk and three additional researchers.

42 Procedural Protocol, para 19 (a)

the orderliness of business in the Chamber. They are given powers to do so under the standing orders: for instance, the Speaker may rule a question out of order, or invite the House to suspend a Member who seriously disrupts proceedings. These powers are regularly exercised: for instance, on 16 December 2020 the Deputy Speaker “named” a Member under Standing Order No. 44 for “wilfully disregarding the authority of the Chair” and the House immediately voted to suspend that Member for five sitting days, with loss of salary during that period. Under the standing order, a repeat offence is punishable with suspension for 20 sitting days. Likewise, on 22 July 2021 a Member withdrew from the House after having been ordered by the Deputy Speaker to do so on grounds of “grossly disorderly” conduct under Standing Order No. 43.<sup>43</sup>

55. The Committee added:

The Speaker’s responsibility for upholding the rules at sittings of the House is deep-rooted in parliamentary history and practice, and we do not advocate any change to this. Events in the Chamber are fast-moving and discipline has to be instant; the Commissioner’s investigation role is not appropriate. Conduct in the Chamber is properly a matter of order for the Chair, who has been given disciplinary powers by the House.<sup>44</sup>

56. By extension the chairs of committees have a similar responsibility to that of the Speaker in the Chamber to ensure order and good behaviour at committee sittings, although they lack the full range of powers possessed by the Speaker.

## Breaches of the Ministerial Code

57. The Ministerial Code is essentially the code of conduct for Government Ministers. It was previously called “Questions of Procedure for Ministers”. It was first published in 1992, and was restyled as the Ministerial Code in 2005. It is ‘owned’ by the Prime Minister and is published by the Cabinet Office by Order in Council. The Ministerial Code contains, inter alia, provisions relating to conflicts of interests, publication of interests, and publication of gifts and hospitality (received in a Ministerial capacity) for Ministers.

58. The post of the Independent Adviser on Ministers’ Interests was set up in 2006 following a recommendation by the Committee on Standards in Public Life. The appointment is made by the Prime Minister.

59. The Adviser has a limited power of self-initiation, but one subject to a prime ministerial veto. The Ministerial Code in its latest version (December 2022) states that:

It is not the role of the Cabinet Secretary or other officials to enforce the Code. The Prime Minister’s Independent Adviser has a role [...]. Investigations into adherence to the Ministerial Code may occur:

(a) If there is an allegation about a breach of the Code, and the Prime Minister, having consulted the Cabinet Secretary, feels that it warrants

43 Committee on Standards, Fourth Report of Session 2021–22, [Review of the Code of Conduct: proposals for consultation](#) (HC 270), published 29 November 2021, para 75

44 *Ibid.*, para 78



further investigation, the Prime Minister may ask the Cabinet Office to investigate the facts of the case and/or refer the matter to the Independent Adviser on Ministers' interests.

(b) Where the Independent Adviser believes that an alleged breach of the Code warrants further investigation and that matter has not already been referred to him, he may initiate an investigation. Before doing so, the Independent Adviser will consult the Prime Minister who will normally give his consent. However, where there are public interest reasons for doing so, the Prime Minister may raise concerns about a proposed investigation such that the Independent Adviser does not proceed. In such an event, the Independent Adviser may still require that the reasons for an investigation not proceeding be made public unless this would undermine the grounds that have led to the investigation not proceeding.<sup>45</sup>

60. The Ministerial Code entrenches the central role of the Prime Minister in following up the results of any investigation into an alleged breach of the Code:

Ministers are personally responsible for deciding how to act and conduct themselves in the light of the Code and for justifying their actions and conduct to Parliament and the public. However, Ministers only remain in office for so long as they retain the confidence of the Prime Minister. The Prime Minister is the ultimate judge of the standards of behaviour expected of a Minister and the appropriate consequences of a breach of those standards.

Where the Prime Minister determines that a breach of the expected standards has occurred, he may ask the Independent Adviser for confidential advice on the appropriate sanction. The final decision rests with the Prime Minister. Where the Prime Minister retains his confidence in the Minister, available sanctions include requiring some form of public apology, remedial action, or removal of ministerial salary for a period.<sup>46</sup>

61. The Ministerial Code further notes that Ministers must at all times comply with the requirements which Parliament has laid down in relation to the accountability and responsibility of Ministers, and must comply with the Codes of Conduct for their respective Houses and with any requirements placed on them by the Independent Parliamentary Standards Authority (IPSA).<sup>47</sup>

62. Later in this report we consider the prospects for alignment between the Ministerial Code and the House of Commons Code of Conduct (see paras 131 to 140 below).

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45 Cabinet Office, [Ministerial Code](#) (December 2022), para 1.4

46 Cabinet Office, [Ministerial Code](#) (December 2022), paras 1.6-7

47 Cabinet Office, [Ministerial Code](#) (December 2022), para 1.8

## Misconduct in relation to fees or expenses

### *Independent Parliamentary Standards Authority and IPSA Compliance Officer*

63. The Independent Parliamentary Standards Authority (IPSA) is a statutory body set up in wake of the expenses controversy to regulate MPs' business costs, determine their pay and pension arrangements, and provide financial support to them carrying out their parliamentary functions. It was created in 2009 by the Parliamentary Standards Act, which was amended in 2010 by the Constitutional Reform and Governance Act.

64. IPSA told us that the fact that it is independent of Parliament and Government “allows us to make decisions about the rules on business costs and on MPs' pay ourselves, without interference.”<sup>48</sup>

65. The post of Compliance Officer for IPSA was created at the same time as IPSA. The Compliance Officer has a separate statutory existence from IPSA. He reports to the Board of IPSA but is not directed by them. His role is defined by statute as being that of:

- conducting investigations if there is reason to believe an MP may have been paid an amount under the Scheme of MPs' Staffing and Business Costs that should not have been allowed; and
- reviewing determinations by IPSA to refuse reimbursement for an expense at the request of an MP.

66. The Compliance Officer has statutory powers to:

- a) compel an MP to provide any information required and to issue a penalty notice up to the value of £1,000 should an MP fail to do so; and
- b) issue a repayment direction to an MP (including the charging of interest and costs) and to issue a penalty notice up to the value of £1,000 should an MP fail to comply with that notice.

67. In his most recent annual report, the Compliance Officer has commented that “[t]o date, there has been no requirement to initiate formal measures compelling co-operation.” He adds that it is “commendable” that his statutory powers to issue penalty notices to MPs who fail to co-operate with enquiries have not been used since 2010.<sup>49</sup>

68. The Compliance Officer has described his role as follows:

The role [...] is to assess all the relevant information and determine whether there has been a breach of the Scheme of MPs Staffing and Business Costs which is the guidance document which sets out to MPs and their staff the rules and provisions around budgets and business cost claims. In all appropriate cases, the approach of the Compliance Officer when exercising their statutory function is proportionality. Above all else the Compliance

48 LAN0012

49 [IPSA Annual Report and Accounts for 2022–23](#) (HC 98 of Session 2023–24), published November 2023, p 120

Officer is aware that MPs and their staff are busy assisting constituents and attending to parliamentary duties—they are occasionally prone to oversights, mistakes, or misunderstanding of the rules.<sup>50</sup>

69. The role also involves ensuring complainants are kept up-to-date and provided with a detailed explanation of the rationale for the decisions made. In the event that a formal investigation is initiated, the Compliance Officer will publish a report.<sup>51</sup>

70. The Compliance Officer told us in written evidence that:

Due to the strict definition of my role, I handle a relatively small number of substantive complaints per month. I would currently estimate 6-8, the majority of which are resolved without the need to launch a formal investigation. However, I receive a much larger number of complaints which fall outside my remit, and which are referred to other regulatory bodies or closed without further action being possible on my part. Those which are referred are primarily sent to the Parliamentary Commissioner for Standards, the Metropolitan Police Service, IPSA itself, or the party branch of association of the Member of Parliament being complained about.<sup>52</sup>

71. The IPSA Compliance Office is staffed by one full-time equivalent post, comprising the Compliance Officer himself (generally two days per week) and an Investigations Officer (flexible three days per week). The Office's allocated budget for 2022–23 was £112,000, of which only £69,000 was actually spent. The Compliance Officer's annual report attributes the underspend to "a low spend on legal services".<sup>53</sup>

## Misconduct in relation to elections

### *Electoral Commission*

72. The Electoral Commission is a statutory body which oversees elections and regulates political finance. It was set up in 2001 under the Political Parties, Elections and Referendums Act 2000 (PPERA). It maintains registers of political parties, publishes political finance data, and takes action if the law has been broken. It describes itself as "work[ing] to promote public confidence in the democratic process and ensure its integrity".<sup>54</sup>

73. The Electoral Commission told us that "[a] key part of our role is to provide advice to the UK's parliaments on matters relating to elections and political finance".<sup>55</sup> It uses relevant data from the House of Commons' Register of Members' Financial Interests. It may investigate and impose sanctions in relation to certain offences and contraventions of political finance law, with the possibility of appeal against the sanction to a county court or, in Scotland, the sheriff court.

74. PERPA requires MPs to report to the Electoral Commission donations and loans they received in connection with their political activities. This requirement was intended

50 Ibid., p 120

51 Ibid. p 120

52 LAN0013

53 [IPSA Annual Report and Accounts for 2022–23](#) (HC 98 of Session 2023–24), published November 2023, p 119

54 LAN0010, para 1.1

55 LAN0010, para 1.1



to operate alongside the House’s own reporting requirements. The two regimes therefore have different scope: the PPERA regime regulating donations, while the House’s Register provides information about interests which could be perceived to influence MPs. The overlap between the two regimes has been streamlined. Since 2009 the PPERA reporting requirements have been incorporated in the House Code; MPs no longer need to report donations separately to the Electoral Commission. The Electoral Commission told us that the need to avoid dual reporting necessarily imposes some constraints on both parties as the reporting requirements have to be aligned: we discuss this in para 141 below.

75. The Electoral Commission has the role of regulating the permissibility of donations to MPs. MPs are required to check the permissibility of donors and notify the Commission directly within 30 days of receiving any impermissible donation. It provides advice to MPs on permissibility and, in some instances, on the definition of political activities, through its regulatory support advice service. It also provides support to the Parliamentary Commissioner for Standards on developing advice notes to MPs about the permissibility of donations.<sup>56</sup>

76. With regard to the Recall of MPs Act 2015, the Electoral Commission has a statutory responsibility to review the administration of recall petitions and make recommendations for improvements.<sup>57</sup> The Electoral Commission has made some proposals to us in that regard which we discuss in paras 239 and 241 below.

## Standards in public life

### *Committee on Standards in Public Life*

77. The Committee on Standards in Public Life (CSPL) was set up by the Government in 1995 with Lord Nolan as its first chair (hence frequently referred to as “the Nolan Committee”). It is an independent non-departmental public body that advises the Prime Minister on the arrangements for upholding standards of conduct across public life in England. It is not a statutory body. It drew up and has ownership of the Seven Principles of Public Life (sometimes called the “Nolan Principles”): honesty, objectivity, openness, selflessness, integrity, accountability and leadership. The Seven Principles are incorporated in the Commons Code of Conduct and the Ministerial Code, and are applicable across public life in general.

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56 LAN0010, para 3.5-+

57 LAN0010, paras 4.1-8

**Box 1: Seven Principles of Public Life***Selflessness*

Holders of public office should act solely in terms of the public interest.

*Integrity*

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

*Objectivity*

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

*Accountability*

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

*Openness*

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

*Honesty*

Holders of public office should be truthful.

*Leadership*

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

78. In our recent review of the Commons Code of Conduct we proposed that the Seven Principles’ “descriptors” should be re-expressed to explain how they are directly relevant to the work of MPs. The Government did not support this proposal and the House did not adopt it. Nonetheless we draw attention to our proposed new descriptors as a useful starting point for understanding how the Seven Principles relate specifically to the conduct of Members.<sup>58</sup>

58 See Annex 9. Background on the Committee’s proposal is set out in a footnote to that annex.

79. We discuss in paras 119-27 below how the Commons Code of Conduct seeks to balance principles-based regulation with the application of detailed rules. In para 204 we also discuss how Members should have access to induction and support on how to live and work in accordance with the Seven Principles and in conformity with the rules.

80. The CSPL does not have investigative powers or deal with individual cases. It acts as a source of advice to Government, Parliament and local government. It conducts inquiries and publishes reports on matters relevant to standards in public life, as well as monitoring trends in that field. Many of the innovations in the parliamentary standards system over the past 30 years have arisen from CSPL recommendations.

81. The Standards Committee maintains a close working relationship with CSPL which is an invaluable source of advice and support.

## House of Lords

82. The House of Lords maintains its own standards system quite separate from that of the House of Commons. There are elements of overlap: both Houses have a Code of Conduct and a Commissioner for Standards; the equivalent to the House of Commons Committee on Standards is the House of Lords Conduct Committee, which like its Commons counterpart has lay members. Both Houses have adopted the Parliamentary Behaviour Code and participate in the Independent Complaints and Grievance Scheme.

83. There are also dissimilarities. In the Lords, the Commissioner for Standards is the decision-maker in individual Code of Conduct cases with the Conduct Committee acting in an appellate role; the Lords has no equivalent to the Independent Expert Panel.

84. At the start of our inquiry we decided that the standards system in the House of Lords would not form part of our review. Each House has exclusive cognisance of its own proceedings and practice, which means it controls its own standards system. It would not be proper for one House to interfere in regulating the conduct of members of the other House. Nonetheless, we maintain good relations and close liaison with our Lords counterparts, and the possibility of a limited degree of greater alignment between the two Houses' Codes is a matter that might usefully be taken forward by the two committees' successors in the new Parliament. We take the view that in order to ensure the greatest possible public understanding of the parliamentary standards regime, the systems of the two Houses should be aligned unless there are good reasons for not aligning them in particular respects.

85. In March 2024 the Lords Conduct Committee announced that it would be conducting a review of the House of Lords Code of Conduct and the associated Guide to the Code.<sup>59</sup> This will be the first comprehensive review since the Code was introduced in 2009. The Conduct Committee announced that the aim of the review is “to shorten and clarify the Code and Guide where possible, to reflect on how their presentation could be improved, both for members and the public, and to consider whether any other changes are needed, in the light of developments over the past 15 years”. Among the specific questions posed by the committee as part of its public consultation is one seeking views on a possible alignment with the Commons' Code: “should there be a rule covering behaviour by members that causes significant reputational damage to the House as a whole?”

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59 [Press notice and call for evidence](#), 27 March 2024

## How might the system be improved?

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### Perceptions of the standards landscape

86. The starting point for our inquiry was the widespread view that the existing parliamentary standards landscape is complicated and confusing. None of the evidence we received challenged that view. In the previous section of this report we gave details about 14 bodies and postholders directly or indirectly involved in the regulation of parliamentarians' conduct.<sup>60</sup> To this tally could be added further organisations and office-holders, e.g.

- a) the political parties (which we deal with in paras 179-90 below);
- b) bodies connected primarily with Ministers rather than Parliament such as the Advisory Committee on Business Appointments (ACOPA), departmental Permanent Secretaries, and the Cabinet Office Propriety and Ethics Team; and
- c) other key bodies and office-holders within Parliament, such as the statutory committees set up to provide parliamentary oversight over IPSA and the Electoral Commission,<sup>61</sup> and the Clerk of the Journals, who provides authoritative advice for Members and others on the interpretation of the rules on stationery and facilities.

87. The Committee on Standards in Public Life told us that “the general standards landscape is complex and can be confusing to the public”. The Leader of the House wrote that “[t]he current systems are complicated, lacking the trust of some politicians and the public alike”.<sup>62</sup>

88. Professor Meg Russell of the UCL Constitution Unit said that:

if you were to ask people about their understanding of how the system actually works, understanding would be very low. In a sense, I would not blame people for that because [...] the system is very complicated.<sup>63</sup>

89. The Director of the ICGS told us that there is sometimes confusion about the respective roles of the Scheme itself, the Commissioner and the IEP, as well as about “why Members might be subject to one set of processes and Ministers to another”.<sup>64</sup>

90. The Compliance Officer for IPSA commented that:

The bulk of the public do not understand the role of IPSA or the Compliance Officer. Given the number of complaints routinely referred to other bodies,

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60 These are, in the order dealt with earlier in this report: Parliamentary Commissioner for Standards, Committee on Standards, Independent Expert Panel, Independent Complaints and Grievance Scheme, Committee of Privileges, Mr Speaker, the Prime Minister (for the Ministerial Code), Independent Adviser on Ministerial Interests, Independent Parliamentary Standards Authority, IPSA Compliance Officer, Electoral Commission, Committee on Standards in Public Life, House of Lords Commissioner for Standards, House of Lords Conduct Committee.

61 Respectively the Speaker's Committee on the Independent Parliamentary Standards Authority (SCIPSA) and the Speaker's Committee on the Electoral Commission (SCEC).

62 LAN0002, LAN0019 (covering letter dated 18 December 2023 from Rt Hon Penny Mordaunt MP)

63 Q97

64 Q34

this supports the view that they are equally misunderstood. This is not surprising given the fourteen different bodies or offices involved in the regulation of MPs.<sup>65</sup>

The Compliance Officer commented that even the name, “Independent Parliamentary Standards Authority”, was confusing, implying as it did that the organisation had a wider remit than it actually did.<sup>66</sup> IPSA itself (which, to add to the complexity, is a separate statutory body from the IPSA Compliance Officer) told us that “[w]e are contacted by members of the public who want to make complaints or raise concerns about conduct, when there is sometimes no organisation they can turn to”.<sup>67</sup> In those cases IPSA referred the complaints on as appropriate.<sup>68</sup>

91. Several witnesses pointed out that Members themselves can be confused by the system, with potentially serious consequences for themselves. Dr Hannah White of the Institute for Government stated that:

It is really important that the system is clear and straightforward for Members because they are the ones seeking to make sure their behaviour adheres. We hear too many times people saying, “I didn’t understand the rules. They are too complicated.” I don’t think that is only an excuse; it is sometimes an excuse.<sup>69</sup>

92. The Electoral Commission drew our attention to some of the complexity involved in the overlap of the reporting regime for donations and for Members’ interests. The Director of Regulation and Digital Transformation at the Electoral Commission said:

I am very aware that you have, potentially, newly-elected Members [...] or returning Members of Parliament [...] and they sit in a room with the RFMI [Registrar of Members’ Financial Interests], us and IPSA all saying, ‘Right, whatever you do with your money, you must account for it to one of us but it is quite complicated because you might have to account for it to two of us, depending on what it is, and we cannot tell you that in advance. We would have to look at the specifics.’ And it all gets incredibly complicated.<sup>70</sup>

The overlap in reporting requirements can confuse not only Members but the wider public:

You might end up with money that is reported to the RMFI but also reported to us, published under two different regimes [...] [a]nd then from the public’s point of view, they could be looking at the same piece of money under two completely different sets of regimes with two completely different sets of analysis to do. That is tricky.<sup>71</sup>

93. The difficulty of understanding the system contrasts with much evidence that what the public actually want from the system is simple. Professor Russell told us that the Constitution Unit’s recent research on public opinion had found that there is “a huge

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65 LAN0013

66 LAN0013

67 LAN0012

68 Q65, 70

69 Q114

70 Q63

71 Q63-64



public interest in integrity and the importance of honesty and integrity in politics, and a belief among the public, which may or may not be justified, that that is not policed adequately”.<sup>72</sup>

94. The Chair of CSPL noted that:

The public are interested in outcomes. [...] When they have a concern or a complaint, and not quite know where to send it, that can lead to frustration.<sup>73</sup>

He added that the frustration was increasing, partly because modern digital communication increased people’s ability to make and pursue complaints.<sup>74</sup>

## Coherence of the landscape

95. The CSPL commented that the complexity of the standards landscape reflects “the piecemeal development of ethics regulation in the UK, where scandal has led to new bodies and mechanisms in some areas, while in others there has been more incremental reform”.<sup>75</sup> We have indicated at para 6 above some of the key developments over the past 30 years which have led to the evolution of the House’s current complicated system, noting that - as CSPL point out - these often arose in reaction to specific controversies.

96. The fact that the system is complex does not mean it is organised badly. Professor Peele, independent member of the CSPL, told us “[t]he system is complex, but the reality is complex”.<sup>76</sup> The system developed in successive stages but each stage had its own inner coherence as Government and Parliament responded to particular public concerns (‘Cash for Questions’ and lobbying issues in the 1990s, abuse of Members’ expenses in 2009–11, bullying, harassment and sexual misconduct in the post-2017 period).

97. IPSA told us that, despite the public confusion over these matters, “[i]n practice those involved understand their distinct roles and generally work well together”.<sup>77</sup> IPSA’s role was set out in statute and did not usually overlap with that of the other bodies.<sup>78</sup> Likewise, the Electoral Commission told us that the complicated nature of the reporting system for political donations and Members’ interests were a by-product of a sensible decision taken in 2009 to streamline the reporting requirements under the Code of Conduct and PPERA, so that Members only have to report spending once, rather than separately to both the Electoral Commission and the Register of Members’ Financial Interests.<sup>79</sup> They did not argue for reversing that decision. Both IPSA and the Electoral Commission noted that their statutory basis gave them clear boundaries within which to operate, and acted as a safeguard against “mission creep” or “empire building”.<sup>80</sup>

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72 Q97

73 Q3

74 Q3

75 LAN0002, para 5

76 Q1

77 LAN0012

78 LAN0012

79 LAN0010, para 3.2

80 Q67 (IPSA), Q68 (Electoral Commission), Q69 (both)

## Scope for simplification or alignment

98. We began our inquiry anticipating the possibility of proposing radical simplifications to the existing landscape, by way of consolidation or merger of the multitude of bodies which make it up. The evidence we have received, however, does not support sweeping changes.<sup>81</sup>

99. The Chair of CSPL said, “I do not think at this stage [...] that merging a lot of this together would make it better. What we look for is a better understanding of the system, and working on the culture of compliance of those within it.”<sup>82</sup> Professor Peele of CSPL commented that she did not see a great deal of scope for mergers: “there is no magic bullet”.<sup>83</sup>

100. The Government’s view was that “[w]hilst there is a high number of bodies and office-holders involved in the parliamentary standards system, each has a necessary and distinct role to play in regulating different aspects of Members’ conduct”.<sup>84</sup>

101. The Director of the ICGS said she did not see the basic mechanisms of the ICGS as “overly complex”: the Scheme was “set up deliberately to bring added rigour, independence and transparency to the processes, and I think it does that. [...] [T]here is logic to it.”<sup>85</sup>

102. The trade unions Prospect and FDA jointly told us that “[t]here is some legitimacy to this level of complexity, as the nature of complaints is different and thus will require different handling and expertise”.<sup>86</sup>

103. Professor Meg Russell of the UCL Constitution Unit commented that:

My own instinct is that there is not a huge amount of overlap between what the bodies are doing. It is not that there is inefficiency in the system and duplication and so on; they do have their separate purposes and integrity, so it is not necessarily easy to merge things.<sup>87</sup>

104. In addition to the arguments set out above, we note that the “magic bullet” option of combining two or more of the three standards codes to which Members are subject - the Code of Conduct, the Behaviour Code and the Ministerial Code - is not feasible. The Code of Conduct and the Behaviour Code have necessarily different catchments: the former applying only to Members, the latter applying to a much wider group comprising Members, their staff, parliamentary staff, journalists in Parliament and visitors to Parliament. Likewise the Ministerial Code applies to some non-Members (i.e. Ministers who are Members of the House of Lords) and also contains much material relating exclusively to Ministerial functions (for instance, in relation to the civil service) which would be quite inappropriate in the Code of Conduct which applies to backbenchers and Opposition frontbenchers as well as Ministers.

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81 One proposal was made for change to the House’s structures for dealing with conduct, that from the Institute for Government that consideration should be given to merging the ICGS with the wider standards system - we deal with this in paras 165-68 below.

82 Q1

83 Q1

84 LAN0019, para 2

85 Q38

86 LAN0016

87 Q97

105. The current standards system has evolved over time as public expectations have changed, and also in response to particular controversies. That is the reason why so many bodies are involved and why they have the remits and powers that they do. There is scope at the margins to improve coherence through greater alignment of processes, and considerable scope to improve the presentation and public explanation of the system. We explore options for achieving these aims in further sections of this report. Although the system is complicated, it is coherent and there is logic behind the complexity. So we have concluded that structural change or amalgamations of bodies would not bring benefits.

## Principles and rules

106. There was consensus among our witnesses that the Seven Principles of Public Life - the so-called ‘Nolan principles’ of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership, with their associated ‘descriptors’ which supply more detail - remain of central importance in regulating standards in the public sector in general and Parliament in particular.

107. The Seven Principles are embedded in the House’s Code of Conduct. The Parliamentary Commissioner for Standards cannot directly investigate alleged breaches of principles (because of their high level of generality), but the Code requires him to “take the Principles into account when considering allegations of breaches of the rules”.<sup>88</sup>

108. We explored with our witnesses a proposal that when Members enter the House following a general election or a by-election, they should be required to make a public declaration that they will abide by the Nolan principles. At present Members of both Houses of Parliament are required by law to take an oath or make an affirmation of allegiance to the King before they can take their seats.<sup>89</sup> The House of Lords requires peers to sign an undertaking to abide by that House’s Code of Conduct, which includes the Nolan principles, as part of the ceremony of taking the oath upon introduction and at the start of each Parliament.<sup>90</sup>

109. This proposal received a favourable response from some of our witnesses. The Chair of CSPL stated that “[a]nything that can be done to remind people of the principles and help them understand how to operate within the, we are all for”.<sup>91</sup> Professor Peele of the CSPL added the rider that “embedding the principles and raising awareness of them is a continuous process”.<sup>92</sup> Dr Hannah White of the Institute for Government said she “wholeheartedly endorse[d]” the idea:

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88 [Code of Conduct \(2023\)](#), sections B and C

89 Statutory provision is made as follows: the Parliamentary Oaths Act 1866 sets out the requirement to take the oath, the place in which it is to be administered and the penalties applicable to any Member who takes part in parliamentary proceedings without having taken the oath; the Promissory Oaths Act 1868 sets out the wording of the oath; and the Oaths Act 1978 prescribes the form and manner of administering and taking it. The wording of the oath (which is slightly modified if the Member chooses to affirm instead) is as follows: “I swear by Almighty God that I will be faithful and bear true allegiance to His Majesty King Charles, his heirs and successors, according to law. So help me God.” Members were first required to take a specific oath in the form of the Oath of Supremacy in 1563; the requirement for certain persons to take an oath of allegiance was introduced in the Popish Recusants Act 1605 and extended to Members by the Oath of Allegiance Act 1609. See Erskine May’s *Parliamentary Practice*, 25th ed. (2019), paras 8.26, 25.27, and Michael Everett and Danielle Nash, *House of Commons Library Briefing Paper, The Parliamentary Oath* (2016).

90 Erskine May, para 5.27

91 Q2

92 Q2



The aspiration should be to put at the forefront of Members' minds, at the point at which they take up their role in the House, that they are expected to use their judgement. [...] I also think it would be really good [...] for the public to see Members doing that. [...] Actually showing at the start of a Parliament that Members come with all the right intentions and are reminded themselves of why they are here and how they should behave would be very important from a public point of view, as well as for Members.<sup>93</sup>

110. Professor Meg Russell also supported the idea:

It would become a solemn undertaking. It is a bit like why we get married in front of a room full of people - because everybody has seen us make that commitment, and it hardens our commitment to it.<sup>94</sup>

111. There were contrary views expressed. The Leader of the House said "I don't think those sorts of things will work. [...] I think that the oath swearing [to the King] is a particularly important thing and, in my personal point of view, should not be interfered with".<sup>95</sup> The Parliamentary Commissioner for Standards expressed concern that adding a declaration of commitment to the Nolan principles might give the public the erroneous impression that the principles were enforceable within the Code; he did however suggest that the Committee give thought to the idea that Members should "sign[...] the Code of Conduct as part of their induction process to show that they have read it and absorbed it".<sup>96</sup> Dave Penman, General Secretary of the FDA, said that "[i]f you think [signing an oath] is going to make a difference, you probably have the wrong people doing it in the first place. You are either committed to those principles or you are not."<sup>97</sup>

112. We note that some of the negative responses to the proposal were based on an assumption that the declaration would be merged with the existing oath of allegiance or would require a statutory authority equivalent to the oath; that is not what we are proposing.

**113. We consider that a declaration of commitment to the Nolan principles at the start of a Member's parliamentary career, renewed every time they are re-elected to the House, would make a powerful public symbolic statement about the House's commitment to the principles. It would impress on each individual Member through the solemnity of the occasion how important it is for them to understand the principles and internalise their application as part of everyday decision-making in the world of active politics.**

114. We note four points:

- a) Such a declaration would not involve any change to the oath of allegiance to the King which would not be affected by this proposal.
- b) It would not require statutory authority but be imposed by resolution of the House.

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93 Q102

94 Q102

95 Q210

96 Q243

97 Q198

- c) A practical consideration is that because speaking the declaration would take a few seconds of a Member's time, there would be a cumulative effect on the time taken to swear in all Members of the House at the start of a Parliament, probably adding some hours to the process (which is customarily spread over several days). On balance, we consider this is a price worth paying given the potential impact on Members and the public of such a powerful symbolic commitment to the Principles of Public Life, placing ethical considerations at the heart of the political process as part of the renewal of the democratic system represented by the gathering of a newly elected Parliament.

We consider that the value and visibility of the declaration would be enhanced if it were to be spoken by the Member, as opposed to them simply signing a piece of paper. However, we acknowledge that there are differing views on this matter and others may consider that a spoken declaration may be too time-consuming or may be regarded as merely "performative".

**115. We recommend that the House should by resolution require Members when they first enter the House, or are re-elected to it, to make a public declaration of their commitment to the Seven Principles of Public Life. This declaration would be separate from the oath of allegiance and would be made immediately following the Member's swearing-in, while they are standing at the Table of the House.**

116. *The declaration should take the form:*

***I solemnly declare that in my conduct as a Member of Parliament I shall uphold the Seven Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.***

**117. Owing to the timing of the general election, it will not now be possible to bring this proposal into effect at the start of the new Parliament. Nonetheless we recommend that early in the Parliament this matter should be put before the House for decision. We recommend that this be done in such a way as to allow the House to decide, if it approves the proposal, whether the declaration in support of the Nolan Principles should be made in writing or in spoken form.**

118. We also explored with our witnesses the issue of the relationship between broad principles and detailed rules within the standards system. It is generally accepted that both are necessary: principles to form the basis of ethical behaviour and supply a positive motivation for Members to conduct themselves as they should, and detailed rules where necessary to provide unambiguous boundaries and allow Members to be confident they are not inadvertently breaching the Code. The question is how to achieve the right balance between them.

119. We have considered a specific proposal put forward by the Office of the Parliamentary Commissioner for Standards (OPCS). They told us that:

OPCS supports a move towards a principles-based approach so far as possible, in line with modern regulatory practice. [...] Principles-based rules are shorter and easier to understand. They emphasise the personal responsibility of Members for compliance, and provided the principles are

set out clearly and simply they should not result in any loss of certainty. Indeed, lengthy and complicated rules that attempt to foresee every eventuality tend to raise as many questions as they answer [...].<sup>98</sup>

120. We discussed the concept of principles-based rules with our witnesses. There was a general view that rules tend to proliferate, to the detriment of the system. The Chair of the CSPL said “my worry is that if we only rely on more and more rules, it becomes more about navigating the rules than trying to do the right thing”.<sup>99</sup> Professor Peele of the CSPL added:

We want to have the principles internalised [...]. If we have too many rules and they become more and more detailed, it becomes a tick-box mentality. That is certainly not what we want. We want the principles to be living ideas and values that permeate day-to-day life in Parliament and all public-sector bodies.<sup>100</sup>

121. The Chair of CSPL also made the point that a good standards system is “not about catching people out. [...] it is about helping people to find the right way”; and that internalising the Nolan principles assisted with this process.<sup>101</sup>

122. The Leader of the House took the view that parliamentary standards policies sometimes contained “gratuitous detail” because the bodies responsible looked at “silo aspect[s]” rather than taking a wider view. On the other hand the Leader also commented that:

people do like rules. They do like to know what they should and should not be doing and what they need to do practically to fulfil their obligations.

123. Dr Hannah White of the Institute for Government said that principles-based conduct was “what we should expect of our politicians. [...] When we immediately dive into trying to fill holes and formulate rules to catch situations that weren’t previously covered, we do them a disservice.”<sup>102</sup>

124. We clarified with the Parliamentary Commissioner for Standards the nature of the proposal submitted by OPCS on his behalf.<sup>103</sup> He indicated that he was not seeking changes to the balance between principles and rules at the top level, in the Code of Conduct itself. His concern was with the plethora of subordinate rules, especially those contained in the House’s internal Rules Register. The Code of Conduct provides that alleged breaches of these subordinate rules can be investigated by the Commissioner and dealt with by the Committee where they are relevant to Members’ use of services and facilities provided to them by Parliament.<sup>104</sup> However, not all the rules are relevant to Members in this way: some of them deal with matters such as fire safety and heritage collections.<sup>105</sup> The Committee is the ‘owner’ of some of the rules, such as those governing All-Party Parliamentary Groups and the use of House-supplied stationery, but the Rules Register is overseen by the House’s

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98 LAN0006

99 Q16

100 Q16

101 Q23

102 Q115

103 Q244-45

104 Code of Conduct (2023), Rule 8

105 LAN0006, para 13

Governance Office, answerable to the House of Commons Commission, and many of the subordinate rules are ‘owned’ by officials acting under the delegated authority of the Clerk of the House.

125. OPCS has argued that “[a]s the documents containing rules and guidance have been drafted by different people and at different times, they vary considerably in style and approach”. OPCS claims that in some cases the drafting is less clear than could be desired, some rules or guidance suffer from lack of clarity as to their overall purpose, some run to many pages, and overall are “evidence of a system that has not been constructed on a coherent basis around clear and simple articulated principles”.<sup>106</sup>

126. The Commissioner has proposed that, if the Committee approves, there should be a step-by-step process of auditing each set of rules to see if they could be simplified in accordance with a principles-based approach. He cited as an encouraging example the Committee’s recent reformulation of one set of subordinate rules, those relating to use of House-supplied stationery, which had reduced a lengthy document to a single page, a change which so far seemed to be working well.<sup>107</sup> He observed that some rules need to be specific and detailed, such as the thresholds for registration of interests set out in Chapter 1 of the Guide to the Rules; whereas others worked best if kept simple and based on principles, such as the test of relevance in Chapter 2 of the Guide (whether interests “might reasonably be thought by others to influence [a Member’s] actions or words”).<sup>108</sup>

**127. *We support the proposal by the Parliamentary Commissioner for Standards that there should be a systematic examination of the House’s rules set out in the Rules Register to consider whether each set of rules can be simplified by being redrafted according to a principles-based approach. The assumption would be that “shorter is better” and that a principles-based approach should be adopted unless there are compelling arguments for imposing detailed rules.***

**128. *There may also be scope for alignment with other sets of rules, and for making the rules more accessible to users. We envisage that the House’s Governance Office would play a co-ordinating role in this process, working with and liaising between the individual rule owners, with the Commissioner and with the House authorities.***

**129. *We recommend that there should be a pilot project involving a single set of subordinate rules with a further assessment by the Committee before the scope of the project is broadened to include the remainder of the Rules Register.***

**130. *We recommend that the House authorities indicate that they are content for this initiative to proceed.***

## The Ministerial Code and the House of Commons Code of Conduct

131. In the UK, as is the case with several other jurisdictions,<sup>109</sup> there are separate codes governing the conduct of Members of Parliament qua Members, and the conduct of

106 LAN0006, paras 11-14

107 Q244; WE 6, para 7; Committee on Standards, [Seventh Report of Session 2022–23, Rules for the use of House of Commons stationery](#) (HC 1263), published 5 April 2023

108 Guide to the Rules (2023), Chapter 2, para 6

109 See Annex 7.



Members as Ministers.<sup>110</sup> This reflects the separate functions of the legislature and the executive, and the distinct ownership of the Code of Conduct by the House of Commons and the Ministerial Code by the Prime Minister. As the Parliamentary Secretary for the Cabinet Office, with responsibility for the Constitution, explained in oral evidence to the Committee:

The responsibilities I have as a Member of Parliament to my constituents and the responsibilities I have to Parliament are one set of responsibilities, but the responsibilities I have as a Minister, while they share certain core principles, are still distinct. As a Minister, I am accountable to the Prime Minister; the Prime Minister is accountable to Parliament; and Parliament is accountable to the country. I think we have to be clear that, while there are shared principles that will underlie any public office, they are different.<sup>111</sup>

132. However, Ministers who are Members of the House (the great majority of Ministers) must comply both with the Ministerial Code and the House's Code of Conduct. There has been significant commentary on the Ministerial Code in recent years, largely centred on the issue of reform to the role and remit of the Independent Adviser on Ministers' Interests.<sup>112</sup> Those arguments have been widely rehearsed and are not within the remit of our inquiry. In this section of our report, we consider scope for further alignment of the Ministerial Code and Code of Conduct as a way of simplifying the landscape.

133. Under both codes, Members who are Ministers are required to register and/or declare interests and benefits that may be relevant to their parliamentary and ministerial work:<sup>113</sup>

- In the House of Commons, Members must report their registrable interests within a month after their election, and any changes thereafter within 28 days. The Commons register includes any financial interest or benefits the Member receives which might be considered to influence their actions in Parliament.<sup>114</sup>
- The Ministerial Code stipulates that, on appointment, Ministers are required to complete a declaration of all interests that might be thought to give rise to a conflict, and to complete a new declaration whenever there is a substantial change. A statement covering "relevant" Ministers' interests is published every six months by the Independent Adviser. The list is limited to interests directly relevant to ministerial responsibilities and should be read "alongside" the parliamentary register.<sup>115</sup>
- Separately, government departments publish details of their Ministers' meetings with external organisations, gifts (given and received), hospitality and overseas travel. Gifts received in a ministerial capacity do not need to be registered in

110 Cabinet Office, [Ministerial Code](#) (December 2022); House of Commons, [The Code of Conduct, together with the Guide to the Rules relating to the conduct of Members](#), HC 1083

111 [Q209](#)

112 Committee on Standards in Public Life, [Upholding Standards in Public Life](#) (November 2021; Fourth Report of the Public Administration and Constitutional Affairs Select Committee of Session 2022–23, Propriety of Governance in Light of Greensill, [HC 888](#); Durrant T, Thomas A, Haddon C and others, [Improving Ethical Standards in Government](#), (Institute for Government, 2021); Robert Hazell and Peter Riddell, [Trust in Public Life: Restoring the Role of Constitutional Watchdogs](#) (UCL Constitution Unit, 2024)

113 See Annex 6.

114 House of Commons, [The Code of Conduct, together with the Guide to the Rules relating to the conduct of Members](#), HC 1083

115 Independent Adviser on Ministers' Interests, [List of Ministers' Interests](#) (December 2023), pp 2-3

the House's register. The Ministerial Code states that these departmental 'transparency returns' will be published on a quarterly basis (although, as we will see, this is frequently not the case).<sup>116</sup>

134. During our inquiry, we heard evidence that the different arrangements under the Ministerial Code and the MPs' Code of Conduct:<sup>117</sup>

- undermine public confidence where the Ministerial Code has a lower level of requirement;
- add complexity to the standards landscape; and
- increases the likelihood of Members who are Ministers making errors when submitting their data.<sup>118</sup>

A recent Code of Conduct case in which the Prime Minister, Rt Hon Rishi Sunak MP, was investigated by the Parliamentary Commissioner for Standards for allegedly failing to declare an interest during a Liaison Committee hearing demonstrates this. The Commissioner concluded that an inadvertent breach of the rules had occurred as "Mr Sunak had confused the concept of registration (whether in the Register of Members' Financial Interests or under separate arrangements made for Ministers) with the concept of declaration of interests under paragraph 6 of the Code and Chapter 2 of the Guide to the Rules relating to the Conduct of Members".<sup>119</sup>

135. In oral evidence sessions, we explored whether there should be a single database for Ministers and MPs, which could include data submitted under the political finance regime, Code of Conduct and Ministerial Code. Transparency International UK's written evidence partially advocated for this, recommending that benefits received by MPs in their ministerial capacity should be reported to the Commons Register of Members' Financial Interests (RMFI).<sup>120</sup> However, other witnesses, including Dr Hannah White from the Institute for Government, cautioned that there would be challenges associated with operating from the same register multiple regulatory systems, with different sanctions and rules.<sup>121</sup> Louise Edwards, Director of Regulation at the Electoral Commission, explained:

The challenge is that [the data] needs to be searchable within the right regime, and if you start to combine the data, you end up with significant duplication.<sup>122</sup>

136. As an alternative to a full merger of the codes, some of our witnesses supported greater alignment and simplification of the processes for registration between the Code of Conduct and Ministerial Code.<sup>123</sup> The Committee has noted previously its concern that the reporting of ministerial interests is both slower and less detailed than that of Members

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116 Cabinet Office, [Ministerial Code](#) (December 2022)

117 See Annex 6.

118 [LAN0009](#)

119 Parliamentary Commissioner for Standards, [Rectification](#), published on 23 August 2023, p 2

120 [LAN0007](#)

121 [Q105](#)

122 [Q82](#)

123 [Q105-106](#) and [Q5](#)

under the Code.<sup>124</sup> For example, MPs have to record changes in their interests within 28 days, while the Government’s transparency returns are supposed to appear quarterly (and in practice often at longer intervals); likewise the Government’s transparency returns, unlike the MPs’ Register, do not record the value of benefits received. The Registrar of Members’ Financial Interests told us that there was inconsistency between the amount of detail required to be supplied in ministerial data and that in equivalent categories which have to be declared in the Commons Register.<sup>125</sup> The CSPL has criticised the timeliness of the publication of departmental transparency returns and the fact that releases are published across different departmental webpages. The CSPL has recommended that all transparency returns are published in an accessible database on a monthly basis, in line with the House’s Register.<sup>126</sup>

137. Meanwhile, work has been ongoing within the House of Commons to improve the accessibility of that Register. Following a recommendation from the Committee,<sup>127</sup> a new online system of registering Members’ financial interests was launched on 19 March 2024. This makes it easier for Members to submit data, and will improve the searchability and useability of the data by the public. This development was welcomed by a number of our witnesses.<sup>128</sup>

138. While vigorously defending the principle of separation of powers between the executive and the legislature, and resisting any notion that Ministers in their capacity as Ministers should be subject to the House’s regulatory regime, the Government has been cautiously supportive of the concept of further alignment. For example, following the case mentioned in para 134 above, the Prime Minister gave an undertaking to the Parliamentary Commissioner for Standards that he would ask the “Cabinet Secretary to make himself available to you or the House of Commons Committee on Standards for a follow up conversation on the process for declarations.”<sup>129</sup> The Government confirmed in a letter to the Committee that a meeting between the Cabinet Secretary and the Commissioner had taken place on 5 March 2024.<sup>130</sup> We understand from the Commissioner that further joint work is underway.

139. In 2023 the Leader of the House committed to publishing departmental transparency returns on comparable timescales to those for the MPs’ Register of Members’ Financial Interests. That was in response to a recommendation from this Committee.<sup>131</sup> The Leader told us in oral evidence that the Cabinet Office, with the Deputy Prime Minister, is working on a new single database that will enable monthly reporting from departments

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124 Committee on Standards, First Report of Session 2022–23, *New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament* ([HC 227](#)), published 24 May 2022, paras 69–83

125 [Q249](#)

126 Committee on Standards in Public Life, [Upholding Standards in Public Life](#) (November 2021), para 6.12

127 Committee on Standards, Fourth Report of Session 2021–22, *Review of the Code of Conduct: proposals for consultation* ([HC 270](#)), published 29 November 2021, para 142

128 [LAN0007](#); [LAN0010](#)

129 Parliamentary Commissioner for Standards, [Rectification](#), published on 23 August 2023, pp 14–15.

130 [LAN0027](#)

131 Hansard HC Deb, 30 March 2023, [col 1168](#)

to be published.<sup>132</sup> This database has not yet been launched but will “provide a single public source of transparency data, replacing the system of separate publications” on each department’s webpage.<sup>133</sup>

**140. We welcome the recent steps on the Government’s part to discuss further alignment between the Ministerial Code and the House of Commons Register, and their commitment to matching the reporting timescales for departmental transparency returns to the shorter timescales required for entries in the House’s Register of Members’ Financial Interests. It is vital that, when implemented, these shorter timescales are adhered to by the Government. We recommend that the Parliamentary Commissioner for Standards update our successor Committee on the progress of alignment, and that the successor Committee should monitor the timeliness of the transparency returns.**

## **Electoral Commission and the Register of Members’ Financial Interests**

141. Under the Political Parties, Elections and Referendums Act 2000 (PPERA), MPs must report to the Electoral Commission donations and loans they receive in connection with their political activities. This requirement operates alongside the House’s reporting requirements on donations.<sup>134</sup> Since 2009, the Electoral Commission and the Parliamentary Commissioner for Standards have developed ways to avoid dual reporting of political donations to MPs by incorporating PERA reporting requirements into the Code of Conduct for MPs. The Electoral Commission’s written evidence states that “[f]or this arrangement to function, the rules for registering interests must be consistent with PERA so that the Parliamentary Commissioner for Standards is providing us with the information required by PERA”.<sup>135</sup>

142. In July 2023, the Government confirmed its intention to update reserved and excepted party and candidate spending limits and donations thresholds to reflect the recent changes in inflation.<sup>136</sup> These changes were made through secondary legislation as of 1 January 2024, which increased the reporting thresholds for donations and regulated transactions from £1,500 to £2,230.<sup>137</sup> This has created an inconsistency between the Commons Register and PERA reporting thresholds for donations. The Government has argued that “this inconsistency could present issues for Members, particularly during the election period, in ensuring that all their donations are registered correctly”.<sup>138</sup> However, the Parliamentary Commissioner for Standards has recommended against changing the threshold in the House of Commons, noting that the level of £1,500 is already significantly higher than the thresholds for other categories of registration and that these thresholds are set to maintain “rigorous transparency and credible accountability in relation to

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132 [Q220](#)

133 Government response to the Public Administration and Constitutional Affairs Committee’s Fourth Report of Session 2022–23: Propriety of Governance in Light of Greensill, [CP 900](#), p.5.

134 Members must register support for their activities as a Member, or for candidacy at an election for parliamentary or non-parliamentary office, which has a value of more than £1,500, either as a single donation or in multiple donations of more than £500 from the same source in a calendar year.

135 [LAN0010](#)

136 [HCWS985](#)

137 [HCWS53; The Representation of the People \(Variation of Election Expenses, Expenditure Limits and Donation etc Thresholds\) Order 2023](#)

138 Letter from the Leader of the House of Commons to the Chair of the Committee on Standards, dated 20 March 2024.



individual Members”.<sup>139</sup> Furthermore, the Electoral Commission’s written evidence noted that “It is for Parliament to decide on the appropriate reporting thresholds in its rules for registering interests. There are already some lower thresholds in place, for example for visits, where the [Commons Register] reporting threshold is £300, but the PPERA threshold for publication is £1,500, as for donations.”<sup>140</sup>

143. We gave careful consideration to the Leader of the House’s proposal that we should recommend to the House an increase in the reporting threshold for donations from £1,500 to £2,230, in line with the changes the Government has recently made to the equivalent reporting requirement for the Electoral Commission. We also took into account the arguments adduced by the Parliamentary Commissioner for Standards against proposing such a change. In the event, the Prime Minister’s decision to call a general election in July 2024 means there is now no possibility of bringing in the change before the election. We had in fact concluded that we could not support the proposal. The House’s rules in relation to registration and declaration of interests include other thresholds: it would appear arbitrary to adjust one threshold for inflation but not the others. The proposed new threshold would also have had the disadvantage of replacing an easily memorable ‘round number’ (£1,500) with a very unmemorable number (£2,230). Finally, we were concerned that for the House to have made this specific change, which would have had the effect of reducing the information publicly available about donations, in the immediate run-up to a general election would have sent an unfortunate signal about the House’s commitment to transparency in the political process.

144. *We recommend that the overall issue of adjusting thresholds in line with inflation be considered by our successor committee in the next Parliament. We further recommend that our successor committee should be consulted by the Government before the Government brings in any adjustment to the thresholds.*

## Internal relationships between House of Common bodies

145. The roles and functions of the key House of Commons bodies and office-holders responsible for matters relating to Members’ conduct are set out in the standing orders of the House. During our inquiry we considered a number of matters relating to the internal relationships between those bodies and whether these could be altered or clarified. We discuss these in the paragraphs that follow.

### Parliamentary Commissioner for Standards

#### Oversight by the Committee

146. Standing Order No. 149(1)(a) provides that the Committee on Standards has a responsibility to oversee the work of the Parliamentary Commissioner for Standards, except in relation to ICGS cases. The term “oversee” is not defined in the standing order.

139 Note from the Parliamentary Commissioner for Standards to the Chair of the Committee on Standards, dated 26 March 2024.

140 [LAN0010](#)

The exercise of this oversight is qualified by the separate decision of the House to approve the general principle that the Committee does not seek to direct the Commissioner's operational decision-making.<sup>141</sup>

147. In practice the Committee has exercised oversight of the Commissioner in a number of ways. The Commissioner attends meetings of the Committee (except when individual cases are under discussion) in an advisory capacity and by invitation, which gives the Committee regular opportunities to discuss with him any issues of concern. Once a month the Commissioner supplies the Committee with a written update on the work of his office, and takes questions on this at the Committee's next meeting. From time to time the Commissioner supplies the Committee with written briefing on developing areas of policy, either at the Committee's request or on his own initiative. The Commissioner is required by standing order to produce an annual report,<sup>142</sup> and in recent years the Committee has held an annual oral evidence session with him to discuss issues arising from that report and any other relevant matters.<sup>143</sup> Procedure in individual Code of Conduct cases was modified in 2022 to make clear that the Commissioner's role is to investigate and offer his opinion on whether there has been a breach of the Code, while the Committee in such cases is the decision-maker (with the Independent Expert Panel taking decisions on appeal).<sup>144</sup> Outside committee meetings there is close administrative liaison between the Commissioner's staff team and the Committee secretariat.

148. In his annual report for 2022–23, the Commissioner set out the basis for the relationship between him and the Committee:

It is necessary for there to be something of a constructive tension between my office and the Committee on Standards because of the peculiar constitutional position that affects each of us. It is essential that regulatory power in relation to Members of Parliament should vest in the Committee and not in me. It would be constitutionally and politically intolerable were I to be able to wield disciplinary power in relation to Members of Parliament. But the system also requires the credibility that comes from Members of Parliament not appearing to “mark their own homework”. For this reason, the Committee respects my operational independence and my right to exercise my discretion under the Code of Conduct and the Guide to the Rules relating to the Conduct of Members entirely in accordance with my own judgment.<sup>145</sup>

149. In his oral evidence the Commissioner was asked to assess the current state of his relations with the Committee. He set out the constitutional position and added:

Against that background, is it working? In my view, it is. I report regularly on my activities to the Committee. I try to be totally open with the Committee about everything that I do, except for sharing details of individual cases outside my formal reports to the Committee. The Committee's scrutiny from my side of the fence appears to be effective. I feel that I am properly challenged and that I am encouraged to share with you my views on how

141 [Procedural Protocol](#), para 24

142 Standing Order No. 150(6)

143 Most recently on [12 December 2023](#).

144 [Procedural Protocol](#), paras 54, 70

145 Parliamentary Commissioner for Standards, [Annual Report 2022–23](#) (HC 1519), published July 2023, p 4

things are going, and to report to you to enable you to form your own views on how things are going. The Committee is a supportive and discerning friend to me and, as I say, I hope that I lend the necessary credibility to the Committee as a result of the independence that you give me.<sup>146</sup>

150. We raised with the Commissioner the possibility of drawing up a mutually agreed protocol to govern the Committee's exercise of its oversight function. The Commissioner's view was that although he did not feel there was anything missing from the current relationship that needed to be addressed by a formal protocol, he would be happy to assist the Committee in examining options.<sup>147</sup>

**151. We believe that, following the recent reforms which clarified the respective roles of the Parliamentary Commissioner for Standards and the Standards Committee, the basic institutional relationship between the two is sound and facilitates mutual respect. We have an open mind on whether that relationship should be codified by way of a formal protocol specifying how the Committee may be expected to carry out its oversight function. We will continue discussions with the Commissioner on this matter with a view to establishing whether such a protocol would give "added value" to our relationship or enhance its transparency.**

152. As part of our current inquiry we discussed with the Commissioner two specific matters of potential concern: (1) the time taken to complete investigations, and (2) on what basis he decides whether it is proportionate to launch an investigation.

### *Time taken to complete investigations*

153. Our soundings among Members and from the whips and political parties suggest that there is a perception among some Members that the investigation process in both Code of Conduct and ICGS cases is unnecessarily protracted. Mike Clancy, General Secretary of Prospect, told us that:

complex matters take their time to work through, but equally you should keep an eye on the clock. The longer these things go on, the worse it is both for the person who has made the complaint and the individual who is the subject of it.<sup>148</sup>

154. The Commissioner told us that "justice delayed is always justice denied, and Members of Parliament should not have accusations hanging over them like a cloud for longer than is absolutely necessary".<sup>149</sup>

155. We note that there are a number of reasons why investigations may take longer than hoped for: if work has to be suspended while the police make their own inquiries, to avoid potential prejudice to a criminal case, or while a criminal case is in progress in the courts; if there are mental or physical health or other welfare issues involved; when fresh evidence emerges and comments are sought on it from interested parties; and when transcripts

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146 Q238

147 Q238

148 Q194

149 Q240

of evidence have to go back to the parties to be checked. Regrettably, in some cases, the Member concerned may be uncooperative with the Commissioner or even see a tactical advantage in protracting proceedings.

156. The Commissioner’s memorandum on a case submitted to the Committee contains a detailed timeline of the case indicating the steps taken by his office at every stage: this is published with the Committee’s report. The timelines indicate that Members are given tight but not unreasonable deadlines to respond to requests for information or comment. A Member who had evidence of avoidable delay in considering their case could submit that evidence to us or, if necessary, to the Independent Expert Panel as part of an appeal. We are not aware of any cases in which this has been done.

157. The Commissioner’s most recent annual report indicates that the average number of working days taken to close a Code of Conduct inquiry has gone down from 85 in 2020–21 to 62 in 2022–23.<sup>150</sup> Commenting on these statistics, the Commissioner told us that “[i]t is just not the case that Code of Conduct cases are hanging round for months waiting for a decision on whether to open, or indeed waiting for the investigation to conclude”.<sup>151</sup> He noted that rectification cases, are normally dealt with “in a matter of a few weeks”.<sup>152</sup> He noted that his office was always looking for opportunities to improve its service, but said that:

I am very proud of the work that my team do to avoid undue delays in investigations. [...] We avoid [undue delays] very effectively [...].<sup>153</sup>

158. We deal with the issues of delays to ICGS investigations in para 175 below.

**159. The time taken to conclude Code of Conduct investigations is a sensitive issue. As the Commissioner has pointed out, justice delayed is justice denied, and it would not be right for a Member to have allegations of misconduct hanging over them a day longer than is necessary. That said, we do not believe that there have been significant delays caused by poor administration or under-resourcing in the Commissioner’s office. There are many reasons why investigations take as long as they do, not least the need to ensure scrupulous fairness and the rigorous collection and assessment of evidence. From our detailed examination of the serious cases referred to us we can testify to the high standards of professionalism shown by the Commissioner’s team. External factors beyond the control of that team may add to the length of investigations. We welcome the recent reduction in the average time taken to complete Code of Conduct investigations, and the Commissioner’s expression of his personal commitment to seeking ways of reducing the average time still further. We recommend that our successor Committee in the next Parliament should continue to monitor the situation closely.**

### *Proportionality*

160. The other issue we discussed with the Commissioner was proportionality. Before beginning a formal investigation into an alleged breach of the Code of Conduct by a Member, the Commissioner must establish that the matter is within his remit, that

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150 Parliamentary Commissioner for Standards, [Annual Report 2022–23](#) (HC 1519), published July 2023, p 16

151 Q240

152 Q240

153 Q240

the evidence provided is sufficient to justify beginning an investigation, and that an investigation would be “proportionate”.<sup>154</sup> The Procedural Protocol agreed by the House, which sets out these requirements, does not define what is meant by “proportionate”. The Protocol makes clear that the decision on whether to begin an investigation is the Commissioner’s alone.<sup>155</sup>

161. To assist our understanding of how decisions are taken on whether it is proportionate to launch an inquiry, we asked the Commissioner to give us examples of criteria that have in the past influenced the decision.

162. The Commissioner has helpfully supplied us with the following list drawn from recent cases, making clear that the list is indicative only, and is neither to be treated as comprehensive nor an authoritative statement that any of these criteria will necessarily be relevant to a specific case:

- Date of breach
- Severity of breach
- Number of breaches
- Size / value of interest (late/non-registration/declaration)
- Previous late entries (late registration/declaration)
- Value of stationery/facilities used
- Number of recipients (parliamentary facilities cases)
- Whether Member subject of a similar previous inquiry
- Previous undertaking to Commissioner not to repeat behaviour
- Previous receipt of Words of Advice letter
- Action taken by Member to remedy / prevent recurrence
- Previous decisions of Commissioner
- Previous decisions of Committee on Standards
- Whether breach frustrates purpose of Register
- Significance of principles engaged.<sup>156</sup>

163. The Commissioner also supplied us with further information as how complaints received by his office are evaluated at the initial stage.<sup>157</sup>

**164. It is a matter of the Commissioner’s judgement in individual cases whether an investigation by the Commissioner into an alleged breach of the Code would be “proportionate”. Each case will differ in its circumstances, and the Procedural**

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154 [Procedural Protocol](#), paras 23-24

155 [Procedural Protocol](#), para 24

156 Evidence not reported

157 Evidence not reported



Protocol makes clear that the decision is for the Commissioner alone; the Committee respects his operational independence and does not seek to second-guess these decisions. We thought it would be helpful to publish some indication of the criteria the Commissioner uses in making his decision on proportionality, and we are grateful to him for supplying us with this information. We note that among the criteria listed are “previous decisions of the Committee on Standards”. We welcome the inclusion of this criterion, which is a sensible way of ensuring that the House and the Commissioner remain aligned in relation to the issue of proportionality, without compromising the Commissioner’s independence.

### *Committee on Standards*

165. We mentioned above the lack of appetite on the part of our witnesses for mergers between the existing parliamentary standards bodies.<sup>158</sup> There was one exception: the Institute for Government (IfG) floated an option:

[t]o merge the ICGS and the wider standards system, giving the IEP responsibility for overseeing all standards issues relating to MPs. In this scenario the Committee, and the Commons as a whole, would still be responsible for setting the rules around standards expected of MPs, but the job of investigating potential breaches of those rules would be taken away from MPs.<sup>159</sup>

166. The IfG observed that their proposal would remove some power from Members to make decisions on sanctions, but that as with the current IEP process, more serious sanctions would still be referred to the House for a final decision.<sup>160</sup> When giving oral evidence, Dr Hannah White also suggested that if the proposal were to be adopted, one or more former MPs might be added to the IEP to supply insight into the role of Members.<sup>161</sup>

167. We have considered this proposal but do not favour it, and note that it did not receive the support of other witnesses. The IfG is correct to state that the introduction of the ICGS, though desirable in itself, has further complicated the standards system. There are now two separate routes which may lead to the imposition of serious sanctions by the House on Members: through the ICGS, the Commissioner and the IEP in bullying, harassment and sexual misconduct cases, and through the Commissioner, the Standards Committee and the IEP in Code of Conduct cases. However, **we believe that to transfer the role of the Committee to the IEP, in an attempt to restore simplicity to the system, would not be desirable.** ICGS cases involving Members as respondents and Code of Conduct cases are clearly differentiated. The former relate to personal relationships between a Member and one or more other individuals, and involve issues of a kind familiar to employment tribunals and workplace disciplinary bodies in other organisations; the latter relate to the rules of the House, particularly those concerning registration and declaration of interests and the regulation of lobbying. Specialist knowledge of the work of MPs and the parliamentary context is desirable in Code of Conduct cases in a way that it is not in ICGS cases.

158 See para 98 ff above.

159 LAN0009. We note in passing that the IfG is incorrect in attributing to the Committee the investigative role in Code of Conduct cases - this is in fact carried out by the Commissioner.

160 Ibid.

161 Q116

168. Current IEP members were not recruited with expertise relevant to Code cases. Adding former MPs to the IEP, as suggested by Dr White, would in our view not be in accord with the spirit of the Cox review recommendation that politicians should not be involved in determining ICGS cases. **The Standards Committee as currently constituted, with a balance between sitting MPs who contribute knowledge of Parliament, and lay members who bring wider experience including that of other regulatory bodies, seems to us a better way of protecting the independence of the ICGS and ensuring that Code of Conduct cases receive the right kind of informed scrutiny. We therefore do not support the Institute for Government’s proposal.**

### *Independent Complaints and Grievance Scheme*

169. We have set out earlier in this report the outline history and functions of the Independent Complaints and Grievance Scheme (ICGS).<sup>162</sup> The ICGS was introduced at some speed in 2018 and since then has been subject to significant changes in oversight, resourcing and staffing, and internal procedures. It has been subject to two major independent reviews (the “six-month review” completed in May 2019, and the “18-month review” completed in February 2021, both conducted by Alison Stanley CBE). A further independent review, conducted by Paul Kernaghan CBE QPM, was recently completed; its report was published on 13 May 2024.<sup>163</sup> The Kernaghan review’s terms of reference included: quality and timeliness of investigations; confidentiality; independence; governance; scope; resolution outside of the Scheme; and service user experience.<sup>164</sup>

170. A formalised oversight arrangement between the IGGS and the Parliamentary Commissioner for Standards and ICGS was published in February 2023.<sup>165</sup> A revised version was published in March 2024.<sup>166</sup> The Commissioner’s role is confined to ICGS cases involving a Member as the respondent. In such cases (unlike Code of Conduct cases), the Commissioner is the decision-maker, and therefore he maintains “a clear degree of separation from the investigation while it is in progress”.<sup>167</sup> The ICGS, therefore, is responsible for the timeliness and quality of investigations, with the Commissioner’s role limited to reviewing assessment reports on cases and accompanying evidence in line with ICGS policies and procedures. The new oversight agreement sets out in detail (by means of a schedule) the information that will be provided by the ICGS to the Commissioner in relation to timescales and decision-making in an investigation. At the conclusion of an investigation, ICGS and the Commissioner’s Office will conduct separate debriefs and share any relevant reflections or learnings with each other.<sup>168</sup>

171. Because the Kernaghan review was under way during our inquiry, and has been conducted on a basis of confidentiality, there were quite properly strict limits on what some of our witnesses, including the Director of the ICGS and the Leader of the House, were able to say about the review and what outcomes they would wish for from it. The Committee is also under some constraint in discussing the ICGS, because it is specifically

162 See paras 35-39 above.

163 Paul Kernaghan CBE QPM, [Independent Complaints and Grievance Scheme: Independent Review of the ICGS](#), published on the House of Commons website, 13 May 2024

164 The full [terms of reference](#) were announced jointly by the House of Commons Commission and House of Lords Commission, October 2023.

165 [PCS oversight of investigations conducted under the ICGS](#), February 2023

166 [Parliamentary Commissioner for Standards: oversight of investigations conducted under the ICGS](#), March 2024

167 2024 Oversight Agreement, section 2

168 2024 Oversight Agreement, section 8

prohibited by the House from any involvement in individual ICGS cases, in accord with the recommendation in the 2018 Cox review that “the process for determining complaints of bullying, harassment or sexual harassment brought by House staff against Members of Parliament” should be “an entirely independent process in which Members of Parliament will play no part”.<sup>169</sup>

172. In broad terms our witnesses welcomed the creation of the ICGS, considered that there was increasing confidence among parliamentary staff that the system was trustworthy and robust, and looked forward to improvements in the running of the Scheme arising from the current review.

173. The Leader of the House commented:

I very much welcome the ICGS’s work. I think there will be understandable delays, and some of those things might be acceptable - for example, regarding someone’s mental health - but when those delays are caused by below-par investigatory work, that is a problem. I have met those conducting the review and fed in my detailed opinion about these things, and I will wait to see what they come back with, but it is fairly well known, I think, that the delays to those investigations are not justifiable.”<sup>170</sup>

174. The Kernaghan review recommends:

- Simplification of the four ICGS policy and procedure documents, with the purpose of producing two documents, one dealing with the ICGS policy framework, the other with all the Scheme’s processes. Changes to the policy framework would require approval by the House as at present, changes to the process would only require approval by the ICGS Assurance Group, to be re-established as a permanent ICGS Assurance Board.
- The new Assurance Board would be the body that holds the Director of the ICGS to account.
- There should be clarification of the purposes of ICGS mechanisms such as the initial assessment of a complaint, the circumstances in which a complaint makes its way to a full assessment, and of the rules on confidentiality.
- All members of the parliamentary community, apart from visitors - but including MPs - should undergo mandatory Behaviour Code training. MPs should undergo such mandatory training within six months of their election or re-election to the House, and MPs’ staff within six months of their employment.
- The Assurance Board should develop a communications strategy for the ICGS.<sup>171</sup>

169 Dame Laura Cox DBE, [The bullying and harassment of House of Commons staff: independent inquiry report](#), published 15 October 2018, p 6. The House of Commons Commission accepted Dame Laura’s recommendation (statement issued on 24 October 2018; published in Committee on Standards, Fifth Report of Session 2017–19, [Implications of the Dame Laura Cox report for the House’s standards system: Initial proposals](#) (HC 1726), published 10 December 2018), p 22), and the House subsequently implemented key proposals in her report. As noted in para 30 above, the House retains the power to decide on the serious sanctions of suspension or expulsion, though motions to impose such sanctions must be taken without debate or the possibility of amendment.

170 Q230

171 [Kernaghan Review](#), Annex: List of Recommendations

175. In the short time that elapsed between publication of the Kernaghan review on 13 May 2024 and the Prime Minister’s election announcement on 22 May, we did not have the opportunity to discuss with stakeholders their response to the review or to arrive at our own detailed conclusions. We note that, as with Code of Conduct cases, there is a perception that cases take too long to be concluded. One of the reviewer’s key terms of reference was “to act as a critical friend to the ICGS Director in her efforts to improve the timeliness and quality of investigations”. We note Mr Kernaghan’s recommendations with regard to mandatory training for MPs and their staff. We recommend that our successor Committee in the new Parliament should give early consideration to Mr Kernaghan’s analysis and recommendations.

### *Independent Expert Panel*

176. The Independent Expert Panel (IEP)<sup>172</sup> raised one narrowly focussed but significant issue in its written evidence to our inquiry. This is the lacuna in the statutory provision for recall of MPs arising from the fact that the IEP did not exist when the Recall of MPs Act 2015 was passed. As a result, a suspension agreed by the House following a recommendation of the IEP cannot trigger a recall petition in the same way that it would if the recommendation were by the Standards Committee (under the so-called “second recall condition” in the Act). The House has attempted to close this lacuna by altering its standing orders to require the Committee to make a report to the House recommending an identical sanction to one recommended by the IEP, within three sitting days of the IEP’s report being published.<sup>173</sup> The House’s approval of that committee recommendation then triggers the recall procedure.

177. The IEP points out that this “quick fix” solution works, but that it is a cumbersome procedure, which also potentially undermines the perception of independence of the IEP because the Committee is not formally prohibited from debating the terms of its report to the House or adding a commentary to its recommendation. Any such action by the Committee would be contrary to the spirit of the principle accepted by the House following the 2018 Cox review, that Members should not be involved in determining ICGS cases. The Committee has made clear that in no circumstances will it do anything other than treat the reporting requirement as one to be carried out *pro forma* and without debate.<sup>174</sup> In their written evidence the IEP commented that, while the IEP “has absolute confidence that the current Committee will continue to abide by its self-denying ordinance, [...] the Committee cannot bind its successors, nor does it remove the inherent impingement on the IEP’s independence”.<sup>175</sup> The IEP therefore recommends that the 2015 Act be amended.

**178. The Committee supports the recommendation from the IEP that the Recall of MPs Act 2015 be amended to bring a suspension imposed by the House following on from a report from the IEP within the ambit of the second recall condition. Later in this report we recommend that the 2015 Act should be subject to formal post-**

172 See paras 41-43 above for background information on the IEP.

173 Standing Order No. 150E, agreed by the House on 19 October 2021, amended on 18 October 2022

174 Standing Order No. 150E (4) provides that if the Committee is unable to meet within three sitting days after publication of the IEP report, the Committee Chair shall, if satisfied that the report from the relevant IEP sub-panel has been sent to all members of the Committee, make herself the necessary report to the House on behalf of the Committee. This is what occurred on the one occasion to date on which the standing order procedure has been activated, in respect of an IEP recommendation that Peter Bone MP be suspended for six weeks. See Votes and Proceedings, [19 October 2023](#), item 15.

175 LAN0003, para 6



**legislative scrutiny. If such scrutiny leads to legislation to amend the Act, we trust that this modest “tidying up” proposal will be included among the amendments put forward by the Government as part of that process.**

## The role of political parties

179. In our terms of reference for this inquiry we posed the questions: “How do political party processes and formal regulatory processes interact? Should there be greater consistency in internal party processes?”

180. The role of political parties in the standards system is important but elusive. Parties are of their nature voluntary organisations and in general are under little obligation to share with others the details of their internal operations. The Government told us that, “as far as we are aware, all the political parties represented in Parliament now have their own code. This provides a mechanism to address misconduct by elected representatives, party officials or party members. Within Parliament, the party whips are also able to remove the whip from individuals, which provides a further political mechanism to address inappropriate conduct.”<sup>176</sup>

181. The Government added that it “does not think it appropriate to regulate the internal processes of political parties; they are independent, voluntary sector membership organisations”.<sup>177</sup>

182. The Chair of the CSPL said that the parties’ processes for looking after standards among Members are “opaque”.<sup>178</sup> He added that they “have signed up to the Nolan principles, but I don’t know how they help their Members understand and live them”.<sup>179</sup> Professor Peele of the CSPL said: “we just don’t know what goes on in detail in the parties. [...] There may be some scope for more co-operation between the parties, and perhaps between them and the standards bodies of the House. It is an enormously difficult area to police, because they are voluntary bodies that are often not well resourced”.<sup>180</sup> The CSPL’s 2017 report into intimidation in public life contained a recommendation that “political parties must proactively work together to tackle the issue of intimidation in public life”.<sup>181</sup> The CSPL at the time noted that “[p]olitical parties may [...] be reluctant to enforce their rules and codes for party members during elections due to the concern that other parties will use any evidence of intimidatory behaviour against their party as part of the campaign”.<sup>182</sup>

183. The ICGS told us that internal political party processes to determine complaints that might otherwise fall within the remit of the ICGS will not normally have the degree of independence, nor transparency and accountability, that is built into the Scheme. They argued that it might be helpful for Whips’ offices to make an explicit commitment to direct eligible complaints to the ICGS rather than internal party processes when individuals approach them with concerns. However, the ICGS acknowledged that sometimes complaints are complex and involve more allegations than would necessarily be covered

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176 LAN0019, para 19

177 LAN0019, para 20

178 Q3

179 Q3

180 Q3

181 CSPL, [Intimidation in Public Life: A Review by the Committee on Standards in Public Life](#), December 2017 (Cm 9543), p 15; see also Q23

182 *Ibid.*, p 48



under the ICGS, meaning that multiple processes may be necessary. They also commented that political parties have means which the ICGS does not to protect individuals during an investigation and to manage potential risks. The ICGS stated it was open to working more closely with political parties in instances where there are multiple processes involving the same complainant/respondent, avoiding duplication and confusion.<sup>183</sup>

184. In oral evidence the Director of the ICGS told us that in a workplace environment, the best way to deal with a complaint was as quickly as possible at the lowest level possible. She said that in the context of the House, that was more likely to be achieved at the party level. The ICGS tended to deal with more serious cases.<sup>184</sup> She said she had spoken to the Whips and an informal commitment had been made that they would direct towards the ICGS anything that came within the remit of bullying, harassment and sexual misconduct.<sup>185</sup>

185. The Director of the ICGS noted that as a general principle, there should not be “dual running”:

One of the tests for the ICGS to do an investigation is that if the case has been explored fully elsewhere, then we won't necessarily consider it again. We cannot be a de facto appeal body from another process. Broadly speaking, those are the conditions that would need to be met: the complainant would have to pick the path that they wanted to go down, and the other process either cannot have been concluded or cannot have been fully concluded for us to be able to take it on.<sup>186</sup>

186. The Chair of the Electoral Commission told us that his experience with all the larger parties was that the leadership was “very keen” to provide training to their members on standards issues: “[t]heir members are much more likely to want to go to them in a safe spot to receive it”.<sup>187</sup>

187. The Chair of IPSA drew our attention to IPSA's practice in general elections of providing a “What can you expect if you get elected?” pack to the political parties to give to their candidates. He said that for candidates, it is “never too soon to start thinking about the practicalities of running a small office, dealing with constituency issues, and working out how Parliament works”.<sup>188</sup>

188. The Institute for Government in its written evidence described the interactions between the parties' standards processes and House processes as “very confusing and opaque”. They argued that ideally, the political parties would agree to a common, transparent process for dealing with their own party complaints, in which each party runs their own process, but they all do it the same way; but they added that this common process would have to be developed by the parties working together and, realistically, achieving it was likely to prove difficult.<sup>189</sup> The Institute called for, as a first step, greater transparency from each party about what its complaints process is, and how it works, published on the party's website.<sup>190</sup>

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183 LAN0014, paras 12-13

184 Q43

185 Q44

186 Q57

187 Q87

188 Q87

189 LAN0009

190 Ibid.

189. It is clear to us that parties face common problems in setting up robust and effective internal mechanisms for dealing with conduct issues. We do not minimise the challenges they face, but the constructive way in which the whips and party representatives have responded in our discussions with them, and the lack of party rancour between them on these issues, gives us encouragement that the parties may be able to make progress on developing joint approaches.

190. *Party political processes within the House and the role of whips in relation to standards issues are important but opaque and not co-ordinated. The adversarial nature of democratic politics means that parties are reluctant to air the “dirty linen” of conduct allegations in public for fear this will be weaponised against them by their political opponents. While this may be an understandable reaction, the culture of opacity within parties is unhelpful in tackling issues of behaviour. We accept the independence of political parties but we encourage them to be more open, and to explore with each other the development of common standards and processes for handling complaints. We endorse the recommendation from the Institute for Government that each party should publish on its website, where it does not already do so, an accessible statement of its internal processes for dealing with conduct issues. We welcome the evidence we have received of developing liaison between the whips and the ICGS over complainants’ choice of different routes. We note that there is considerable scope for the parties to facilitate training and education of their members in relation to conduct issues (a matter we return to in a separate section of this report).*

## Explanation and communication

191. A running theme of responses to our inquiry has been the lack of understanding both by Members and by others of the House’s complicated standards system. We see considerable scope to improve matters, primarily through changes to the information the House makes digitally available, better training for Members and better co-ordination of the bodies involved.

### *Improved online information*

192. We have described above how the standards system is comprised of many different individual decision-making individuals and bodies, some of these being part of the institutional structure of the House, others being, for constitutional or practical reasons, separate from it.<sup>191</sup> The internal bodies have their own pages within Parliament’s website ([www.parliament.uk](http://www.parliament.uk)), the external ones have their own websites. All these websites contain valuable and accurate information, but there is no one site on the internet which combines all the key information about House of Commons standards processes, or provides a simple guide to how to complain about Members.

193. Our witnesses identified this as a key deficiency. The CSPL told us that “[w]e do not think the current state of affairs, where it requires a significant amount of analysis to work out where to complain to, is satisfactory”.<sup>192</sup>

191 See second section of this report, “The key elements of the standards landscape”.

192 LAN0002, para 19

194. The Chair of the CSPL told us that “when making a complaint against a Member, understanding and navigating [the] landscape can be quite difficult”.<sup>193</sup> In public soundings, the CSPL had detected a real sense of frustration about their not knowing where to go”.<sup>194</sup> The CSPL commented:

It is [...] important for a complainant to know that if they have complained to the wrong place they will be put in touch with the right place without significant delay. There may be an advantage in having a portal where the public can send complaints, which are then triaged and sent to the relevant body. [...] In addition, we would encourage the parliamentary authorities to hold in an accessible place on the UK Parliament website, a clear explanation of what each body is responsible for.<sup>195</sup>

195. The CSPL made clear that its thinking about the idea of a portal was “theoretical”, not “refined”.<sup>196</sup> Its Chair said that: “A portal could be flat - a simple signposting, with no real interaction - or could have more of a triaging, interactive element. [...] If the portal becomes a triage system, it will not be resource-light to manage the volume and ensure the signposting is done.”<sup>197</sup> He said it was important that any such initiative should reduce frustration. “If we do not get it quite right and there is not a consensus from the elements we talked about before, we could add to that frustration.”<sup>198</sup> Professor Peele of the CSPL added: “It is also important that MPs have faith in the system, that they buy into it, and that it suits their needs, as well as those of the public.”<sup>199</sup>

196. Other witnesses told us of the effort they put into ensuring their websites contained helpful information and “signposting”.<sup>200</sup> The Chair of IPSA said, “I think if the House had a guide to how to complain, that would help” (though he noted that IPSA itself did not receive a large number of complaints or queries).<sup>201</sup> The IPSA Compliance Officer told us that a high proportion of complaints he received were misdirected and then forwarded; but the overall number was not high.<sup>202</sup> The Chair of the Electoral Commission said that “we are all geared up to transfer the request to someone else and we all get together fairly regularly and work together, so we know who to go to. [...] [t]he risk of any extra structure is that that might add an extra player, rather than streamline it.”<sup>203</sup> The Director of the Institute for Government said that if there were to be a triaging portal, “you could get into a situation where there is dispute over how a complaint was being directed and which system it was being investigated under”.<sup>204</sup> Witnesses from the UCL Constitution Unit supported the idea of a portal but accepted there were difficulties as to who might run it: the Cabinet Office, the CSPL and Parliament were variously suggested.<sup>205</sup>

197. The Government in its written evidence stated:

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193 Q13

194 Q13

195 LAN0002, para 20

196 Q12

197 Q8

198 Q12

199 Q10

200 E.g. Q62, 68 (IPSA), Q64, 75 (Electoral Commission)

201 Q65

202 LAN0013

203 Q65

204 Q105

205 Q119

The Committee could explore the introduction of a centralised resource or landing page where Members of Parliament, the wider parliamentary community and the public can go to find out how parliamentary standards issues in all their forms are dealt with. This will doubtless be a difficult task, since there are a number of standards bodies involved and complex interactions with key constitutional principles such as parliamentary privilege and the separation of executive and legislature. However, such an exercise would likely go some way towards improving coherence and accessibility in the system.<sup>206</sup>

198. A triaging portal would either (a) take decisions itself on the route a complaint should take, or (b) actively forward complaints to what it considered to be the correct body, for that body to take a final decision on whether to accept the complaint. In our view either proposal would be attended by grave difficulties. Both proposals would require the recruiting of highly trained staff who were knowledgeable about all aspects of the standards system. Each of the bodies comprising the standards landscape is likely to resist decision-making on such key matters being delegated from them. There would be a serious risk of the portal making incorrect decisions or giving incorrect advice that would need to be corrected, or where its judgement might conflict with that of the various bodies. A triaging portal (which, as the CSPL noted, would “not be resource-light”) might prove to be a very expensive way of creating more rather than less complication, leading to increased use of appeals procedures as well as possible legal challenges. For these reasons we do not favour the creation of a portal with an active triaging function.

199. *Instead we recommend the creation of a single internet site which will provide centralised information on the roles of the bodies which make up the parliamentary standards landscape, giving details of categories of complaint. The information should be in plain English and outline how to complain with links to the landing pages of the relevant bodies. It should aim to anticipate users’ queries and concerns, and provide the information they need as accessibly as possible, with follow-up contact details where necessary.*

200. *This could also afford an opportunity to encourage each of the bodies to improve where necessary the information they provide on their websites, and create greater clarity and consistency across the bodies in terms of their public-facing material (including web design and accessibility). A possible comparator in terms of presentation is the website of the Parliamentary and Health Service Ombudsman which provides very clear information about how to make a complaint and to whom (using a “quick and easy complaint checker”).*

201. *We envisage that this “parliamentary standards website” might most logically be provided by Parliament as a free-standing part of the wider parliamentary website. The fact that the website will not have a decision-making or triaging function will lessen the risk of potential “turf wars” between the relevant bodies involved. However, setting up a website of which a dozen or more bodies will feel some ‘ownership’ will be a significant organisational challenge. It would require input from all the bodies plus some agreed way of co-ordinating and taking final decisions on what information would be included and how it would be presented. We consider that the House’s Governance Office is best*

206 LAN0019, para 23



*placed to play this co-ordinating role. We propose that the Government should also contribute information to the website about its processes under the Ministerial Code, and we encourage them to do so. Mechanisms will be needed to ensure that the website information is kept up to date.*

202. *Later in this report we recommend that there be more formal and regular liaison between all the bodies which comprise the standards landscape. We recommend that discussion of our proposal for a parliamentary standards website should be taken forward as part of this new liaison process and regarded as a high priority within it.*

### **Induction and professional development for Members to help them comply with the Code of Conduct**

203. Standards could be improved and pressure on the system and the various bodies' resources could be alleviated if Members had a better understanding of the system and their responsibilities, including through formal induction and professional development.

204. This is about leading and promoting a continuing cultural change in Parliament. Changing the culture of an institution requires its leadership to address the attitudes and behaviour of some of the individuals within it. This meets resistance from some who feel their attitudes or habits of behaviour are under attack, but there is no avoiding making people aware of bad attitudes and bad behaviour that will no longer be tolerated. It is also about promoting good attitudes and behaviour which reflect the Seven Principles of Public Life, making them a personal reality in Members' and staffs' day-to-day working lives, rather than a mere abstraction. **We see effective learning and professional development for Members and for their staff as vital in continuing to improve behaviour in Parliament. This must comprise five key components: (1) understanding how to be more aware of the inevitable conflicts of interest which arise for Members; (2) learning how to manage such conflicts while holding in mind the Seven Principles of Public Life and how to internalise them in a Member's day-to-day work; (3) understanding the specific contents of the Code of Conduct - the rules and how to avoid falling into breach of them; (4) promoting awareness of the issues relating to bullying, harassment and sexual misconduct; and (5) recognising that all leaders in Parliament, particularly Members themselves, have the highest obligation to lead the continuing improvement of attitude and behaviour by their example.**

205. **It will be particularly important to have effective induction and continuous professional development put in place for the new intake of Members expected at the imminent general election. Training for Members' staff is important as well as for Members, though it should not be forgotten that the primary responsibility for compliance with the rules rests with the Member. While Members are not employees, nor is the House their employer, it is an issue for the House to decide how far it can collectively require its individual Members to participate in such learning and professional development.**

206. The Parliamentary Commissioner for Standards has informed us of the steps he is taking to prepare induction and materials for Members following the next general election, in conjunction with the House's General Election Planning Group. He will publish on his website an induction pack for Members, which will also be emailed to



all Members as soon as set-up of parliamentary email addresses allows.<sup>207</sup> The Registry team in the Office of the Parliamentary Commissioner for Standards (OPCS) will run a dedicated space in Portcullis House for one month after the general election, to support all Members to fulfil their responsibility to register within the deadline set by the House, and to answer questions on registration and other matters. Hard copies of the Code of Conduct and the Guide to the Rules will be distributed to Members who attend this space. The Commissioner will address all Members on parliamentary standards in at least one overall briefing; and will then offer induction briefings according to demand for several months after the general election, and will monitor and respond to demand for individual and collective briefings throughout.<sup>208</sup> The planned post-election induction programme builds on the extensive learning opportunities already made available to Members and their staff by OPCS, including “Principles in practice” seminars on the Nolan Principles,<sup>209</sup> and the provision of information through Commissioner’s Advice Notes on specific issues and through the House’s plain-English Procedural Protocol.

207. Training for Members and the wider parliamentary community on issues relating to bullying, harassment and sexual misconduct has been a high priority for the House since the 2018 Dame Laura Cox review.<sup>210</sup> From 2018 to 2022 a training programme known as “Valuing Everyone” was offered to Members and their staff, and was mandatory for House staff. The training was:

designed to help Members of both Houses, those Members’ staff, and staff of both Houses to understand, recognise and prevent bullying, harassment and sexual misconduct and to give them the tools to question such inappropriate behaviour. The training and its resources also promote[d] the range of services and support available to participants.

208. Data supplied in the ICGS’s annual report for 2021–22 showed that up till October 2022, over 6,300 people had completed the Valuing Everyone courses, including 95% of House staff, 92% of Members and 25% of Members’ staff.<sup>211</sup> The ICGS commented that, while the large majority of Members of both Houses had completed the course, completion rates for Members’ staff remained substantially lower, reflecting the fact that those staff are employed directly by their Member and currently it was not a requirement for them to attend the course, and that this staff group “was also subject to a relatively large amount of turnover and relatively short-term contracts”.<sup>212</sup>

209. Since 2022, the “Valuing Everyone” course has been replaced by a new initiative. These include a seminar for Members, Members’ staff and new staff joiners, entitled “The Behaviour Code, why it matters”, with a supporting awareness programme. The seminars have been offered to all new Members and their staff from November 2022, and are

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207 This will include: brief description of PCS role, referencing the Procedural Protocol; links to the Code of Conduct and Guide to the Rules and to the Rules Register, with clear messaging that adherence to the Code is the individual responsibility of Members; the registration deadline; and a reminder that declaration obligations are applicable from the Election; PCS welcome/intro video; OPCS contact details (including Registrar for advice on the Guide to the Rules, and Advice Owners (listed in the Rules Register) for other advice); Appendices: Overview of the Rules of Conduct; Nolan Principles; PCS Advice Notes; APPG rules/messaging.

208 Evidence not reported

209 Q254

210 For which, see footnotes 27 and 169 above.

211 ICGS, [Annual Report 2021–22](#), p 17

212 *Ibid.*

mandatory for new House of Commons staff (though not for Members or their staff).<sup>213</sup> The ICGS reported between autumn 2022 when the seminar was first rolled out and 30 June 2023, 677 people had completed the seminar.<sup>214</sup>

210. In addition, a “Behaviour Code awareness programme” has been developed by a bicameral working group of staff leading on culture, behaviour and communications, as the next stage of work to further embed the Behaviour Code. The programme is a refresher to those who undertook the “Valuing Everyone” training, with tailored activities and communications for different audiences. The Commissions of both Houses have agreed to deliver the awareness programme once every Parliament, or every four years. It is being delivered in three phases, the first phase involving the programme’s launch in summer/autumn 2023; the second phase was during the rest of the current Parliament; and the third phase will be a refreshed programme for the new Parliament following the general election, adapting the Behaviour Code seminars for new Members and their staff.<sup>215</sup>

211. A Cultural Transformation Team was established within the House service following the Cox review “to address the underlying issues that allowed a culture of bullying, harassment and sexual misconduct to prevail”.<sup>216</sup> The Team told us that they have worked closely with the ICGS and others in developing the new Behaviour Code training referred to above.<sup>217</sup> The then Director of the Team, Lucinda Maer, told us that “[t]he feedback [...] on the ‘Behaviour Code - why it matters’ seminar [...] has been overwhelmingly positive, with well over 90% of participants indicating that the course was good or very good for increasing their ability to recognise unacceptable behaviour”.<sup>218</sup>

212. Many issues in relation to Members’ conduct arise in relation to their dealings with their own staff. A significant proportion of Members have no prior experience of managing staff before they become MPs. A recent Speaker’s Conference considered issues arising from this situation and made recommendations which were approved by the House in October 2023.<sup>219</sup> These include an endorsement of the current arrangement whereby Members’ staff are employed by them, not by the House, but also includes recommendations for improved training for and guidance to Members and their staff, which are currently being implemented. There will be increased support for the House’s Members’ Support Team (MST), initially set up in 2020, to provide support for Members as employers and the introduction of pastoral care and signposting to key services for Members’ staff.<sup>220</sup>

213. The MST provides a Members’ HR Advice Service that supports Members (or a nominated HR proxy) in their role as employers of their staff. The Members’ HR service was initially established in 2001 and was expanded from two to four staff when the service joined the MST in April 2021. The Speaker’s Conference reported that:

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213 ICGS, [Annual Report for 2022–23](#), p 15

214 *Ibid.*

215 ICGS, [Annual Report for 2022–23](#), p 16

216 LAN0011

217 LAN0011

218 Q49

219 On 22 June 2022, the House of Commons agreed to appoint a Speaker’s Conference to “consider the employment conditions of Members’ staff in order to ensure a more inclusive and respectful working environment”. The Conference published two reports. On 16 November 2023 the House debated the second and final report, and agreed to its recommendations. See [House of Commons Library Note](#), January 2024.

220 Speaker’s Conference on the employment conditions of Members’ staff: [Second Report](#) (HC 1714), published 20 July 2023

The MST offers Members advice on a whole range of employment issues. The Team deals with a significant number of queries from Members. In September 2022 alone, over 100 Members approached the team for support, raising 199 individual cases. The team also publishes a range of best practice employment guides for Members, which are supported by regular employment workshops targeted at Members. These guides are designed to support Members in their roles as employers and give practical, step by step advice on employment practices. Guides available to date (and published on the Intranet) include appraisals and one-to-one meetings, managing long- and short-term sickness, grievances, managing misconduct, office restructure and recruitment and selection. The Team also offers engagement and pastoral support to all Members' staff, including contact with all new Members' staff as soon as they have an IT account, signposting to key services, regular all-Members' Staff phone-ins on topics relevant to Members' staff and regular communications about House services and events. The MST runs weekly phone-ins for those staff managing Members' offices (since 2020), virtual drop-in sessions, an Office Manager training course and regular regional constituency events. In addition, the team [...] took on responsibility for MPs' staff training, and some MP training, in November 2022.<sup>221</sup>

214. The Speaker's Conference proposals will supplement this existing provision by:

expand[ing] HR support and training currently available to Members; expand[ing] support for Members' staff through the provision of a new package of measures, and propos[ing] new initiatives to address poor employment practices and behaviours.<sup>222</sup>

215. One of the Speaker's Conference proposals is that there should be "specific events for new Members on recruitment and employment responsibilities [that would] take place in the House of Commons Chamber in the first few days of a Parliament, to underline the importance of these events and the value of the advice on offer". The Speaker's Conference noted that:

[t]he party Whips welcome the idea of providing more time for support and training for new Members at the start of a Parliament. Even delaying the start of formal business by two or three days, or by carving out time in the first few days of formal business for training and support sessions, would have a substantial impact on the experience of new Members.<sup>223</sup>

216. In our oral evidence we discussed training issues with our witnesses. The Chair of the Committee on Standards in Public Life commented on the need for "access to continuous training; [...] it is not so much the technical skills of knowing how to navigate the rules; it is also understanding that you approach those rules living with the Nolan principles".<sup>224</sup> He told us he had been asked to help chair a training session for new Members but

221 Speaker's Conference, [Second Report](#), paras 10-15

222 Speaker's Conference, [Second Report](#), para 86

223 Speaker's Conference, [Second Report](#), paras 112-13

224 Q14

was concerned the time allocated was not long, and might not allow for “vignette-type discussions [...] where you talk through a number of models of case studies past or case studies created”.<sup>225</sup>

217. Professor Peele of CSPL noted in relation to the new intake of MPs: “it must be an enormously difficult and lonely job at the beginning of a career and [...] the more support that can be built in, the better”.<sup>226</sup> She added that best practice would include having “informal meetings of those who actually had to do the job, discussing the kinds of problems that came up and why they felt challenged by them”.<sup>227</sup> She acknowledged, however, that realistically “the whole pressure on parliamentary life is going to work against putting in very many of those sessions, however admirable they are.”<sup>228</sup>

218. The Chair of IPSA told us that IPSA was “thinking very hard about what more we can do to support newly elected MPs coming in, bombarded with a huge number of things to get to grips with, who may not have managed a team of people before and how we can support that.”<sup>229</sup>

219. Mike Clancy, General Secretary of Prospect, said that “we should ensure that parliamentarians [...] feel confident that they understand their people management obligations, they understand the law and they understand how civic society views certain behaviours in the workplace”.<sup>230</sup> However, he added that it was important Members should approach the provision of training positively, and not regard it as “a form of woke behaviour being forced on reluctant MPs”.<sup>231</sup>

220. The Committee discussed with witnesses the possibility that Members should be required to undertake management training as a condition of receiving IPSA funding for staff. We note that there is already some conditionality in the system, in that IPSA will not give money to pay for MPs’ staff unless those MPs have arranged for their staff to see and to sign a standard contract and a standard job description. The Chair of IPSA noted that a similar proposal had featured in Gemma White KC’s 2019 report on bullying and harassment of MPs’ parliamentary staff. He said that there was a risk that “conditionality [...] might have the unintended consequence, say of cutting off funding for staff”, and that it would amount to “mission creep” for IPSA.<sup>232</sup>

**221. *We support the recent increase in the quality and quantity of training made available to Members, their staff and staff of House in the field of standards. It is imperative that the push for cultural change should continue and broaden in the new Parliament. We support the work being done by the Parliamentary Commissioner for Standards, IPSA and others in this regard.***

**222. *We consider that the following further steps should be taken before and following the general election.***

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225 Q24

226 Q15

227 Q24

228 Q24

229 Q70

230 Q200

231 Q203

232 Q87; see also Q88-91



223. *During the election campaign, we recommend that candidates should be offered, through their political parties, access to material which sets out the House's requirements in relation to conduct, and provides information about the parliamentary standards and complaints system. We recommend that the Parliamentary Commissioner for Standards should offer assistance to parties in this matter at their request.*

224. *We recommend that within the initial information pack prepared by the House, and handed over by Returning Officers to a Member when elected, there should be a summary of standards guidance and rules.*

225. *Previously in this report we have recommended that the new Parliament should be inaugurated by a public commitment by every Member of the House to the Nolan Principles (see para 115 above). We support the proposal by the recent Speaker's Conference, agreed to by the House, that more time than previously should be found in the first days and weeks of the Parliament for induction and support for incoming Members. We recommend that Members should be offered sessions on:*

- *The Code of Conduct (including registration and declaration of interests, and the lobbying rules)*
- *The Behaviour Code (including behaviour in the Chamber and to staff)*
- *Employment requirements and rules*
- *Standards bodies and the standards landscape*

*We recommend that the political parties, their business managers and the House authorities should as a matter of urgency make plans to implement this recommendation.*

226. *We recommend that Members should be invited to attend workshops on the Code of Conduct, to include real-life scenarios to help embed their understanding of the Nolan Principles and the Code, as well as the core elements of registration, declaration and the lobbying rules. This could build on what the Commissioner is already doing, mostly with Members' staff.*

227. *We recommend that the House of Commons Commission undertake an assessment of the pros and cons of making office management training for Members a condition of receiving IPSA funding for their staff, in cases where a Member cannot demonstrate that they have any previous experience of managing staff.*

### ***Liaison and review***

228. *We recommend that there should be more formal and regular (but not frequent) liaison between all the bodies regulating MP conduct to share understanding, best practice and challenge, and to ensure there is no overlap or duplication or gaps. This might take the form of an annual seminar or awayday for the relevant bodies. We recommend that our successor Committee in the new Parliament should seek the other bodies' approval for the principle of such an event. If this is secured, the Committee may wish to take the lead in organising an inaugural event.*



229. *We also recommend that our successor committees in future parliaments should update this standards landscape report every five years, in conjunction with their five-yearly review of the Code of Conduct.*

## Sanctions and recall

230. As part of our inquiry we looked at the range of sanctions that can be imposed on Members for misconduct of various kind. These include the following:

- Misconduct in relation to fees or expenses: the IPSA Compliance Officer may require repayment, and issue a penalty notice up to the value of £1,000 if a Member fails to comply.
- Misconduct in relation to elections: the Electoral Commission may impose sanctions in relation to certain offences and contraventions of political finance law.<sup>233</sup>
- Misconduct in the Chamber or in committees: the Speaker has the power under standing orders to order a Member to withdraw from the House for the remainder of that day's sitting, or in more serious cases of disorder to "name" a Member, in which case the House immediately proceeds to decide whether to suspend the Member for five sitting days (or, in the case of a second offence within the same Session, 20 sitting days).<sup>234</sup> Disorder in committees may be subject to the sanctions available in cases of contempt (see below).<sup>235</sup>
- Breaches of the Ministerial Code: the Prime Minister may dismiss a Minister for a breach of the Ministerial Code, or may impose a lesser sanction including requiring some form of public apology, remedial action, or removal of ministerial salary for a period.<sup>236</sup>
- Breaches of privilege or contempts: the House may impose (usually on the recommendation of the Committee of Privileges) sanctions up to and including suspension or expulsion.
- Bullying, harassment or sexual misconduct: the House has agreed a range of sanctions in ICGS cases - see Annex 2.
- Breaches of the Code of Conduct: the House has agreed a range of sanctions in non-ICGS cases - see Annex 2.

231. Three main issues were raised during the inquiry concerning sanctions: (1) whether the range of sanctions available in Code of Conduct and ICGS cases is too limited; (2) whether there has recently been "sanction inflation" with more severe penalties imposed than used to be the case; and (3) whether the Recall of MPs Act 2015 is working satisfactorily as part of the current sanctions system. We consider each of these issues below.<sup>237</sup>

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233 Electoral Commission [website](#)

234 Standing Orders Nos. 43 and 44

235 Erskine May, para 15.3

236 Cabinet Office, [Ministerial Code](#) (December 2022), paras 1.6-7; and see above, para 60.

237 Some of these matters were raised with us in the private sessions we held with the whips and representatives of the political parties, and in such cases we have not attributed sources.

232. *Is the range of sanctions available in Code of Conduct and ICGS cases too limited?* We found that Members and others are frequently unaware of the range of sanctions available to be imposed on the recommendation of the Committee or the IEP. Although the most frequently used sanctions are apology and suspension,<sup>238</sup> the House in 2021 approved a wider range of sanctions, with separate sanctions available in Code of Conduct and ICGS cases. We set these out at Annex 2. They include informal resolution, words of advice (both informal and formal), requirement to correct the Register, requirement to attend training (and, in ICGS cases, enter into a behaviour agreement), repayment of money, withdrawal of services and facilities, including the right to travel on parliamentary business, dismissal from a select committee, and salary or allowances withheld without suspension. The lists of sanctions approved by the House also indicate which is the decision-making body in respect of each sanction (the Commissioner, the Committee, the IEP or the House).

**233. Witnesses made no specific proposals to us for sanctions to be introduced which are not currently available. We are satisfied with the range of sanctions available for the Committee and the IEP to recommend, and do not propose any changes to the current situation. More effort could however be made to communicate to Members and others what sanctions are available and how flexible the system actually is: we recommend that this be done as part of the communications strategy we discuss in paras 199-201 above.**

234. *Has there been “sanction inflation”?* We found that there is a belief among some Members that sanctions currently recommended by the Committee are more severe than would have been the case for equivalent breaches of the Code in past parliaments. This theory is difficult conclusively to disprove because the pool of relevant cases (which we set out in Annex 3) is relatively small and every case is different, with different circumstances and different aggravating and mitigating factors, making one-to-one comparisons between cases unreliable. We can however state that the Committee does not and has not had a policy of increasing the severity of sanctions. We try scrupulously to assess each case on its merits, maintaining an awareness of precedent in previous cases. In 2021 the Committee secured the approval of the House for a formal list of aggravating and mitigating factors,<sup>239</sup> and it is our routine practice to take these factors into account in determining a recommended sanction.

**235. There has been no policy to increase the severity of sanctions that have been imposed. The Committee assesses each Code of Conduct case fairly on its own merits, taking into account aggravating and mitigating factors as approved by the House, and past precedents. We recommend that our successor Committee keep these matters under review.**

236. *Is the Recall of MPs Act 2015 working satisfactorily as part of the parliamentary sanctions system?*

237. Under the Recall of MPs Act 2015 a Member suspended from the service of the House for at least 10 sitting days or for a period of at least 14 days, where sitting days are not specified in the suspension motion, following on from a report from the Committee on Standards in relation to the Member, becomes liable to the recall petition process. In such cases the seat is vacated if at least 10 per cent of those on the Electoral Register of the

238 See Annex 4 for a table showing how frequently particular sanctions have been employed from 1995 to date.

239 See Annex 8.

constituency concerned sign a recall petition. The former Member is not prohibited from standing at the subsequent by-election. The Speaker has ruled that for the purposes of the Act, a recommendation for suspension from the Committee of Privileges has equivalent effect to one from the Committee on Standards in triggering the recall process (assuming that the House has agreed to the recommendation).<sup>240</sup>

238. In Annex 5 we list cases that have involved recall procedure since the passage of the Act. We included the following in the terms of reference for our inquiry: “Does the Recall of Members Act 2015, and other legislation relating to the disqualification of Members, operate satisfactorily? How could it be improved?”

239. In response, our witnesses raised the following matters:

- a) Concerns have been raised about whether the number of sitting days’ suspension needed to trigger the recall process is appropriate; it has been suggested this should be increased from 10 to, say, 20 sitting days.<sup>241</sup>
- b) It has been proposed that the counting process in a recall petition should be terminated as soon as the statutory threshold of 10% of eligible registered voters has been reached; or that electors taking part in the process should be given the opportunity to register a vote against recall, so that it is no longer obvious from the fact of their attendance at a polling station which option they support.<sup>242</sup>
- c) The Institute for Government commented that a review of the implications of changes since 2015 for the working of the Act, in particular the creation of the ICGS, would be welcome.<sup>243</sup>
- d) Transparency International told us that “Parliament may wish to consider “whether there are some forms of impropriety that are so egregious that they merit expulsion without recourse to recall”.<sup>244</sup>
- e) The Electoral Commission has made recommendations for reform, including:
  - i) Reducing the present six-week petitioning period, perhaps to four weeks.
  - ii) Considering whether eligible voters should be given the chance to complete an equivalent to the signing sheet to indicate that they oppose the petition (the purpose being to protect the secrecy of the ballot, at present it being clear that anyone visiting the polling station is doing so because they believe the MP should be recalled).<sup>245</sup>
- f) The Independent Expert Panel has recommended that the Recall Act be amended to bring a suspension imposed by the House following on from a report from the IEP within the ambit of the second recall condition.<sup>246</sup>

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240 See Committee of Privileges, Second Report of Session 2022–23, [Matter referred on 21 April 2022: proposed conduct of inquiry](#) (HC 632), published 21 July 2022, paras 12-14 and Appendix

241 Q229, Q237

242 Q86, Q122, Q234

243 LAN0009

244 LAN0007

245 LAN0010

246 LAN0003; see paras 177-78 above.

240. **The Recall of MPs Act 2015 has had a significant impact on the operation of the parliamentary standards system. In making a recommendation on sanction in a Code of Conduct case, we are fully aware that suspension for 10 or more days, if approved by the House, may have a career-changing or career-ending impact on the Member concerned. We have no doubt that the Independent Expert Panel is similarly aware of the consequences of such a recommendation in ICGS cases.**

241. In relation to the specific concerns about recall procedures raised by our witnesses, we believe that the time is right for a comprehensive review of the working of the 2015 Act by way of formal post-legislative scrutiny. We believe that this would be justified on the following grounds:

- The working of the Act has significant constitutional implications.
- The Act has been in force for nearly a decade, which is long enough for significant case history to have accrued.
- While the existence of recall procedures has been widely welcomed, there are concerns about specific aspects of the working of the Act, and on some of these (for instance, whether there should be an increase in the number of sitting days' suspension needed to trigger the process) there is no readily identifiable consensus - a fresh look based on first principles would therefore be welcome.
- It would be appropriate for a body other than this Committee (i.e. one not involved in decisions on individual cases that may trigger the recall provisions) to review these matters.
- That would also have the benefit of enabling matters in the Act for which this Committee has no direct responsibility to be reviewed, e.g. the two other 'triggers' for the recall process (imposition of a custodial prison sentence, and conviction for providing false or misleading expenses claims).
- The scrutiny process could encompass specific proposals that have been made as part of our inquiry, for instance those from the Electoral Commission and the IEP.

242. Post-legislative scrutiny could be conducted either by an existing select committee (such as the Home Affairs Committee or the Public Administration and Constitutional Affairs Committee) or by an ad-hoc select committee set up for that purpose. ***We recommend that the Government accept the principle of post-legislative scrutiny of the Recall of MPs Act 2015 and bring forward timetabled proposals for the conduct of that scrutiny.***

243. **Had the present Parliament continued, we proposed to review our procedures to see if there was scope for greater clarity about the circumstances in which the Committee should recommend a suspension long enough to engage the provisions of the Recall of MPs Act. We proposed to request our legal advisers to review whether lessons could be learned from employment law or elsewhere that would assist in developing 'sentencing guidelines' and/or more precise criteria to assist the Committee in reaching decisions on sanctioning, and we planned to report further to the House in due course. Our successors in the next Parliament may wish to return to this matter.**



## International comparisons

244. In considering the House’s standards landscape we have taken into account parallel processes in other parliaments and assemblies within the UK and elsewhere. In the course of our inquiry, we engaged with officials in 13 other legislatures: the Australian House of Representatives, Canadian House of Commons, Parliament of Finland, French National Assembly, German Bundestag, Japanese House of Representatives, New Zealand House of Representatives, United States House of Representatives, European Parliament, Irish Dáil Éireann, Northern Ireland Assembly, Scottish Parliament and Senedd Cymru/Welsh Parliament.<sup>247</sup> The aim was to understand how the UK House of Commons’ standards architecture, including its Code of Conduct, Behaviour Code, Parliamentary Commissioner for Standards, Independent Complaints and Grievance Scheme and Independent Expert Panel, compares to that in other jurisdictions. Annex 7 provides an overview of each parliament, and some themes are drawn out below. For simplicity, the legislature is referred by its country in the following paragraphs.

245. Our findings, set out in Annex 7, show that most parliaments have developed some form of code of conduct, although these vary slightly in name and form. For example, the codes in Canada and Germany focus primarily on the prevention and management of conflicts of interest, whilst others, such as those in France and the UK, include wider standards of behaviour expected of parliamentarians. In most jurisdictions, the code is approved by the parliamentary chamber and/or forms part of their standing orders. However, it may be underpinned by statute, such as in Germany. Only three legislatures that we researched do not have a code of conduct, including Finland where the legal basis of ethics is the constitution. In most cases where there is no code, processes and rules for managing and declaring private interests are documented elsewhere. Although Australia has not hitherto established a formal code of conduct, following an independent review in 2021,<sup>248</sup> a Joint Select Committee on Parliamentary Standards has been established to report on the development of codes.<sup>249</sup>

246. Most parliaments have established, or in Australia intend to establish, some form of independent commissioner or office that conducts investigations into breaches of the codes. Finland, Japan and the European Parliament are exceptions to this. It is commonplace for the independent commissioner to be overseen by parliamentarians, and for any decisions on sanctions to be taken by the whole chamber. In terms of sanctioning, there is significant commonality in the types of sanctions available, including apology, payment, training, suspensions, censure and withdrawal of rights and privileges, and almost every parliament publishes some form of data on the outcomes of its ethics regulation, most often in the form of an annual report by the relevant commissioner. Where it appears the UK House of Commons is particularly distinctive is in having lay members sitting on its conduct committee, and having an independent appellate body, the Independent Expert Panel, to hear appeals in ICGS and Code of Conduct cases. Of our research sample, the only other legislature with an independent appellate body is Ireland, with the External Adjudication Panel hearing appeals by Members under the Dignity and Respect policy.

247 Where dealing with bicameral legislatures, our research has focused on the lower chambers of those legislatures as being most comparable to the UK House of Commons.

248 Australian Human Rights Commission, [Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces](#) (2021). “Commonwealth” in this context refers to the Commonwealth of Australia, i.e. the federal level of government within Australia, as opposed to the individual states.

249 Parliament of Australia, [Committee Resolution](#), Joint Select Committee on Parliament Standards, date accessed 22 May 2024



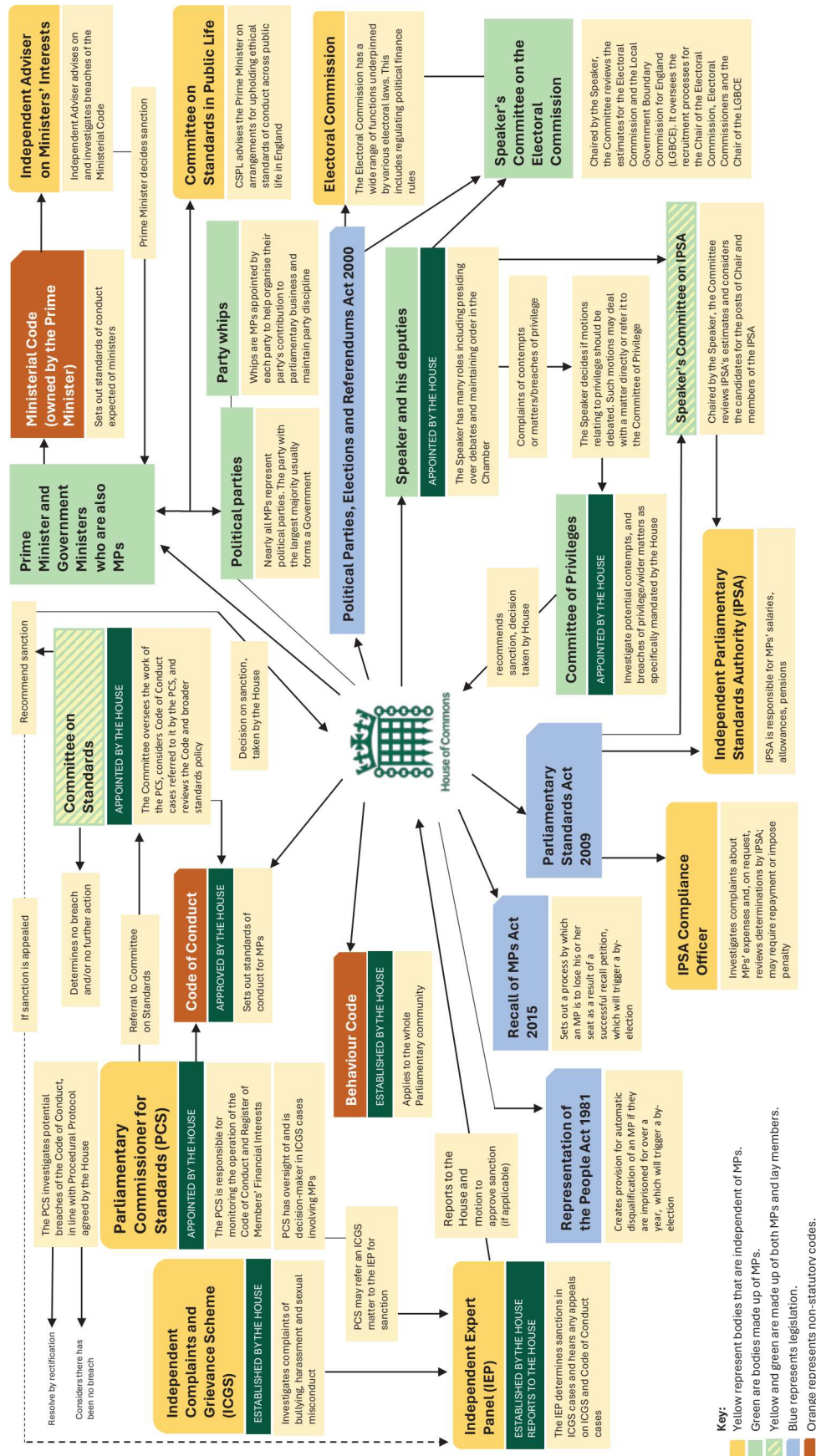
Many parliaments do, however, have purely internal mechanisms by which to challenge or dispute decisions, for example by appealing to the President or Speaker. In Wales, the ability of Members to appeal to a judge to review the decision of their standards committee before it reached the chamber was removed in 2021. In Northern Ireland, the current Committee on Standards and Privileges is due to consider the recommendation of its predecessor to appoint of lay members to the Committee.

247. Behaviour codes, or similar documents, are growing in number. Since 2019, a Dignity and Respect Statement of Principles in Ireland has applied to those who work for the parliamentary community. The Northern Ireland Assembly Behaviour Code also applies to all visiting or working within the Assembly, in similar fashion to the UK Parliament's. Since 2020 in New Zealand, all members of parliament, staff and members of press gallery have been subject to independently regulated Behavioural Statements. Draft Behaviour Standards and Codes were endorsed in both chambers of Australia in 2023. These will be enforced by the proposed Independent Parliamentary Standards Commission for which legislation is currently being drafted, and will apply to parliamentarians, parliamentarians' staff and parliamentary workplaces. Members of the European Parliament are required to sign a declaration relating to the Code of Appropriate Behaviour and, in the new parliament, will attend anti-harassment training. The United States also have mandatory training for Members, unlike in the UK House of Commons.

248. The UK's ICGS is a notable scheme in that it covers everyone in the parliamentary community, and has high levels of independence, including an independent helpline and investigators, and the Independent Expert Panel as decision-makers. Nonetheless, the innovation of the ICGS must be seen in the context of wider trends of developing policies against harassment and abuse inside the workplace. Although many countries do not have a singular scheme that covers complaints against both parliamentarians and staff, many policies and procedures have developed in tandem to the UK Parliament's. Predating the ICGS in 2014, the Canadian House of Commons adopted a policy applying to the staff of MPs and to MPs as employers of staff and then, in 2015, introduced a specific code of conduct dealing with sexual harassment between MPs, albeit with the resolution process involving party whips. Furthermore, in many countries harassment by MPs is treated as a breach of the code of conduct and the independent commissioner has a role in investigating those complaints. Countries such as France and Scotland, also have helpline and advisory services available to complainants.

**249. The UK House of Commons' standards system, compared to those in other parliamentary institutions in the UK and elsewhere, has high levels of independence. The ICGS, the Independent Expert Panel and the presence of lay members on the Standards Committee appear to be almost unparalleled in the other jurisdictions we studied. On the other hand, the evolution of our standards system, including its Code of Conduct, Behaviour Code, and policies and procedures to address bullying, harassment, and sexual misconduct, has not happened in a vacuum. In response to wider cultural trends on an international scale, many parliaments have adopted, or are in the process of adopting, their own standards procedures of a similar nature. We recommend that our successors in the next Parliament continue to monitor developments in comparator institutions to ensure that Westminster stays abreast of international good practice in regulating the conduct of parliamentarians.**

# Annex 1: Organogram of the House of Commons standards landscape



Please note that this organogram represents a complex set of relationships in necessarily simplified form – not all relationships between bodies are shown.

## Annex 2: Table of sanctions in ICGS and non-ICGS cases approved by the House on 21 April 2021

### Sanctions in ICGS cases

Proposed sanction	Decision-making body
Informal resolution	Commissioner
Words of advice (informal)	Commissioner
Words of advice (formal)	Commissioner
Requirement to attend training or enter into behaviour agreement	Independent Expert Panel
Written apology to complainant mandated by Commissioner	Commissioner
Written apology to the House	Commissioner
Apology to the House in a point of order	Commissioner
Apology to the House in a personal statement	Commissioner
Withdrawal of services and facilities / other personal restrictions including travel (not affecting core functions of a Member <sup>1</sup> )	Independent Expert Panel
Withdrawal of services and facilities / other personal restrictions including travel (affecting core functions of a Member <sup>2</sup> – where sanction reflects nature of offence )	The House, on the recommendation of the Panel
Dismissal from select committee	The House, on the recommendation of the Panel
Salary or allowances withheld without suspension	The House, on the recommendation of the Panel
Suspension	The House, on the recommendation of the Panel
Expulsion	The House, on the recommendation of the Panel

### Sanctions in non-ICGS cases

Proposed sanction	Decision-making body
Informal resolution	Commissioner
Words of advice (informal)	Commissioner

1 The core functions of a Member are defined as (a) participation in the formal proceedings of the House or its committees, and (b) their ability to communicate with and make representations on behalf of their constituents. If the Panel or the Committee is in any doubt as to whether a sanction would interfere with core functions, they would be expected to seek the views of the House authorities where appropriate, and to err in their decision on the side of caution, i.e. to recommend that imposition of a sanction should be decided by the House itself if there is any reasonable doubt about the matter. (Source: letter dated 4 February 2021 from Chair of the Committee on Standards to the Leader of the House)

2 See footnote 1 above.

Words of advice (formal)	Commissioner
Correction of register	Commissioner
Requirement to attend training	Standards Committee
Written apology mandated by Standards Committee	Standards Committee
Apology to the House in a point of order	Standards Committee
Apology to the House in a personal statement	Standards Committee
Repayment of money	Commissioner if the Member agrees – otherwise Standards Committee
Withdrawal of services and facilities / other personal restrictions including travel (not affecting core functions of a Member <sup>3</sup> )	Standards Committee
Withdrawal of services and facilities / other personal restrictions including travel (affecting core functions of a Member <sup>4</sup> – where sanction reflects nature of offence)	The House, on the recommendation of the Standards Committee
Dismissal from select committee	The House, on the recommendation of Standards Committee
Salary or allowances withheld without suspension	The House, on the recommendation of Standards Committee
Suspension	The House, on the recommendation of Standards Committee
Expulsion	The House, on the recommendation of Standards Committee

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3 See footnote 1 above.

4 See footnote 1 above.

## Annex 3: Sanctions in Code of Conduct cases recommended/imposed 1995-2024

### I: Recommendations on Penalties in Standards Cases

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Scott Benton 2R 2023–24	14 Dec 2023	Breach of Para 11 of Rules (bringing House into disrepute) by giving impression in 'sting' interview that he and other Members were corrupt	Suspension for 35 days	Appeal to the Independent Expert Panel (IEP) dismissed.  Suspension agreed 27 February 2023.  Recall process initiated but MP resigned from House before petition signing period closed.
Mr Marcus Fysh 13R 2022–23	7 Sept 2023	Breach of confidentiality of investigation (paragraph 13)	Apology to House by letter to the Committee	
Christopher Pincher 12R 2022–23	6 Jul 2023	Breach of Code para 17 (significant damage to the reputation and integrity of the House) by sexual misconduct (groping two individuals)	Suspension for 8 weeks	Appeal to the IEP dismissed.  Resigned before sanction approved by the House.
Matt Hancock 10R 2022–23	5 Jun 2023	Breach of rule on lobbying the Commissioner by writing about a Member under investigation stating that they should be "cleared from any accusation"	Apology to House by personal statement; attend briefing with Commissioner on obligations under the Code	



Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Margaret Ferrier 9R 2022–23	30 Mar 2023	Breach of para 17 (significant damage to the reputation and integrity of the House) and para 11 (conflict of interest) by travelling when infected and failing to self-isolate during COVID-19 pandemic	Suspension for 30 days	Appeal to the IEP dismissed.  Suspension agreed on 6 June 2023.  MP recalled and did not contest the by-election.
Andrew Bridgen 4R 2022–23	3 Nov 2022	Breach of paid advocacy rule, rules on registration and declaration, breach of paragraph 20 (lobbying the Commissioner in a way calculated to influence her consideration of the case)	Suspension for 5 sitting days (2 sittings days for paragraph 12 and 14 breaches; 3 sitting days for paragraph 20 breach), and apology to House by personal statement	Appeal to the IEP dismissed.  Suspension agreed on 9 January 2023.
Daniel Kawczynski 5R 2021–22	13 Jan 2022	Failure to comply with sanction imposed by Independent Expert Panel in ICGS case, thereby breaching Code para 17 (bringing House into disrepute)	Suspension for one sitting day (not a Friday); apology to House by personal statement; written apologies to original complainants, PCS and Chair of IEP.	
Mr Owen Paterson 3R 2021–22	26 Oct 2021	Breach of paid advocacy rule, rules on declaration of interests and use of stationery.	Suspension for 30 sitting days	Resigned from House before motion to implement sanction was tabled.

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Mrs Natalie Elphicke, Sir Roger Gale, Adam Holloway, Bob Stewart, Theresa Villiers 2R 2021–22	21 Jul 2021	Breach of Code para 17 (significant damage to the reputation and integrity of the House) for an attempt improperly to influence judicial proceedings, by writing privately to two senior judges (and subsequently the Lord Chief Justice) to invite them to intervene in a decision which belonged properly to a more junior judge; misused House facilities through use of House-provided stationery for the letters.	Elphicke, Gale, Villiers: one day's suspension; apology to House by letter to Committee, and to LCJ by letter copied to Committee; the terms of both to be agreed by Speaker and Chair.  Holloway, Stewart: apology to House by personal statement, and to LCJ by letter copied to Committee; the terms of both to be agreed by Speaker and Chair.	
Dr Rosena Allin-Khan 9R 2019–2021	22 Oct 2020	Inappropriate use of stationery and prepaid envelopes, and use of constituent's contact details for non-parliamentary purposes [note – had two prior rectifications, one also relating to stationery/use of crowned portcullis, in last 3 years]	Apology by way of personal statement (terms of which to be agreed both with Speaker and Chair); agree steps to prevent further breaches with Chair and two other members of the Committee with 3- and 6-month reviews.	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
David Morris 8R 2019–21	17 Sept 2020	Breach of paid advocacy in asking Topical Question and writing to Minister which sought to confer benefit on a company from which he had received a linked campaign donation within six months; failure to declare this interest in letter to Minister.	Apology by way of personal statement (terms of which to be agreed both with Speaker and Chair)	
Mr Marcus Fysh 5R 2019–21	18 Jun 2020	Failure to register change in interests within time limit; failure to register and declare non-pecuniary interests (unremunerated directorships); lack of co-operation with Commissioner and tone adopted towards her and Registrar	Apology by way of personal statement; written apology to Commissioner and Registrar, terms of which to be agreed with Chair	
Conor Burns 4R 2019–21	4 May 2020	Inappropriate use of House stationery to pursue private financial interests; intimidation of member of public through threat to raise matter in the House under protection of privilege	Suspension for seven days; letters of apology to Speaker and injured party	Suspension agreed on 11 May 2020.
Greg Hands 3R 2019–21	4 May 2020	Inappropriate use of House stationery to send general update to constituents; inappropriate conduct in insisting on futile reference of case to the Committee	Apology by way of personal statement to be agreed by the Speaker	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Kate Osamor 1R 2019–21	19 Mar 2020	Inappropriate use of House stationery to write a letter to a court concerning the sentencing of her son, who was employed in her parliamentary office; and using threatening language to a journalist	Apology in writing to the House through the Committee	
Sir Henry Bellingham 2R 2019	31 Oct 2019	Errors in Register and failure to register in a timely manner, compounded by failure to take rectification action in a timely manner	Apology in writing to the House through the Committee	
Keith Vaz 1R 2019	28 Oct 2019	Breach of 2015 Code Para 16 (reputation of the House) by (a) showing disregard of the law and (b) failing to co-operate fully with the inquiry process	Six months' suspension; if ceases to be a Member, should not be eligible to be granted a former Member's pass	Suspension agreed on 31 October 2019.  MP not recalled as a General Election was announced. He did not contest his seat.
Mr Geoffrey Cox 8R 2017–2019	25 Jul 2019	Failed to register in a timely manner	Apology in writing to the House through the Committee	
Boris Johnson – further report 7R 2017–2019	8 Apr 2019	Failed to register in a timely manner	Required to meet Registrar in person to receive briefing on obligations to register	
Boris Johnson 4R 2017–2019	6 Dec 2018	Failed to register in a timely manner	Apology to House on point of order	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Ian Paisley 3R 2017–2019	18 Jul 2018	Failure to register and declare personal benefits received by himself and his family from foreign government; breach of ban on paid advocacy	30-day suspension and 30 days' loss of salary (motion agreed by House confirmed that these two sanctions were separate, as had been the Committee's intention)	Suspension agreed on 24 July 2018.  MP recalled but the petition did not attract enough signatures to trigger a by-election.
Dame Margaret Hodge 1R 2017–2019	7 Dec 2018	Misuse of House facilities	Apology to House on point of order	
Nigel Adams 3R 2016–2017	23 Mar 2017	Failure to register and declare interest in select committee	Apology to House on point of order	
Karl Turner 1R 2016–2017	30 Jun 2016	Failure to declare interest in tabling PQs and debate	Apology to Committee in writing	
Mr Geoffrey Cox 2R 2015–16	4 Feb 2016	Failure to register in a timely manner	Apology on the floor of the House	



Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Patrick Mercer 11R 2013–14	1 May 2014	<p>(1) failed to register monies received for the provision of consultancy services;</p> <p>(2) failed to deposit an agreement for the provision of services;</p> <p>(3) failed to declare a relevant interest when tabling five parliamentary questions, when tabling an early-day motion, when making approaches to other Members, and at a meeting of a prospective All-Party Parliamentary Group; and</p> <p>(4) tabled parliamentary questions and an early-day motion, and taken steps to establish an All-Party Parliamentary Group, at the request of paying clients</p>	Six-month suspension	<p>MP resigned before the motion to suspend was tabled.</p> <p>Had sanction been imposed, recall process would have been initiated if Recall of MPs Act had been in force at the time.</p>
Maria Miller 10R 2013–14	3 Apr 2014	Misuse of Parliamentary allowances between her election to Parliament in 2005 and April 2009.	Repayment of £5,800 and an apology to the House by personal statement	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Nadine Dorries 4R 2013–14	11 Nov 2013	Failure to register payments in respect of her appearance on I'm a Celebrity...Get Me Out of Here	Required to consult with the Commissioner in person about the registration of all payments received for work done and to make a personal apology to the House	
Simon Hughes 3R 2013–14	7 Nov 2013	(1) Failed to register donations to his local party  (2) Failed to declare 2 financial interests  (3) Arranged a meeting that amounted to lobbying with reward	It was found that he did not lobby for reward. It was recommended that he apologise by personal statement to the House	
Mr Denis MacShane 2R 2012–13	2 Nov 2012	Breached the Incidental Expenses Provision by submitting made up invoices to the House Finance department	12 month suspension	MP resigned from House before a motion to suspend could be considered.  Had sanction been imposed, recall process would have been initiated if Recall of MPs Act had been in force at the time.
Dr Liam Fox 23R 2010–12	15 Mar 2012	(1) Permitted friend to stay in second home for a year  (2) Used parliamentary office space for his charity	Written apology  Repay £3,000	
Jack Dromey 22R 2010–12	19 Jan 2012	(1) Failure to register in a timely manner;  (2) failure to declare interests	Apology by way of point of order  [in fact personal statement used]	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
John Healey 18 2010–12	14 Jul 2011	Misuse of stationery for party uses  [might have been rectified]	Written apology	
Mr David Laws 15R 2010–11	12 May 2011	(1) Wrongly designating main home  (2) Renting from a partner forbidden since June 2006;  (3) Rent higher than market rent, and extra payments made for building work which should have been included;  (4) Telephony costs wrongly claimed	(1) Apology to House  (2) 7 sitting days suspension  (3) No demand for repayment, because more already repaid than outstanding amount – since some ACA would have been payable.	Suspension agreed on 16 May 2011.
Alison Seabeck 12R 2010–12	3 Mar 2011	Failure to declare indirect interests.	Written apology.	
Anthony Wright (former Member) 11R 2010–12	3 Feb 2011	(1) Accepted payment from owners of ACA-funded second home in exchange for giving up tenancy rights, but claims overall did not increase.  (2) Inadvertently claimed for five quarters of rent in one year.	(1) Mr Wright to apologise in writing and to pay House one fifth of sum received after tax (approx £3,000).  (2) Mr Wright to repay the money (£3,050).	No longer an MP when the Committee reported.

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Sir John Butterfill, Mr Stephen Byers, Ms Patricia Hewitt, Mr Geoff Hoon, Mr Richard Caborn and Mr Adam Ingram (all former Members) 9R 2010–12	9 Dec 2010	(1) Mr Byers breached the Code by bringing the House and its Members generally into disrepute, but apologised.  (2) Mr Hoon breached the Code by bringing the House and its Members generally into disrepute, but did not apologise.  (3) Mr Caborn breached the Code by failing to declare a financial interest in a meeting with a public official.  Allegations against Sir John Butterfill and Ms Hewitt not upheld.	(1) Mr Byers to lose his entitlement to a former Member's pass for 2 years.  (2) Mr Hoon to apologise in writing and lose his entitlement to a former Member's pass for 5 years.  (3) Mr Caborn to apologise in writing and lose his entitlement to a former Member's pass for 6 months.	No longer MPs when the Committee reported.
Lord Knight of Weymouth (former Member) 8R 2010–12	18 Nov 2010	Claimed from communications expenditure for purchase and running costs of a high-capacity printer which was also used by his local party.	Lord Knight to repay £3,620 (half the sums paid to him).	No longer an MP when the Committee reported.
Mr Andrew Mackay and Ms Julie Kirkbride (former Members) 5R 2010–12	21 Oct 2010	Mr Mackay wrongly designated his main home and his claims were not beyond reproach. Complaint against Ms Kirkbride not upheld.	Mr Mackay to apologise in writing (he had already repaid a substantial sum. Would have recommended suspension had he still been a Member).	Did not stand for re-election, before the Committee reported.

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Bill Wiggin 3R 2010–12	14 Oct 2010	(1) wrongly designated his main home  (2) overclaimed from ACA for Council Tax  (3) claimed for telephone and maintenance costs he did not incur	(1) written apology  (2) repay £285  (3) written apology and repay £4,009 (half the costs he was paid)	
Shahid Malik (former Member) 2R 2010–12	12 Oct 2010	Claimed for cost of insuring his wife's engagement ring when it was at his second home.	Written apology (he had already repaid the cost of the additional insurance premium).	No longer an MP when the Committee reported.
Jim Fitzpatrick 1R 2010–12	12 Oct 2010	Charged expenditure on correspondence to the wrong allowance.	Written apology and repay £557 (case aggravated by Mr Fitzpatrick spinning it out beyond the general election – he declined rectification).	
Mr David Curry 12R 2009–10	25 Mar 2010	(1) Claimed ACA in respect of a home he very rarely stayed at overnight.  (2) Wrongly designated his main home for a period of over a year.  (3) Failed to deposit a properly drawn-up agreement re other employment.	(1) Mr Curry to repay £28,000 and to give written apology  (2) and (3) Mr Curry to give written apology	



Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
John Barrett, Sir Alan Beith, Sir Menzies Campbell, Sandra Gidley, Paul Holmes and Richard Younger-Ross  11R 2009–10	19 Mar 2010	JB, SG, PH and RY-R accepted payments from owners of ACA-funded second home in exchange for giving up tenancy rights, in cases of JB and RY-R leading to higher claims.  AB and MC accepted smaller payments in exchange for personal succession rights.	John Barrett and Richard Younger-Ross to pay House half of sum received after tax. Sandra Gidley and Paul Holmes to pay a quarter of sum received after tax. All four to apologise in writing.  No action required of Alan Beith and Sir Menzies Campbell.	
Alan Keen and Ann Keen  10R 2009–10	11 Mar 2010	Claimed for second home when main home was unusable due to building works.	Mr and Mrs Keen to repay £1,500 of allowances received.	
Mrs Anne Main  8R 2009–10	4 Feb 2010	(1) Received a personal benefit by allowing her adult daughter to stay free in her ACA-funded second home.  (2) Claimed for food while at Westminster.	(1) Mrs Main to repay £5,000 (one seventh of total, abated because of poor guidance).  (2) Mrs Main to repay £2,100.  Mrs Main to apologise in writing.	
Harry Cohen  7R 2009–10	22 Jan 2010	Designated as his main home a house that was let for 6-month periods and claimed over £60,000 to which he was not entitled.	Mr Cohen to apologise on floor of House and his Resettlement Grant to be withheld in full.	Did not stand for re-election in 2010.  Sir Paul Kennedy appointed to conduct a review of this case; concluded Committee had acted fairly.
Mr George Osborne  6R 2009–10	21 Jan 2010	Claimed against ACA for costs incurred before being elected and for repairs added to mortgage (not allowed pre-06).	Mr Osborne to repay a further £1,666 (he had already repaid £270).	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Mr Brian Binley 5R 2009–10	11 Jan 2010	Claimed against ACA for cost of renting a flat from a company he and his wife part-owned.	Mr Binley to apologise unequivocally in writing and to repay £1,500. (Two 'significant' mitigating factors: DR failed to act and public purse did not lose out).	
Mr Jeremy Hunt 4R 2009–10	10 Dec 2009	Subsidised his party agent's living costs through ACA claims.	Mr Hunt to repay £9,558.50 (half the sum claimed).	
Stephen Byers 3R 2009–10	3 Dec 2009	CA-funded newsletter contained political material.	Mr Byers to apologise in writing and to repay £500 (about one eighth).	
David Tredinnick 1R 2009–10	26 Nov 2009	CA-funded newsletter promoted local election candidates.	Mr Tredinnick to repay half the sum claimed, £1,945 (he had already apologised).	
Mr Tony McNulty 10R 2008–09	29 Oct 2009	Subsidised his parents' living costs through ACA claims.	Mr McNulty to apologise to the House and to repay £13,837 (calculated as the difference between what he claimed and what he should have claimed).	
Jacqui Smith 9R 2008–09	12 Oct 2009	(1) Wrongly designated her main home.  (2) Wrongly claimed for pay-TV services.	(1) Ms Smith to apologise to House by personal statement.  (2) No penalty (sums claimed already repaid and "wholehearted" apology given).	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Mrs Caroline Spelman 6R 2008–09	3 Mar 2009	Employed her nanny as a part-time administration assistant and paid her only for the latter role, effectively subsidising her employment as nanny.	Mrs Spelman to repay £9,600. (She also issued a statement apologising, although she was not required to).	
Mr Derek Conway 3R 2008–09	29 Jan 2009	Employed his son Henry Conway as a part-time Research Assistant and paid him at more than appropriate rate for his experience and qualifications.	Mr Conway to repay £3757.83 and make a written apology. (This was later repeated orally on the floor of the House, during a debate on Members' allowances).	Had already announced he would not contest his seat in the next election.
Peter Hain 2R 2008–09	22 Jan 2009	Reported £103,000 of donations to his Labour Party deputy leadership campaign late.	Mr Hain to make an apology on the floor of the House.	
Ms Dari Taylor 18R 2007–08	12 Nov 2008	Misuse of parliamentary stationery and postage.	Ms Taylor to pay the House £500 and submit an unequivocal written apology.	
Mark Hunter 16R 2007–08	23 Oct 2008	CA funded survey contained inappropriate material, survey circulated outside constituency and survey exploited for party political purposes.	Mr Hunter to repay £500	
Ed Balls and Yvette Cooper 14R 2007–08	08 Oct 2008	Members had incorrectly identified their main home for the purposes of ACA claims on their second home. Complaint dismissed by the Commissioner.	[see also 15R, 2007–08—conclusions on general recommendations made by the Commissioner when reporting on the complaint against Ed Balls and Yvette Cooper.]	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Sir Nicholas and Lady Winterton  12R 2007–08	18 Jun 2008	Claimed cost of rent from Additional Costs Allowance on flat, in which they were living, but had bought outright and put in Trust for their children. They also both acted as trustees.	No further claims to be paid from ACA in respect of rent on the property from 1 Sept 2008.	
Mr Derek Conway  4R 2007–08	28 Jan 2008	Employed his son Freddie Conway as a part-time Research Assistant and paid him at substantially more than appropriate rate for the job he was employed to perform. No evidence that he performed any of tasks involved in job.  Mr Conway authorised bonus payments which exceeded limit set by the House.	Suspended for 10 Sitting days and apology to the House.  Repay overpaid bonus sum of £3,962.97, rising to £7161.05 if House unable to reclaim tax and National Insurance contribution and also to repay further £6,000.	Announced he would not stand in the next election.  Suspension agreed on 31 January 2008.  Recall process would have been initiated if Recall of MPs Act had been in force at the time.
Mr Sadiq Khan  2R 2007–08	13 Dec 2007	Party logo used in Communications Allowance funded Parliamentary newsletter no “proportionate and discreet”.	Repayment of £500 of sum claimed from Communications Allowance.	
Mr Malcolm Bruce  2R 2007–08	13 Dec 2007	Parliamentary newsletter, funded through Incidental Expenses Provision, contained photographs promoting the interests of the Scottish Liberal Democrats.	Repayment of £500 of £2941.16 claimed from Incidental Expenses Provision	

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Mr Elfyn Llwyd 1R 2007–08	19 Nov 2007	Content of Parliamentary Report inappropriate for a Communications Allowance-funded communication. Breached prohibition on using material for purpose of party campaigning.	Repayment of sum claimed from Communications Allowance.	
Mr Adam Price 1R 2007–08	19 Nov 2007	Content of Parliamentary Report inappropriate for a Communications Allowance-funded communication. Breached prohibition on using material for purpose of party campaigning.	Repayment of sum claimed from Communications Allowance.	
Mr Hywel Williams 1R 2007–08	19 Nov 2007	Content of Parliamentary Report inappropriate for a Communications Allowance-funded communication. Breached prohibition on using material for purpose of party campaigning.	Repayment of sum claimed from Communications Allowance.	
Mr George Galloway 6R 2006–07	17 Jul 2007	Failure fully to register and declare interests; breach of advocacy rule.	Suspension for a period of 18 actual sitting days and apology to the House.	Suspension was agreed on 23 July 2007.  Recall process would have been initiated if Recall of MPs Act had been in force at the time.
Mr Eric Illsley 15R 2005–06	26 Jul 2006	Misuse of House of Commons stationery in relation to local election canvassing.	Repayment of cost of stationery used.	



Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Dr Desmond Turner 14R 2005–06	26 Jul 2006	Use of abusive language and attempt to intimidate an employee of Brighton & Hove City Council.	Full written apology to complainant and copy sent to Committee.	
Mr George Galloway 7R 2005–06	26 Apr 2006	Failure fully to register and declare interests.	Full registration of interests within 7 days of publication of Report.	
Mr Tony Baldry 3R 2005–06	21 Jul 2005	Failure fully to register and declare interests; breach of advocacy rule.	Personal statement.	
Mr Jonathan Sayeed 5R 2004–05	20 Jul 2005	Unfounded criticisms of factual accuracy of Third Report; inadequate apology; misuse of Parliamentary resources.	Personal statement (indefinite suspension if not made).	
Mr Jonathan Sayeed 3R 2004–05	3 Feb 2005	Failure to take adequate steps to prevent conflict of interest between responsibility as member and involvement with a private company, and other matters.	Suspend for two weeks and apologise to House.	Suspension agreed on 8 February 2005.  Recall process would have been initiated if Recall of MPs Act had been in force at the time.
Ms Diane Abbott 2R 2003–04	28 Jan 2004	Failure to register income received from presenting a television programme.	Personal statement.	
Mr Clive Betts 5R 2002–03	17 Jul 2003	Copying an altered document when improper use of the copy might reasonably be anticipated.	Suspend for seven days.	Suspension agreed on 11 September 2003.
Mr Henry McLeish (former Member) 4R 2002–03	10 Jul 2003	Failure to declare interest; inappropriate OCA claims.	None. [Suspend for one week if he had still been a Member]	No longer an MP when the Committee reported.

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Mr Michael Trend 3R 2002–03	13 Feb 2003	Claiming Additional Costs Allowance inappropriately.	Suspend for two weeks [mitigating factors: full co-operation with inquiries, decision to immediately pay back sum requested]	Suspension agreed on 27 February 2003.  MP did not seek re-election.  Recall process would have been initiated if Recall of MPs Act had been in force at the time.
Mr Keith Vaz 5R 2001–02	8 Feb 2002	Misleading Commissioner and Committee, and other matters.	Suspend for one month.	Suspension agreed on 13 February 2002.  Recall process would have been initiated if Recall of MPs Act had been in force at the time.
Mr Geoffrey Robinson 1R 2001–02  20R 1997–98	24 Oct 2001	Failure to provide proper responses to Commissioner and Committee.	Suspend for three weeks.  Personal statement.	Suspension agreed on 31 October 2001.  Recall process would have been initiated if Recall of MPs Act had been in force at the time.
Mr Roy Beggs 6R 2000–01	31 Oct 2001	Failure to register interest.	Personal Statement.	
Mr Tony Baldry 8R 1999–2000	22 Mar 2000	Failure to disclose financial relationship when supporting honours recommendation.	Personal Statement.	
Mr Ken Livingstone 7R 1999–2000	15 Mar 2000	Failure to make comprehensive Register entry.	Personal Statement.	
Mrs Teresa Gorman 5R 1999–2000  7R 1998–99	17 Feb 2000  20 May 1999	Misleading Commissioner and Committee, and other matters.	Suspend for one month.  Personal Statement.	Suspension agreed on 1 March 2000.

Member	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Mr Robert Wareing  5R & 6R 1997–98	29 Jul 1997	Failure to declare a financial interest.	Suspend for five days	Suspension agreed on 30 October 1997.

**II: Code breached, but no recommendation for further action**

Member	Date of publication	Summary of offence
Rishi Sunak  14R 2022–23	14 Sept 2023	“Minor and inadvertent” breach of Code in respect of confidentiality of PCS investigation.
Alex Davies-Jones  6R 2022–23	9 Feb 2023	Inadvertent breach of lobbying rules – asking a question which sought to confer a benefit on the British Council after returning from a visit. Committee noted the rules that related to the case were about to change and the same action would not be a breach in future.
Stephen Pound  2R 2019–21	27 Apr 2020	Inadvertent breach of rules relating to accepting payment for arranging functions on parliamentary estate, over a period of years; apology received by Committee and published in report, so no further action needed
Kevin Barron  2R 2016–17	20 Oct 2016	Contracted for payment to charity in connection with hosting event in Commons
Simon Danczuk  7R 2014–15	19 Mar 2015	Failure to register interests on time
Sir Bob Russell  1R 2012–13	10 Sep 2012	Claimed rent for his constituency office from 2002–09 to 2009–10 when the accommodation was owned by a company in which he and a family member held shares
Mr Brian Binley  5R 2009–10	11 Jan 2010	Failure to register benefit received from rental arrangement.
Jacqui Smith  9R 2008–09	12 Oct 2009	Wrongly claimed under ACA for pay-TV services.
Mr Gordon Brown  5R 2008–09	26 Feb 2009	Sub-let part of an office paid for out of parliamentary allowances.
Jack Straw  1R 2008–09	22 Jan 2009	Reported £3000 donation to constituency event held in his honour 4 years late.

Member	Date of publication	Summary of offence
Sir Robert Smith 11R 2007–08	5 Jun 2008	Part of Hansard quotation used in Parliamentary Report not appropriate for inclusion in Incidental Expenses Provision-funded publication.
Mr George Osborne 10R 2007–08	15 May 2008	Failure to include in his entry in Register of Members' Interests details of donations made to Conservative Party and used by Party to support cost of running the office of the Shadow Chancellor of the Exchequer.
Mr Norman Baker 2R 2007–08	13 Dec 2007	Parliamentary newsletter funded from IEP contained party-political material.
Mr Martin Salter and Mr Rob Wilson 8R 2006–07	17 Oct 2007	Misuse of Parliamentary stationery and misuse of Parliamentary allowances in relation to contents of reports circulated to constituents.
Mr Gregory Campbell 7R 2006–07	26 Jul 2007	Failure to declare interests at certain meetings of Northern Ireland Affairs Committee.
Mr Julian Brazier 4R 2006–07	13 Jun 2007	Misuse of Parliamentary dining facilities.
26 Members 3R 2006–07	29 Mar 2007	Complaints about alleged misuse of Parliamentary dining facilities.
Mr David Cameron 2R 2006–07	29 Mar 2007	Misuse of House facilities for party fund-raising.
Nadine Dorries 12R 2005–06	28 Jun 2006	Misuse of Parliamentary stationery.
Mr Michael Foster (Worcester) 10R 2005–06	14 Jun 2006	Misuse of Parliamentary stationery.
Mr Mark Lancaster 8R 2005–06	24 May 2006	Misuse of Parliamentary stationery.

Member	Date of publication	Summary of offence
Mr John Horam 2R 2005–06	20 Jul 2005	Failure to register donations to local association which he had personally solicited.
Mr David Blunkett 2R 2004–05	21 Dec 2004	Misuse of travel allowances.
Mr Anthony Steen 1R 2004–05	1 Dec 2004	Incidental Expenses Provision funded publication included material of a party political nature.
Mr John Spellar 3R 2003–04	11 Feb 2004	Failure to register benefit from a trade union.
Mr Nigel Griffiths 7R 2001–02	13 Feb 2002	Use of constituency office for party political purposes without informing Fees Office, and related matters.
Five Members 8R 2000–01	9 May 2001	Minor and inadvertent failures to declare interests.
Mr William Hague 4R 2000–01	21 Mar 2001	Inaccurate Register entry.
Mr Frank Roy 1R 2000–01	14 Dec 2000	Betting on election of Speaker.
Mr Robert Sheldon 17R 1999–2000	25 Oct 2000	Failure to declare certain interests.
Frank Cook 14R 1999–2000	12 Jul 2000	Failure to register overseas visits.
Sir Michael Spicer 13R 1999–2000	24 May 2000	Failure to declare a registered interest.
Mr William Hague 4R 1999–2000	15 Dec 1999	Failure to register benefit.



Member	Date of publication	Summary of offence
Dr Marjorie Mowlam 13R 1998–99	10 Nov 1999	Failure to register donation.
Mr Peter Mandelson 9R 1998–99	1 Jul 1999	Failure to register a loan from a fellow-Member.
Mr Edward Leigh 6R 1998–99	14 Apr 1999	Failure to register sponsorship of a research assistant.
Sir Edward Heath 4R 1998–99	24 Mar 1999	Retaining an interest removed from the Register.
Mr Francis Maude 3R 1998–99	10 Mar 1999	Minor breach of advocacy rule.
Mr Geoffrey Robinson 2R 1998–99	2 March 1999	Failure to register his shareholdings in Roll Centre Inc. [had already apologised]
Mr Tony Banks 17R 1997–98	3 Jun 1998	Failure to declare interest in EDMs; breach of advocacy rule.
Mr Tony Blair 14R 1997–98	19 Mar 1998	Failure to register visit where hospitality value exceeded threshold.
Sir David Steel 12R 1997–98	11 Feb 1998	Failure to deposit employment agreement before providing services; failure to declare recent past services in relation to certain EDMs.
Mr Kenneth Clarke 3R 1997–98	28 Jul 1997	Failure to register attendance at conference where hosts paid for accommodation.
25 Members 1R, 7R, 8R 1997–98	5 Nov 1997	A series of allegations, originally against 25 Members, that (i) cash payments had been made to Members for parliamentary services; (ii) financial interests had been persistently not registered, and had not been declared either in the House or in dealings with Ministers; (iii) Members had acted in a manner incompatible with the standards expected of them, particularly in their dealings with lobbyists. Five Members would have been suspended if they had still been Members.

Member	Date of publication	Summary of offence
Dr Charles Goodson-Wicks 7R 1995–96	25 Jul 1996	Failure to declare interest when tabling a question.
Mr Roy Thomason 4R 1995–1996	28 Jul 1996	Failure to register as a benefit an agreement by certain creditors not to press for repayment of debts.
Jonathan Aiken 2R 1995–1996	22 Feb 1996	Failure (i) to disclose directorship in 1990, and (ii) to comply with resolution of Committee on Members' Interests to continue to enter two former directorships in 1991 Register.

**II-a Code not breached**

Member	Date of publication	Summary of alleged offence	Committee comment
Stephen Flynn 1R 2023–24	30 Nov 2023	Misuse of official stationery in support of party political campaigning	Committee did not state in terms that there was a breach of the Code. It recommended no further action.
Jess Phillips 11R 2022–23	8 Jun 2023	PCS found Member registered interest two days after the 28 day deadline.	Committee did not state in terms that there was a breach of the Code. It recommended no further action.
Boris Johnson 1R 2021–22	8 Jul 2023	PCS found Member in breach of Code para 14 because he did not make sufficient inquiries to establish the full facts about the funding arrangements for free accommodation he and his partner received on a holiday in Mustique. Committee took further evidence on those arrangements.	In light of further information received, Committee found Member's Register entry was accurate and complete, and therefore found no breach of para 14.  However, Committee did not criticise PCS for reaching conclusion she did in light of information available to her. Committee criticised Members for not having made "more strenuous efforts had been made to dispel the uncertainty" about the funding arrangements.

Sir Malcolm Rifkind and Mr Jack Straw  2R 2015–16	17 Sept 2015	Lobbying (Sir Malcolm Rifkind); use of parliamentary resources, declaration of interests and lobbying (Mr Jack Straw).	The Committee recognises the role of past media “stings” in uncovering wrongdoing but draws attention to the importance of fair and accurate reporting. It says:  “By selection and omission the coverage distorted the truth and misled the public as to what had actually taken place. The Commissioner rightly draws attention to the continuing debate around MPs’ external interests, and notes some of the complexities involved.”
Peter Lilley  5R 2014–15	16 Jan 2015	Failure to declare a relevant financial interest in debates in Westminster Hall	Mr Lilley’s action in declaring his interest on other occasions demonstrates a willingness to declare when he judged it relevant. He has given his explanation as to why he did not think his interest was relevant to the debates in question. We do not think it would be fair to Mr Lilley to find him in breach of a rule which was not clear at the time he considered the matter.
Mr Peter Bone  2R 2014–15	11 Sept 2014	Claims made against the Additional Costs Allowance (ACA) for rent of a property which, contrary to the rules at the time (2005), was neither within 20 miles of Mr Bone’s constituency nor of the Palace of Westminster	Although the rules at the time did not allow Mr Bone to make claims on a property which was neither within 20 miles of his constituency nor of the Palace of Westminster, the Commissioner found that “there was no attempt to conceal in any way the location of the property [and there is] no evidence that Mr Bone has made any personal gain through that breach. This provides significant mitigation”

Tim Yeo 5R 2013–14	21 Nov 2013	Offered to make approaches to Ministers and/ or servants of the Crown on behalf of a company in which he expected to have a financial interest; and  told the managing director of a company which was a subsidiary of a company in which he had a financial interest what to say when giving evidence to the Select Committee of which he was chair.	Media investigations can have a role to play in ensuring high standards of public conduct but we note that in this case Mr Yeo has broken no rules and the only misrepresentation has been that of the journalists themselves.
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### III: Recommendations on Penalties in Privilege Cases

Committed by	Date of publication	Summary of offence	Recommendation	Consequential outcome (if applicable)
Rt Hon Boris Johnson 5R 2022–23	15 Jun 2023	<p>a) Deliberately misleading the House</p> <p>b) Deliberately misleading the Committee</p> <p>c) Breaching confidence</p> <p>d) Impugning the Committee and thereby undermining the democratic process of the House</p> <p>e) Being complicit in the campaign of abuse and attempted intimidation of the Committee</p>	To be deprived of former Member's pass. If had remained a Member, Committee would have recommended 90 days' suspension for "repeated contempts and seeking to undermine the parliamentary process"	Resigned before the report was published.  If had remained a Member, the Committee would have recommended 90 days' suspension, triggering a recall petition.

Dominic Cummings 1R 2017–19	27 Mar 2019	Refusal to obey order first by DCMS Committee and then by the House to give oral evidence	Admonishment by resolution of the House	
Justin Tomlinson MP 2R 2016–17	15 Sept 2016	Leaking of draft committee report	Apologise by personal statement and suspension for two sitting days	Suspension agreed on 10 October 2016.
Witnesses from News International 1R 2016–17	14 Sept 2016	Misleading evidence to CMS Committee: two found in contempt of the House	Admonishment by resolution of the House	
The News of the World 14R 2010–12	31 Mar 2011	Phone Hacking of Member's mobile phones	Measures to implement the recommendations of the Joint Committee that the House should lose its powers of imprisonment and should be given a statutory power to fine offenders be included in the draft Privileges Bill	



<p>(1) Adrian Sanders MP</p> <p>(2) Tom Smith (researcher to Adrian Sanders MP)</p> <p>(3) Stephen Lotinga (Parliamentary Office of the Liberal Democrats)</p> <p>7R 2008–09</p>	<p>21 May 2009</p>	<p>(1) Failure to ensure security of committee papers and failure in duty of care to staff.</p> <p>(2) Unauthorised disclosure of select committee paper and misleading the Committee on Standards and Privileges.</p> <p>(3) Unauthorised disclosure of select committee paper to a journalist.</p>	<p>(1) Apology on floor of the House.</p> <p>(2) Withdrawal of parliamentary pass and network access for 28 days.</p> <p>(3) Withdrawal of parliamentary pass and network access for 14 days.</p>	
<p>Stephen Byers MP</p> <p>6R 2005–06</p>	<p>31 Jan 2006</p>	<p>Providing inaccurate answer to a select committee and making an inaccurate statement to the House.</p>	<p>Personal statement.</p>	
<p>(1) Don Touhig MP</p> <p>(2) Kali Mountford MP</p> <p>10 &amp; 11R 1998–99</p>	<p>27 Jul 1999</p>	<p>(1) As PPS in the relevant Department, asked for and obtained a copy of a committee's draft Report.</p> <p>(2) As a member of the Committee, provided the copy of the draft Report.</p>	<p>(1) Personal statement and suspend for 3 days.</p> <p>(2) Personal statement and suspend for 5 days.</p>	<p>Suspensions agreed on 21 October 1999.</p>

Ernie Ross MP 8R 1998–99	30 Jun 1999	As a member of a committee, provided a copy of that committee's draft Report to the relevant Department.	Personal statement and suspend for 10 days.	Suspension agreed on 12 July 1999.  MP would have been recalled if the sanction occurred after 2015.
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#### IV: Breach of Privilege committed, but no recommendation for further action

Committed by	Date of publication	Summary of Offence
Sussex Police 1R 2013–14	22 Jul 2014	The issuing of a PIN notice to Mr Tim Loughton
Various 17R 2010–12	14 Jul 2011	Leaking of the 15th Report of Session 2010–12
Withers LLP 9R 2009–10	25 Feb 2010	Threatened action against Member if he repeated inside the House remarks made outside it. Withers LLP apologised before the Committee reported.
Unknown 20R 2008–2009	26 Nov 2008	Premature disclosure of select committee papers [contempt but source of leak unidentified]
(1) Don Foster MP  (2) Alice Aitken (researcher to Don Foster MP) 7R 2008–09	21 May 2009	(1) Failure in duty of care to staff.  (2) Unauthorised disclosure of select committee paper.
Mr Anthony Hewson, Mr David Crawley, Lord Chancellor 5R 2003–2004	1 Apr 2004	Committed a contempt in suspending Judy Weleminsky from the CAF/CASS board after she gave evidence to a select committee

#### V: No breach of Privilege

Allegedly committed by	Date of publication	Nature of alleged breach
John Nicolson MP 6R 2022–23	19 Oct 2023	Disclosure of private correspondence with Speaker and misrepresentation of Speaker's decision
Mr David Willetts 1R 1996–1997	10 Dec 1996	Improper pressure brought to bear on the Select Committee on Members' Interests in 1994 [the Committee did however conclude that he dissembled during the inquiry]



## Annex 4: Frequency of use of sanctions in Code of Conduct cases

Sanction recommended	Reports since 1997 that recommend the sanction(s)	Count of sanction	Total
Requirement to attend training	Matt Hancock 10R 2022–23	1	
	Dr Rosena Allin-Khan 9R 2019–21	1	
	Boris Johnson – further report 7R 2017–19	1	
	Nadine Dorries 4R 2013–14	1	
			4
Written apology	Marcus Fysh 13R 2022–23	1	
	Andrew Bridgen 4R 2022–23	1	
	Daniel Kawczynski 5R 2021–22	1	
	Mrs Natalie Elphicke, Sir Roger Gale, Adam Holloway, Bob Stewart, Theresa Villiers 2R 2021–22	5	
	Mr Marcus Fysh 5R 2019–21	1	
	Conor Burns 4R 2019–21	1	
	Kate Osamor 1R 2019–21	1	
	Sir Henry Bellingham 2R 2019	1	
	Mr Geoffrey Cox 8R 2017–19	1	
	Karl Turner 1R 2016–17	1	
	Dr Liam Fox 23R 2010–12	1	
	John Healey 18R 2010–12	1	
	Alison Seabeck 12R 2010–12	1	
	Anthony Wright 11R 2010–12	1	
	Sir John Butterfill, Mr Stephen Byers, Ms Patricia Hewitt, Mr Geoff Hoon, Mr Richard Caborn and Mr Adam Ingram 9R 2010–12	2	
	Mr Andrew Mackay and Ms Julie Kirkbride 5R 2010–12	1	
	Bill Wiggin 3R 2010–12	1	
	Shahid Malik 2R 2010–12	1	
	Jim Fitzpatrick 1R 2010–12	1	
	Mr David Curry 12R 2009–10	3	
	John Barrett, Sir Alan Beith, Sir Menzies Campbell, Sandra Gidley, Paul Holmes and Richard Younger-Ross 11R 2009–10	4	
	Mrs Anne Main 8R 2009–10	1	
	Mr Brian Binley 5R 2009–10	1	
	Stephen Byers 3R 2009–10	1	
	Mr Derek Conway 3R 2008–09	1	
	Ms Dari Taylor 18R 2007–08	1	
	Dr Desmond Turner 14R 2005–06	1	
			37

Apology on a point of order or personal statement	Matt Hancock 10R 2022–23	1	
	Andrew Bridgen 4R 2022–23	1	
	Daniel Kawczynski 5R 2021–22	1	
	Mrs Natalie Elphicke, Sir Roger Gale, Adam Holloway, Bob Stewart, Theresa Villiers 2R 2021–22	2	
	Dr Rosena Allin-Khan 9R 2019–21	1	
	David Morris 8R 2019–21	1	
	Mr Marcus Fysh 5R 2019–21	1	
	Greg Hands 3R 2019–21	1	
	Boris Johnson 4R 2017–19	1	
	Dame Margaret Hodge 1R 2017–19	1	
	Nigel Adams 3R 2016–17	1	
	Geoffrey Cox 2R 2015–16	1	
	Maria Miller 10R 2013–14	1	
	Nadine Dorries 4R 2013–14	1	
	Simon Hughes 3R 2013–14	1	
	Jack Dromey 22R 2010–12	1	
	Mr David Laws 15R 2010–11	1	
	Harry Cohen 7R 2009–10	1	
	Mr Tony McNulty 10R 2008–09	1	
	Jacqui Smith 9R 2008–09	1	
	Peter Hain 2R 2008–09	1	
	Mr Derek Conway 4R 2007–08	1	
	Mr George Galloway 6R 2006–07	1	
	Mr Tony Baldry 3R 2005–06		
	Mr Jonathan Sayeed 5R 2004–05	1	
	Mr Jonathan Sayeed 3R 2004–05	1	
	Ms Diane Abbott 2R 2003–04	1	
	Mr Geoffrey Robinson 1R 2001–02 20R 1997–98	1	
	Mr Roy Beggs 6R 2000–01	1	
	Mr Tony Baldry 3R 2005–06	1	
	Mr Ken Livingstone 7R 1999–2000	1	
	Mrs Teresa Gorman 5R 1999–2000 7R 1998–99	1	
			32
Withdrawal of services/access (sanction available since 2021)			
			0
Loss of pass	Keith Vaz 1R 2019	1	
	Sir John Butterfill, Mr Stephen Byers, Ms Patricia Hewitt, Mr Geoff Hoon, Mr Richard Caborn and Mr Adam Ingram 9R 2010–12	3	
			4



MP not to be permitted to service on a Select Committee (sanction available since 2021)			
			0
MP to make repayment	Maria Miller 10 R 2013–14	1	
	Dr Liam Fox 23 R 2010–12	1	
	Anthony Wright 11R 2010–12	1	
	Lord Knight of Weymouth 8R 2010–12	1	
	Bill Wiggin 3R 2010–12	1	
	Jim Fitzpatrick 1R 2010–12	1	
	Mr David Curry 12R 2009–10	1	
	John Barrett, Sir Alan Beith, Sir Menzies Campbell, Sandra Gidley, Paul Holmes and Richard Younger-Ross 11R 2009–10	4	
	Alan Keen and Ann Keen 10R 2009–10	1	
	Mrs Anne Main 8R 2009–10	1	
	Mr George Osborne 6R 2009–10	1	
	Mr Brian Binley 5R 2009–10	1	
	Mr Jeremy Hunt 4R 2009–10	1	
	Stephen Byers 3R 2009–10	1	
	David Tredinnick 1R 2009–10	1	
	Mr Tony McNulty 10R 2008–09	1	
	Mrs Caroline Spelman 6R 2008–09	1	
	Mr Derek Conway 3R 2008–09	1	
	Ms Dari Taylor 18R 2007–08	1	
	Mark Hunter 16R 2007–08	1	
	Mr Derek Conway 4R 2007–08	1	
	Mr Sadiq Khan 2R 2007–08	1	
	Mr Malcolm Bruce 2R 2007–08	1	
	Mr Elfyn Llwyd 1R 2007–08	1	
	Mr Adam Price 1R 2007–08	1	
	Mr Hywel Williams 1R 2007–08	1	
	Mr Eric Illsley 15R 2005–06	1	
			30

MP to be suspended from service of the House, without pay for 10 days or more	Scott Benton 2R 2023–24	1	
	Christopher Pincher 12R 2022–23	1	
	Margaret Ferrier 9R 2022–23	1	
	Mr Owen Paterson 3R 2021–22	1	
	Keith Vaz 1R 2019	1	
	Ian Paisley 3R Session 2017–19	1	
	Patrick Mercer 11 R 2013–14	1	
	Mr Denis MacShane 1R 2012–13	1	
	Mr Derek Conway 4R 2007–08	1	
	Mr George Galloway 6R 2006–07	1	
	Mr Jonathan Sayeed 3R 2004–05	1	
	Mr Michael Trend 3R, 2002–03	1	
	Mr Geoffrey Robinson 1R 2001–02 20R 1997–98	1	
	Mr Keith Vaz 5R 2001–02	1	
	Mrs Teresa Gorman 5R, 1999–2000 7R 1998–99	1	
			15
MP to be suspended from service of the House, without pay for 9 days or less	Andrew Bridgen 4R 2022–23	1	
	Daniel Kawczynski 5R 2021–22	1	
	Mrs Natalie Elphicke, Sir Roger Gale, Adam Holloway, Bob Stewart, Theresa Villiers 2R 2021–22	3	
	Conor Burns 4R 2019–21	1	
	Mr David Laws 15R 2010–11	1	
	Mr Clive Betts 5R 2002–03	1	
	Mr Robert Wareing 5R & 6R, 1997–98	1	
MP to be expelled			
Salary or allowances withheld without suspension	Harry Cohen 7R 2009–10	1	
	Sir Nicholas and Lady Winterton 12R 2007–08	1	
Other	Mr George Galloway 7R 2005–06 (update register within 7 days)	1	

## Annex 5: Cases that have involved recall procedure or led to Member's resignation

Member	Summary of offence	Sanction	Sanctioning Process	Offence
Scott Benton 2R 2023–24	Breach of Para 11 of Rules (bringing House into disrepute) by giving impression in 'sting' interview that he and other Members were corrupt	Suspension for 35 days	Report by the Committee on Standards, approved by the House.	Recall process initiated but Mr Benton resigned as MP before petition signing period closed.
Mr Peter Bone October 2023	Breaches of both the Bullying and Harassment Policy for UK Parliament and of the Sexual Misconduct Policy for UK Parliament.	Suspended from the House for 6 weeks	Report by the Independent Expert Panel, reported to the House by the Committee on Standards, and approved by the House.	MP recalled. By-election took place on 15 February 2024. Mr Bone did not contest the by-election.
Margaret Ferrier 9R 2022–23	Breach of para 17 (significant damage to the reputation and integrity of the House) and para 11 (conflict of interest) by travelling when infected and failing to self-isolate during COVID-19 pandemic.	Suspension for 30 days,	Report by the Committee on Standards, approved by the House.	MP recalled. By-election was held on 5 October 2023. Ms Ferrier did not contest the by-election.
Christopher Pincher 12R 2022–23	Breach of Code para 17 (significant damage to the reputation and integrity of the House) by sexual misconduct (groping two individuals)	Suspension for 8 weeks	Report by the Committee on Standards, which did not reach the floor of the House.	Mr Pincher resigned as an MP before the House voted on the proposed sanction. Recall process would have been initiated had House agreed to sanction.

<p>Rt Hon Boris Johnson</p> <p>Privileges Committee 5R 2022–23</p>	<p>a) Deliberately misleading the House</p> <p>b) Deliberately misleading the Committee</p> <p>c) Breaching confidence</p> <p>d) Impugning the Committee and thereby undermining the democratic process of the House</p> <p>e) Being complicit in the campaign of abuse and attempted intimidation of the</p>	<p>To be deprived of former Member’s pass.</p>	<p>Report by the Privileges Committee, approved by the House.</p>	<p>Mr Johnson resigned as MP before publication of report.</p> <p>If he had remained a Member, the Committee stated it would have recommended 90 days’ suspension, which if agreed to by the House would have initiated the recall process.</p>
<p>Mr Owen Paterson</p> <p>3R 2021–22)</p>	<p>Breach of paid advocacy rule, rules on declaration of interests and use of stationery.</p>	<p>Suspension for 30 sitting days</p>	<p>Report by the Committee on Standards, which did not reach the floor of the House for decision.</p>	<p>Mr Paterson resigned as MP before the House could consider a motion to implement the sanction. If agreed to by the House, this would have initiated the recall process.</p>
<p>Christian Matheson</p> <p>October 2021</p>	<p>Breach of Parliament’s Sexual Misconduct Policy</p>	<p>Suspension for four weeks</p>	<p>Report by the Independent Expert Panel, did not reach floor of the House for decision.</p>	<p>Mr Matheson announced he would resign as an MP on the same day the report by the IEP was published.</p>

<p>Rob Roberts May 2021</p>	<p>Breach of Parliament's Sexual Misconduct Policy.</p>	<p>Six weeks' suspension</p>	<p>Report of the Independent Expert Panel (IEP), approved by the House.</p>	<p>The process for a petition under the Recall of MPs Act 2015 is not triggered by a suspension imposed on the recommendation of the IEP.</p> <p>Subsequently, the Leader of the House tabled a motion to require the Committee on Standards to recommend a concurrent suspension of the same length leading to the provisions of the Recall of MPs Act 2015 being engaged. The motion was debated and approved in October 2021. The motion did not have retrospective effect, so did not result in a recall petition.</p>
<p>Keith Vaz 1R 2019</p>	<p>Breach of 2015 Code Para 16 (reputation of the House) by (a) showing disregard of the law and (b) failing to co-operate fully with the inquiry process</p>	<p>Six months' suspension; if ceases to be a Member, should not be eligible to be granted a former Member's pass.</p>	<p>Report by the Committee on Standards, approved by the House.</p>	<p>This sanction met the requirements to trigger a recall petition. However, on the same day an early General Election was called. Mr Vaz did not contest his seat in the election.</p>
<p>Chris Davies April 2019</p>	<p>Convicted of an offence under section 10 of the Parliamentary Standards Act 2009</p>	<p>N/A</p>	<p>Speaker was notified by letter from the courts.</p>	<p>MP Recalled. By-election was held on 1 August 2019. Mr Davies contested the election and lost.</p>

Fiona Onasanya March 2019	Sentenced to three months in prison on conviction for perverting the course of justice in December 2018. She appealed but the appeal failed on 5 March 2019.	N/A	Speaker was notified by letter by the courts.	MP recalled. By-election was held 6 June 2019. Ms Onasanya did not contest the by-election.
Ian Paisley 3R 2017–19	Failure to register and declare personal benefits received by himself and his family from foreign government; breach of ban on paid advocacy.	30-day suspension and 30 days' loss of salary.	Report by the Committee on Standards, approved by the House.	MP not recalled, so Ian Paisley remained an MP.



## Annex 6: Comparison between Code of Conduct and Ministerial Code

	House of Commons Code of Conduct	Ministerial Code
<b>Ownership of the Code</b>	Owned by the House, kept under review by the Standards Committee.	Owned by the Prime Minister, kept under review by the Cabinet Office.
<b>Adviser &amp; investigator</b>	Parliamentary Commissioner for Standards.	Independent Adviser on Ministers' Interests.
<b>Appointments process</b>	Appointed by resolution of the House of Commons, on the recommendation of the House of Commons Commission.	Direct, unregulated appointment by the Prime Minister.
<b>Ability to initiate investigations</b>	Yes	Yes, subject to consultation with the Prime Minister.
<b>Ability to publish findings</b>	Yes	Yes
<b>Ability to determine breaches and issue sanctions</b>	The Commissioner can agree remedial action or provide an opinion on a breach to the Standards Committee (for Code of Conduct cases). The Committee determines whether there has been a breach and recommends a sanction. Sanction is ultimately decided by the House.	The Independent Adviser can privately advise the Prime Minister on whether a breach has occurred and the appropriate sanction. The Prime Minister alone determines whether there has been a breach and the sanction.
<b>Graduated sanctions, depending on seriousness of the breach</b>	Yes	Yes
<b>Attestation to the Code</b>	No	Ministers are asked to attest annually to the Independent Adviser that they have read the Ministerial Code and will abide by it. <sup>1</sup>
<b>Independent process for complaints of bullying, harassment, and sexual misconduct</b>	Yes – handled by the Independent Complaints and Grievance Scheme and Independent Expert Panel.	No – handled by the Independent Adviser and Prime Minister. <sup>2</sup>

1 [Independent Adviser on Ministers' Interests Annual Report 2022–2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) p.7.

2 Although there is precedent for the Prime Minister to request independent investigation.

<p><b>Management of interests</b></p>	<p>Members must register all their financial interests and any registerable benefits (other than earnings) within one month of their election, and any changes thereafter, within 28 days. The register is maintained and updated every fortnight by the Office of the Parliamentary Commissioner for Standards.</p> <p>Members must resolve any conflicts between their personal and public interests at once, and in favour of the public interest.</p> <p>Members declare interests during relevant proceedings or communication with Ministers/public office holders.</p> <p>Declaration rules include registrable interests and also non-registrable financial interests and non-financial interests if they might reasonably be thought by others to influence his or her actions or words as a Member.</p>	<p>On appointment, Ministers must provide their Permanent Secretary with a full list of all interests which might be thought to give rise to a conflict, including those of close family. Ministers should dispose of any interests giving rise to a conflict. Ministers should normally give up any public appointments. Where appropriate, the Minister will meet the Permanent Secretary and Independent Adviser to agree action on the handling of interests.</p> <p>The personal information remains confidential. However, a statement covering relevant interests (the "List of Ministers' Interests") is published every 6 months, by the Independent Adviser.</p> <p>Where a Minister may retain a private interest, it must be declared during relevant Government business.</p>
<p><b>Gifts and hospitality</b></p>	<p>Gifts, benefits, and hospitality over the value of £300 are included in the Register of Members' Financial Interests', updated fortnightly.</p> <p>MPs do not need to declare external meetings.</p>	<p>Transparency returns detailing Ministers' external meetings, gifts (given and received), hospitality and overseas travel are published by each Government department on a quarterly basis.</p> <p>Ministers should not accept any gift or hospitality which might compromise their judgement or place them under an improper obligation.</p> <p>Gifts at a value of over £140 should be handed over to the department. Gifts and hospitality received in a ministerial capacity do not need to be declared in the House of Commons Register.</p>

<b>Financial thresholds outlined</b>	<p>Gifts, benefits &amp; hospitality from sources inside and outside the UK</p> <p>Employment and earnings</p> <p>Donations</p> <p>Visits (inside and outside the UK)</p> <p>Land and property</p> <p>Shareholdings</p> <p>Family members employed/ remunerated through parliamentary expenses</p>	Gifts
<b>Use of resources</b>	<p>Members must ensure that the use of facilities and services provided to them by Parliament, including an office, is in support of their parliamentary activities, excepting modest and reasonable personal use.</p>	<p>Ministers must not use government resources for party political purposes or constituency matters.</p>
<b>Lobbying</b>	<p>Members must comply with the lobbying rules set out in detail in the Guide to the Rules. E.g. they must not take payment for advocating for a particular matter in Parliament, nor seek to confer a material or financial benefit to an outside individual or organisation.</p> <p>Former Members must abide by the restrictions of the lobbying rules for 6 months after leaving the House and may not use their privileged parliamentary pass for the purposes of lobbying.</p>	<p>The Commons Code stipulates that Members who are acting in the House as Ministers are not subject to the lobbying rules when acting in that capacity.</p> <p>On leaving office, Ministers will be prohibited from lobbying Government for two years. They must also seek advice from the independent Advisory Committee on Business Appointments (ACoBA) about any appointments or employment they wish to take up within two years of leaving office.</p>
<b>Outside employment</b>	<p>A written contract must be drawn up and made available to the Commissioner for any paid outside employment. Paid parliamentary advice is prohibited.</p>	<p>Ministers' decisions on the management of interests should not be influenced by the hope or expectation of future employment with a particular firm or organisation.</p>

## Annex 7: International comparisons

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The terms of reference for this inquiry included the question: “What can be learned from parallel processes in other parliaments/assemblies within the UK and elsewhere?”<sup>1</sup> To answer this, we researched 14 parliaments including the European Parliament and the devolved bodies within the UK (9 national, 1 supranational, and 3 devolved) and asked the following questions about the legislature:

- (1) Does it have a code of conduct binding on Members?
- (2) Does it have a behaviour code binding on Members and/or the wider parliamentary community?
- (3) Does it have specific policies relating to bullying, harassment or sexual misconduct by Members?
- (4) Does it have elements of independence or are all decisions taken by Members?
- (5) What are the independent elements, if any – are there independent investigators/ Commission, or lay members?
- (6) Are there formal rights of appeal for Members or complainants?
- (7) Are there significant sanctions available for use against Members who breach the rules, and if so what are they?
- (8) Are stats available on number of complaints, type of complaints, and outcomes?
- (9) Are any changes in the pipeline? (e.g. reform proposals out for consultation, etc)

We are grateful to the officials in each parliament, as well as colleagues in the Organisation for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights, who assisted with this research. The information in this annex has been compiled from their responses. Please note that, as the House of Commons Committee on Standards is a committee of the lower chamber in the UK Parliament, in the case of other bicameral parliaments our research focused on the lower chambers of the parliament.<sup>2</sup>

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1 House of Commons Committee on Standards, [Call for evidence: House of Commons standards landscape](#), accessed 16 May 2024.

2 The exception to this is the Australian Parliament as their proposed reforms will apply jointly across both chambers.

Country	Australia (Parliament of Australia)
Code of Conduct	Neither the House of Representatives nor the Senate in the Federal Parliament of Australia currently has a code of conduct for members and senators. However, following an Independent Review into Commonwealth Parliamentary Workplaces, the Jenkins Report <sup>3</sup> recommended that the Houses of Parliament should establish a Code of Conduct for Parliamentarians and a Code of Conduct for Parliamentarians' Staff. The Jenkins Report recommended that a Joint Standing Committee on Parliamentary Standards be established to oversee standards and accountability. A Parliamentary Leadership Taskforce was established to oversee the implementation of the Jenkins report, which is ongoing.
Behaviour code	<p>There is not currently a behaviour code in force. However, draft Behaviour Standards and Codes for parliamentarians and for parliamentarians' staff, outlined in Appendix 1 of the report of the Joint Select Committee on Parliamentary Standards,<sup>4</sup> tabled in both Houses on 29 November 2022, were endorsed by the Senate and the House of Representatives on 8 February 2023 and 9 February 2023 respectively. When adopted, the Behaviour Standards and Codes would apply to parliamentarians, parliamentarians' staff and Commonwealth parliamentary workplaces.</p> <p>The Behaviour Standards and Codes, when finalised, are to be enforced by the proposed Independent Parliamentary Standards Commission (the subject of a separate recommendation), and for which legislation is currently being drafted. This is expected to be complete, subject to legislative process, by October 2024.</p>
Policies related to bullying, harassment, or sexual misconduct	Following a recommendation in the Jenkins Report, the Parliamentary Workplace Support Service (PWSS) was established by the Parliamentary Workplace Support Service Act 2023 as an independent statutory agency, on 1 October 2023. The statutory PWSS provides human resources services to parliamentarians and their staff and supports Commonwealth parliamentary workplaces to be safe and respectful, including by providing support and review services for certain misconduct. Pending the establishment of the Independent Parliamentary Standards Commission, the statutory PWSS will maintain an expanded workplace review function.
Independent elements (if any)	<p>Pursuant to a recommendation in the Jenkins Report, draft legislation is currently being prepared to establish the Independent Parliamentary Standards Commission with delegated power that would:</p> <ul style="list-style-type: none"> <li>operate a fair, independent, confidential and transparent system to receive disclosures, as well as handle informal and formal complaints about misconduct.</li> <li>make findings about misconduct.</li> <li>make recommendations on sanctions (in relation to parliamentarians, staff and others as relevant under the Standards of Conduct in the Parliamentary Precincts).</li> <li>apply sanctions for a breach of the Code of Conduct for Parliamentarians where such sanctions do not interfere with the functions of Parliament.</li> </ul>

3 Australian Human Rights Commission, [Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces \(2021\)](#)

4 Joint Select Committee on Parliamentary Standards, [Final report](#) (November 2022).

Rights of appeal	<p>Under processes in place for the statutory PWSS, a complaint may in certain circumstances result in a workplace review being commissioned. Those with adverse findings against them are given the opportunity to comment on those findings before they are finalised by the reviewer.</p> <p>Complainants and respondents can request a secondary review, by a different independent reviewer, of the decisions taken by the original independent reviewer engaged by the PWSS. This is not a re-investigation of the complaint. Having a workplace review undertaken does not preclude a person from taking action through other complaint processes, such as the Australian Human Rights Commission or the Fair Work Commission.</p>
Sanctions	<p>Legislation is currently being drafted to establish the Parliamentary Standards Commission (see above), it is expected to include provisions that would enable that body to make recommendations on sanctions (in relation to parliamentarians, staff and others as relevant under the Standards of Conduct in the Parliamentary Precincts).</p>
Statistics	<p>Under paragraph 22(2)(d) of the Parliamentary Workplace Support Service Act 2023, the PWSS must prepare an annual report containing information relating to the progress in the prevention of, and responses to, alleged relevant conduct that is engaged in by someone to whom the Act applies at a place within the parliamentary precincts.</p> <p>Prior to the establishment of the statutory PWSS, some statistics on reasons for contacting the former PWSS and numbers of cases managed by that body in 2022–23 were included in the Parliamentary Service Commissioner Report for 2022–23.</p>
Proposed changes	<p>Implementation of the recommendations in the Jenkins Report is ongoing and can be tracked at: <a href="https://www.aph.gov.au/About_Parliament/Parliamentary_Leadership_Taskforce/Progress_of_recommendations">https://www.aph.gov.au/About_Parliament/Parliamentary_Leadership_Taskforce/Progress_of_recommendations</a></p>

Country	Canada (House of Commons)
Code of Conduct	The Conflict of Interest Code for Members of the House of Commons <sup>5</sup> applicable to Members is included as Appendix I to the House of Commons Standing Orders. It applies when Members are carrying out their parliamentary functions.
Behaviour code	No but multiple other policies apply to Members and employees (see below).

5 House of Commons Canada, [Conflicts of Interest Code](#) for Members of the House of Commons, Standing Orders, Appendix 1 (September 18, 2023)



<p>Policies related to bullying, harassment, or sexual misconduct</p>	<p>The harassment prevention regime in place at the House of Commons was changed in January 2021 to align with the introduction of workplace health and safety legislation applicable to federal employers, including Members of Parliament. It was subsequently reviewed and updated to its current form, the Members of the House of Commons Workplace Harassment and Violence Prevention Policy<sup>6</sup> (H&amp;V Prevention Policy) on February 15, 2024. The policy outlines the responsibilities of Members of Parliament, as employers, and their employees in maintaining a healthy, safe, and respectful work environment free from harassment and violence.</p> <p>The Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members<sup>7</sup>, (the Code of Conduct (Sexual Harassment)) applies to interactions between Members. It was developed by the Standing Committee on Procedural and House Affairs (PROC), and its most recent version was approved by the House of Commons on June 20, 2018. It is attached at Appendix II to the House of Commons Standing Orders.</p> <p>Obligations for Members as employers, in part, are set out in the Parliamentary Employment and Staff Relations Act<sup>8</sup>, which incorporates Part II of the Canada Labour Code<sup>9</sup> and its regulations respecting workplace health and safety, including violence and harassment prevention, and pay equity obligations.</p>
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6 House of Commons Canada, [Members of the House of Commons Workplace harassment and violence prevention policy](#) (15 February 2024)

7 House of Commons Canada, [Code of Conduct for Members of the House of Commons: Sexual Harassment between Members](#), Standing Orders, Appendix 2 (September 18, 2023)

8 [Parliamentary Employment and Staff Relations Act](#)

9 [Canada Labour Code](#)

Independent elements (if any)	<p>The Conflict of Interest Code is administered by the Conflict of Interest and Ethics Commissioner, an independent Officer of Parliament, but oversight is by the Standing Committee on Procedural and House Affairs (PROC), comprised of Members, who may initiate and propose changes to the Code. The Commissioner reports directly to the House of Commons. If the Commissioner finds that a Member has not complied with an obligation under the Code, the Commissioner may recommend appropriate sanctions, but it is the House of Commons that decides whether to sanction a Member. The Commissioner provides an annual report to the House of Commons.</p> <p>Under the H&amp;V policy, where a complaint is filed between an employer and employee or between employees, parties have access to dispute resolution options and investigation. Where a Member of Parliament is a party to a complaint under the H&amp;V Prevention Policy, the complaint process is managed by a representative of the Chief Human Resources Officer. Party Whips are also notified when their Members are implicated. Where harassment and / or violence is founded against a Member of Parliament by an independent investigator, a report is provided to the Board of Internal Economy for further consideration. Members may navigate a complaint process if it involves their own staff. This policy does not cover situations between Members.</p> <p>The Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members, deals with situations of sexual harassment between Members of Parliament and engages the party whips, the Chief Human Resources Officer of the House of Commons, and if necessary or requested by at least one of the parties, an independent investigator, PROC, and ultimately the House of Commons if discipline against a Member is contemplated. Any changes to the Code originate through PROC. There is no current regime that addresses harassment of a non-sexual nature between Members.</p>
Rights of appeal	<p>There is no right to appeal per se in the Conflict of Interest Code for Members of the House of Commons. It is the House of Commons that ultimately determines the implications for a Member who is the subject of an inquiry. Following an inquiry, the Conflict of Interest and Ethics Commissioner will find either no contravention, mitigated contravention, or non-compliance with the Code and make recommendations accordingly in a report. This report is tabled by the Speaker in the House and the Member in question may make a statement in the House in response. As set out in the Code, within 10 sitting days after the tabling of the report of the commissioner in the House of Commons, the member who is the subject of the report shall have a right to make a statement in the House immediately following question period, provided that he or she shall not speak for more than 20 minutes. On motion, the House determines whether to concur with the report. It decides which sanction to impose, if any, and may even refer the report back to the Commissioner with further instructions and considerations.</p> <p>Under the H&amp;V policy, there is a right to appeal the investigation report on limited grounds.</p> <p>In Code of Conduct (Sexual Harassment) cases, while not expressly labelled an appeal process, a party involved may escalate matters to PROC and the House, as desired.</p>

Sanctions	<p>The establishment of the Conflict of Interest Code for Members of the House of Commons is a manifestation of the House’s right to regulate its internal affairs and to discipline its Members for misconduct. As such, the House may determine a range of disciplinary measures. Recently used sanctions include apology, repayment of unauthorized funds, training, and conciliation.</p> <p>Under the Code of Conduct (Sexual Harassment), the Standing Committee on Procedure and House Affairs may recommend any appropriate sanctions available to the House of Commons. The member being sanctioned may be named in the report. It is then for the House to decide. The Code specifies that where the House of Commons takes action against a member, the House may only disclose information if it is necessary to explain any consequences for a member.</p> <p>There have been no formal sanctions under the renewed harassment policy; however under the previous policy, the Board of Internal Economy required an MP to attend conciliation with the employee to explore appropriate remedy and required him to attend training programs on sexual harassment prevention, awareness, and (following an appeal) apologise.</p>
Statistics	<p>The Conflict of Interest and Ethics Commissioner produces an annual report to the House of Commons and tracks inquiries made under the Conflict of Interest Code for Members of the House of Commons.<sup>10</sup></p> <p>The Annual Report<sup>11</sup> on the Members of the House of Commons Workplace Harassment and Violence Prevention Policy provides a statistical overview of cases processed by reporting on the number, nature and outcome of harassment and violence complaints. This report has been published annually since 2015–2016.</p> <p>There is no reporting requirement in the Code of Conduct (Sexual Harassment) and party identities remain confidential, even when referred to the House, although Members involved may make a statement in the House. If a matter is referred to PROC, they are compelled to keep documentation for five years.</p>
Proposed changes	<p>Not currently. However, changes were made as recently as 2024 (see above).</p>

Country	Finland (Parliament of Finland)
Code of Conduct	<p><a href="#">MPs are not subject to any specific Code of Conduct.</a></p> <p>The legal basis of ethics is the Constitution. According to Section 31, a Representative shall conduct him or herself with dignity and decorum, and not behave offensively to another person in plenary or in committee meetings.<sup>12</sup></p> <p><a href="#">There is also the “Instructions of The Speaker’s Council On The Declaration Of Private Interests By Members Of Parliament And Other Corresponding Practices Related To The Position Of Members”.</a> The MPs’ declaration of private interests was voluntary until 2015, when, after an amendment to Parliament’s Rules of Procedure, the declaration of private interests was made mandatory.</p>

10 Office of the Conflicts of Interest and Ethics Commissioner, [Investigation Reports](#), date accessed 16 May 2024.

11 House of Commons Canada, [Reports of Preventing and Addressing Harassment](#), date accessed 16 May 2024

12 The Constitution of Finland [Section 31, \(11 June 1999\)](#)

Behaviour code	N/A
Policies related to bullying, harassment, or sexual misconduct	Instructions for MPs called Guidelines on preventing inappropriate conduct and harassment in MP's work. According to these guidelines, adopted by the Office Commission in October 2018, parliamentary administration and parliamentary groups are responsible to deal with situations of harassment. The guidelines describe the relevant legislation, state that Parliament is zero tolerant of harassment and inappropriate treatment and explain how to address these issues.
Independent elements (if any)	There is no special committee, commission, or other body specialised in ethical issues, including bullying, harassment or sexual misconduct. The Speaker's Council has the right to adopt instructions (including ethical matters) on parliamentary work.  Neither the Speaker's Council nor the Office Commission handle complaints against MPs. Complaints concerning inadequate behaviour are handled by the parliamentary administration and parliamentary groups.
Rights of appeal	The parliamentary group can decide freely their processing of appeals or complaints.
Sanctions	Parliamentary groups themselves can impose sanctions to their own representatives. They can, for example, be cautioned, suspended or dismissed from the parliamentary group.  According to the Constitution, the Speaker has the right to point out an MP or prohibit he/she from continuing to speak. The Parliament may also caution an MP who has repeatedly breached the order or suspend him or her from sessions of the Parliament for a maximum of two weeks (see above, section 31). There are no other sanctions than those mentioned in Section 31 of the Constitution.  The Parliament may caution a Representative who has repeatedly breached the order or suspend him or her from sessions of the Parliament for a maximum of two weeks.  The Speaker may also announce in plenary if an MP has not complied with his or her disclosure obligations, despite a request to do so.
Statistics	N/A
Proposed changes	N/A

Country	France (National Assembly)
Code of Conduct	Code of Ethics. <sup>13</sup> The Rules of Procedure set out how the Code of Ethics is applied to Deputies, and the processes and procedures which take place if breaches are identified.
Behaviour code	Code of Ethics guides the behaviour of Deputies, requiring them to adhere to six principles (public interest, independence, objectivity, responsibility, probity and exemplarity).

<p>Policies related to bullying, harassment, or sexual misconduct</p>	<p>An amendment to the Code of Ethics was adopted in 2022 (Article 6 on Exemplarity) saying “moral or sexual harassment constitutes an infringement of the duty to set an example”. Any instances of bullying, harassment and sexual misconduct are deemed to be a breach of the requirement of exemplarity, and can be investigated by the Ethics Commissioner. Investigations can take place at the Commissioner’s own initiative if the suspected breach involves MPs or parliamentary assistants, or can be instigated directly by employees of the National Assembly staff if the suspected breach involves a civil servant.</p> <p>The Bureau is charged with setting out the measures to combat all forms of harassment. In this respect, the Bureau decided in 2019 to set up an anti-harassment unit, comprised of psychologists and lawyers employed by an external company, and reachable by phone 24 hours a day, 7 days a week. This unit can forward notifications to the Ethics Commissioner who may hear the alleged victim and summon the alleged offender to hear his/her explanation. Then the Commissioner may either inform the judicial authority, pursuant to Article 40 of the French Code of Criminal Procedure, of alleged acts of psychological and sexual harassment, or ask an inquiry be conducted by an independent body, or refer the matter to the Bureau of the National Assembly so that it can take measures that may go as far as disciplinary sanctions.</p>
<p>Independent elements (if any)</p>	<p>An independent Ethics Commissioner is elected for each Parliament, on nomination of the President, approved by a vote of 60% of the Bureau (comprised of 22 Deputies, led by the President) and consent of at least one Opposition Part grouping.</p> <p>The High Authority for Transparency in Public Life is an independent body set up in 2013. MPs and public officials must submit electronic declarations of their interests and assets to this body. While the declarations of interest are made public on the website of the French Parliament, declarations of assets of MPs can be accessed in selected governmental buildings. The High Authority can suggest a solution to a conflict of interest.</p>
<p>Rights of appeal</p>	<p>Where the Ethics Commissioner finds a breach of the Code of Ethics, the Commissioner informs the President and the Member. The Member has the right to dispute this before the Bureau. It is then for the Bureau to publish the finding of a breach of the Code and to propose a punishment.</p> <p>Members can make further representations to the Bureau for any decision on sanction other than the decision of the President to make a ‘simple call to order’.</p>

Sanctions	<p>In France, the weakest disciplinary sanction is a “call to order”, followed by levels of increasingly stringent sanctions, including cuts in salary, graded according to the severity of the offence, and temporary suspension for members who are censured twice or insult other dignitaries, such as the prime minister or members of the Government. The rules allow for defence in person by the MP facing the disciplinary measure.</p> <p>There are two categories of punishment: a call to order or a censure.</p> <p>Call to order has two sub-categories: (i) a simple call to order, which is pronounced by the President during a sitting; and (ii) a call to order with an entry into the Minutes, which also incurs a loss of 25% of the Deputy’s salary for one month, and can be announced either by the President or the Bureau.</p> <p>Censure also has two sub-categories: (i) a simple censure, which incurs a loss of 50% of the Deputy’s salary for one month; and (ii) a censure with temporary exclusion, which incurs a loss of 50% of the Deputy’s salary for two months and exclusion from both parliamentary business and attendance on the Estate until the expiry of fifteen sitting days starting the day after the Assembly announces the censure (similar to a motion of the House). The exclusionary period is doubled for the second censure to 30 sitting days.</p> <p>The High Authority can suggest to a public official an appropriate solution to prevent or to stop a conflict of interest. The options include the publicity of the problematic interest, a recusal mechanism (to avoid handling a subject linked to the public official’s interest) or the abandonment of the interest. If the situation continues, the High Authority can issue injunctions against public officials (except Members of Parliament) requiring them to cease the activity causing the conflict of interest. The injunction can be made public, and it can be transferred to a prosecutor.</p>
Statistics	<p>The Ethics Commissioner publishes an annual report which contains details of his/her work. The Commissioner also publishes a report at the end of his term containing details of all work undertaken.</p>
Proposed changes	<p>There are no modifications planned to the Code of Ethics or Rules of Procedure. However, the procurement contract that governs the management of the anti-harassment unit is being renewed. Consideration is being given to improving harassment and sexual misconduct prevention training and encouraging early management of instances of bullying, harassment or sexual misconduct.</p>

Country	Germany (Bundestag)
Code of Conduct	<p>There is a Code of Conduct, which, as of 2021 is regulated in the Members of the Bundestag Act (Abgeordnetengesetz – AbgG)<sup>14</sup>. The relevant provisions primarily relate to financial interests/conflicts of interest, and the use of Bundestag stationery in their private/business dealings.</p>



Behaviour code	<p>The Code of Conduct is applicable to Members only. The Rules of Procedure also require Members to ‘respect the dignity of the German Parliament’, both inside and outside the Chamber/proceedings.</p> <p>Governance of bullying, harassment and sexual misconduct is governed by the German Constitution (Grundgesetz – GG) and the General Law on Equal Treatment (AGG), as well as relevant employment law provisions.</p>
Policies related to bullying, harassment, or sexual misconduct	<p>There is no specific regulation for Members of the German Bundestag regarding undesirable conduct, undesirable manners and social safety. However, bullying, harassment and sexual misconduct are counteracted by general criminal and civil law (especially labour law).</p>
Independent elements (if any)	<p>The decisions in relation to contraventions of the Members Code of Conduct are made by the President of the Bundestag and the Presidium (President + 5 Vice Presidents, all elected by the Bundestag). The President alone governs adherence to the Rules of Procedure. During plenary session, it is the president or vice president presiding the session.</p> <p>The Committee for the Scrutiny of Elections, Immunity and the Rules of Procedure, with its 19 members, is responsible for the interpretation and amendment of the Rules of Procedure, and seeks to facilitate the resolution of procedural conflicts that arise in the plenary and the committees.</p> <p>Decisions in relation to bullying/harassment etc. are criminal offences, and therefore the process is judicial rather than internal (governed by the Criminal Code – StGB).</p>
Rights of appeal	<p>Members have a ‘right of response’ in relation to contravention of the Code of Conduct, both ahead of the Presidium making a decision (by making representations) and after it has published its decision (by publishing a note refuting the findings alongside the decision of the President/Presidium).</p> <p>Under general civil or criminal law, Members and complainants have the similar rights as in the UK under similar judicial proceedings.</p>
Sanctions	<p>If a serious violation of the Code of Conduct is proven, fines can be levied on Members. This can, depending on the offence, range from 1,000 EUR to a maximum of 50% of the Member’s annual salary. The President of the Bundestag sets the quantum of the fine.</p> <p>Various tort and criminal law sanctions for those found to have breached German legislation on equal treatment or employment law.</p>
Statistics	<p>No – since the sanctions system only came into force in October 2021, there are no precedents so far. However, where a Member is found to have breached the Code of Conduct, a report is published by the President/Presidium on the Bundestag website.</p>
Proposed changes	<p>Not currently. The latest changes were implemented in October 2021.</p>

<b>Country</b>	<b>Ireland (Dáil Éireann)</b>
Code of Conduct	Code of Conduct, adopted by the Dáil Éireann. <sup>15</sup> The Code is not binding on members, but they are asked to sign up to it on a voluntary basis.

15 Standards in Public Office Commission, [Code of Conduct for Members of Dáil Éireann other than Office Holders](#), date accessed 16 May 2024

Behaviour code	The Houses of the Oireachtas has a Dignity and Respect Statement of Principles and Policy. <sup>16</sup> The Statement of Principles sets out the standards of behaviour that apply to all who work in the parliamentary community. The Dignity and Respect Policy provides a policy and resolution procedure for Members to adopt as employers of political staff. Adoption by Members of the policy is on a voluntary basis – they are reminded that as employers they are required to have a policy in place and that if they do not voluntarily adopt the policy they must have in place their own procedures for managing complaints of bullying, harassment or sexual harassment.
Policies related to bullying, harassment, or sexual misconduct	The Dignity and Respect Policy relates to bullying, harassment or sexual harassment.
Independent elements (if any)	<p>In Code of Conduct cases, the Clerk of Dáil Éireann hears complaints and directs to Committee on Members' Interests of Dáil Éireann (comprised of 5 TDs). The role of the Committee is to publish guidelines, to draw up a Code of Conduct for the Guidance of Members, provide advice to ensure compliance, and investigate possible breaches. Every report which the Committee proposes to make shall, on adoption by the Committee, is laid before Dáil Éireann forthwith.</p> <p>Under the Dignity and Respect policy, a complaint should be investigated by a person independent of the case and, if the investigator upholds the complaint, it will be referred to an independent adjudication board, the External Adjudication Panel, to review the case, address any appeal and determine sanctions where appropriate. Larger political parties are required under the policy to conduct their own investigations but are advised to use independent investigators. In respect of smaller parties and independent Members the Houses of the Oireachtas provide the services of independent investigators to conduct the investigation – these services are provided under contract by an independent investigator.</p>
Rights of appeal	<p>Under section 9(2) of the Ethics in Public Office Act 1995, all determinations made by the Committee on Members' Interests of Dáil Éireann are final and not subject to review, either by the Committee itself or Oireachtas authorities.</p> <p>Members may appeal a decision under the Dignity and Respect policy no later than 10 days from the date of receipt of the investigation report. Where the respondent is a Member of the Houses of the Oireachtas, the Complaint Recipient will refer the matter to the External Adjudication Panel (EAP) which will consider the appeal. Where an appeal is upheld, the Complaint Recipient will refer the matter to an independent investigator, who has been appointed by the Houses of the Oireachtas Service and has had no prior involvement in the original investigation, to conduct a new investigation pursuant to the Formal Complaint Procedure.</p>

Sanctions	<p>The Code of Conduct is a voluntary guide to assist members in the performance of their duties. Therefore, no sanctions are applicable. The Code states that, as a guide, the Code avoids “trespassing into areas where Members more properly submit themselves to the judgement of their electors rather than the jurisdiction of this House”.</p> <p>Sanctions under the Dignity and Respect policy are to be recommended by the External Adjudication Panel and are not specified in the policy but examples are provided as follows: “The External Adjudication Panel might recommend, for example, that the Member issue a formal apology, that the Member attend compulsory training, or that a finding against the Member be made public (with the consent of the Complainant).”</p>
Statistics	<p>Code of Conduct matters are considered in private session of the Committee, therefore details are confidential in accordance with the provisions of Section 35 of the Ethics in Public Office Act 1995 and data is not published.</p> <p>Information on number of complaints under the Dignity and Respect policy is not published as the numbers are so small that there would be a risk of individuals being identified if the statistics were published.</p>
Proposed changes	<p>Guidelines and Code were most recently updated January 2024. It had been expected that the Ethics Legislation would be reviewed, and subject to pre-legislative scrutiny. However, this has not occurred in this administration.</p> <p>There is a Dignity and Respect Steering Group that oversees the implementation of the policy – at present they are not planning on making changes but are focussing on raising awareness of the policy and of supports available to Members and their staff such as the Workplace Support Programme, and on providing training on Dignity and Respect matters.</p>

Country	Japan Diet (House of Representatives)
Code of Conduct	The Rules of Conduct.
Behaviour code	The Code only applies to MPs.
Policies related to bullying, harassment, or sexual misconduct	No. However, the law requires political parties to do their best to prevent harassment, the Diet and local assembly have an obligation to prevent sexual harassment, but there is no penalty.

Independent elements (if any)	<p>No – the Deliberative Council on Political Ethics, made up of Members, exists to establish ethical standards for house members. The council deliberates whether a member has violated the Rules of Conduct that house members are expected to follow, including the Political Funds Control Act or the Act on Disclosure of Diet Members' Assets with a View to Establish Political Ethics. The deliberations of the council are based on a request by the member or a petition by at least one-third of the members of the Council. It has no power to compel participation by those it investigates. Since it was established in 1985, there have only been 16 cases considered (as of April 2024).</p> <p>The Standing Committee on Discipline, also made up of Members, is in charge of deliberating disciplinary action against House members who disrupt order in the House, including misbehaviour and disturbing remarks in the Chamber or Committee meeting.</p>
Rights of appeal	No
Sanctions	<p>The Deliberative Council on Political Ethics can by a vote of two-thirds of the members present, recommend the following;</p> <p>observance of the Rules of Conduct, the Political Funds Control Act or the Act on Disclosure of Diet Members' Assets with a View to Establish Political Ethics.</p> <p>voluntarily refrain from political activities in the House within a specified period of time.</p> <p>resignation of the Speaker, Vice-Speaker, Provisional Speaker, Chair of the Standing Committee, Chair of the Special Committee, Chair of the Commission on the Constitution or Chair of the Board of Oversight and Review of Specially Designated Secrets.</p> <p>They have no formally defined powers to punish Members. (It is written on the diet law, section on the discipline committee.)</p> <p>The Discipline Committee deliberates whether a member should be punished, and there are four types of punishment: warning in the open chamber, apology in the open chamber, temporary bans on political activities in the House within a specified period of time and expulsion. Disciplinary punishments are imposed by a decision of the Plenary Sitting after deliberation by the committee.</p>
Statistics	No.
Proposed changes	No.

<b>Country</b>	<b>New Zealand (House of Representatives)</b>
Code of Conduct	The requirements for the Register of pecuniary and other specified interests is included in Appendix B of the Standing Orders. <sup>17</sup>

17 New Zealand Parliament, [Standing Orders](#), date accessed 16 May 2024.

Behaviour code	All members of Parliament are subject to the behavioural statements in <i>Upholding the Mana of Pāremata Aotearoa</i> . This code was put into effect by the Speaker in 2020 and developed in consultation with the Parliamentary Service Commission. <sup>18</sup> In addition to members, staff and members of the press gallery are subject to the behavioural statements.
Policies related to bullying, harassment, or sexual misconduct	Contained in the behavioural statements.

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18 New Zealand Parliament, [Behavioural Statements for the parliamentary workplace](#) (28 October 2020). This resulted from a recommendation of the New Zealand Parliament, [Independent External Review into Bullying and Harassment in the New Zealand Parliamentary Workplace](#) (21 May 2019).

Independent elements (if any)	<p>Members have an obligation to give an accurate account of their interests. Standing Orders recognise failing to make a return of pecuniary and other specified interests or knowingly providing false or misleading information in a return of pecuniary and other specified interests among examples of contempt. The Standing Orders include a process for dealing with allegations that a member has failed in their obligations. Members may write to the independent Registrar of Pecuniary and Other Specified Interests to request an inquiry into another member's obligations. The Registrar will conduct a preliminary investigation to determine whether an inquiry is warranted, and may then undertake an inquiry. The Registrar may determine that no further action is required or advise the member to remedy the breach. The Registrar may determine matters relating to the facts and assess whether it amounts to an issue of privilege. It is the role of the Privileges Committee to assess whether it amounts to a contempt and to recommend any sanction to the House. The Privileges Committee may reverse an instruction by the Registrar. The Registrar may also report to the House on any other matter that may warrant its further attention.</p> <p>Members have no formal role in enforcement of the behavioural statements. An independent commissioner for parliamentary standards is responsible for receiving and investigating complaints alleging breaches of the code of conduct.<sup>19</sup> If the matter is sufficiently serious to bring to the attention of the House, the commissioner may report to the House. A complaint can only be made against a member of Parliament but may be made by a member of Parliament or a staff member.</p> <p>Separately, the Parliamentary Service<sup>20</sup> may remove member support staff or refuse to employ or engage member support staff to support a member if satisfied that—</p> <ol style="list-style-type: none"> <li>1. A member has failed to ensure the health and safety of member support staff employed or engaged by the Parliamentary Service, including, but not limited to, the member failing to comply with the standards set out in <i>Upholding the Mana of Pāremata Aotearoa</i>, and</li> <li>2. The member's failure has been sufficiently serious to warrant action under this clause.</li> </ol> <p>This may include instances where they have bullied or harassed staff. This is used only as a last resort, and for the shortest appropriate time possible in the circumstances. There is no requirement to wait for a finding from the Commissioner for Parliamentary Standards. While a whip or Speaker must be consulted, the decision sits, at the first instance, with the Parliamentary Service.<sup>21</sup></p>
Rights of appeal	A Member may appeal to the Speaker in respect of a decision by the Parliamentary Service only.

19 New Zealand Parliament, [Protocol for the Commissioner for Parliamentary Standards, undated](#).

20 The Parliamentary Service employs members' support staff, but members are their staff's day-to-day manager.

21 Speaker's directions 2023, [clause 41](#) and [explanatory note](#)



Sanctions	<p>The Privileges Committee may recommend any sanction available for a breach of privilege or contempt. The most likely sanctions are requiring a correction to the declaration, requiring an apology, or censuring the member in the House.</p> <p>There are no procedures in place for the House to deal with a complaint or impose a sanction on a member where the conduct does not raise an issue of privilege. However, a report from the commissioner would make the public aware of the issue.</p> <p>As above, the Parliamentary Service may remove or withhold a member support staff from a member in limited circumstances.</p>
Statistics	<p>Since the establishment of the Registrar's inquiry power in 2011, the Registrar has received four complaints. Only one complaint (in 2023) led to an inquiry and was referred to the Privileges Committee. Prior to this, a complaint was considered by the Privileges Committee in 2008. If the Registrar reports to the House on an inquiry, the report will be made publicly available, as will any report from the Privileges Committee.</p> <p>The Commissioner produces an annual report of their work, including information about the number of complaints received, considered, and completed resolutions.<sup>22</sup> However, over the first year of the commissioner for parliamentary standards operation, they received zero complaints.</p>
Proposed changes	<p>The Standing Orders Committee in 2023 recommended the committee undertake a general review of Appendix B in the 54th Parliament. Among the issues up for consideration is in which situations shares held in trusts may be declarable. The Registrar and the Privileges Committee both sought clarification from the Standing Orders Committee in their reports on the complaint in 2023.</p> <p>The role of the Commissioner for Parliamentary Standards is in its second year of operation, and some minor tweaks to the protocol may arise.</p>

Country	United Kingdom (House of Commons)
Code of Conduct	The House of Commons Code of Conduct <sup>23</sup> is agreed by the House. The Code sets out the standards of behaviour expected of all Members of the House of Commons, applying in all aspects of their public life. The Code also contains the rules concerning the additional income, gifts and personal interests that must be declared by MPs and published in the Register of Members' Interests.
Behaviour code	The Behaviour Code <sup>24</sup> applies at all times across the Parliamentary community (comprising MPs and Peers, MPs' and Peers' staff, staff of the two House, journalists and visitors to the parliamentary estate).

22 New Zealand Parliament, [Commissioner for Parliamentary Standards, Report for the year ending 31 December 2023](#), 5 March 2024.

23 House of Commons, [Code of Conduct, together with the Guide to the Rules relating to the conduct of Members](#), HC 1083

24 [ukparliamentbehaviourcode.pdf](#)

Policies related to bullying, harassment, or sexual misconduct	The Independent Complaints and Grievance Scheme (ICGS) is the UK Parliament's independent mechanism for handling complaints of bullying, harassment or sexual misconduct. The ICGS is a bicameral scheme, applying across the House of Commons and House of Lords. Underpinning the scheme are the Behaviour Code, Bullying and Harassment <sup>25</sup> and Sexual Misconduct <sup>26</sup> policies and procedures which provide a framework to create a respectful working environment and to respond to any complaints of unacceptable behaviour promptly, fairly and effectively.
Independent elements (if any)	<p>The independent post of Parliamentary Commissioner for Standards was created in 1995. The remit is set out in Standing Order No. 150. Among other duties, the Commissioner is responsible for investigating alleged breaches of the Code of Conduct. The Commissioner arrives at an opinion as to whether there has been a breach, and, if there has been a breach, he may refer serious cases to the Committee on Standards. The Committee (7 MPs and 7 lay members) has responsibility for overseeing the work of the Commissioner, and to consider individual cases of alleged breach of the Code when referred by the Commissioner.</p> <p>The ICGS is set up with an independent helpline and investigators to deal with complaints of bullying, harassment and sexual misconduct within the wider parliamentary community (not just by MPs). If a complaint is upheld, the ICGS team will refer the case to the appropriate decision-making body.<sup>27</sup> Investigations relating to MPs are conducted under the oversight of the Parliamentary Commissioner for Standards. In serious cases, the Commissioner may refer the case to the Independent Expert Panel (IEP). The IEP recommends higher-level sanctions in ICGS cases against MPs. The IEP, created in 2020, is appointed by the House under Standing Order No. 150A. It is currently chaired by a former Appeal Court judge, with seven other members. IEP members must not be present or former members of either House of Parliament.</p>
Rights of appeal	The Independent Expert Panel also determines appeals in ICGS cases against MPs and decisions by the Committee on Standards in Code of Conduct cases.
Sanctions	<p>Sanctions may include; expulsion, suspension with loss of salary, suspension over 10 days will result in a recall petition, apology, training, repayment of sums. See Annex 2.</p> <p>Recommendations from the Standards Committee or the Independent Expert Panel that an MP should be suspended or expelled come before the whole House for decision. The House has agreed that motions to impose such sanctions can neither be amended nor debated.</p>
Statistics	The Commissioner for Standards, ICGS and IEP produce separate annual reports. <sup>28</sup>
Proposed changes	The Code of Conduct is reviewed every 5 years. A review of the ICGS was published on 13 May 2024, changes have not yet been implemented.

25 Independent Complaints and Grievance Scheme, [Bullying and Harassment Policy](#) for UK Parliament (2022); Independent Complaints and Grievance Scheme, [Bullying and Harassment Procedure](#) (2021)

26 Independent Complaints and Grievance Scheme, [Sexual Misconduct Policy for UK Parliament](#) (2022); Independent Complaints and Grievance Scheme, [Sexual Misconduct Procedure](#) (2021)

27 The decision-making body varies depending on the nature of the complaint. For example, the decision-making body for complaints about staff of the House of Commons could be a senior HR representative. The decision-making body for complaints against MPs is the Parliamentary Commissioner for Standards.

28 Independent Expert Panel, [Annual Reports](#), ICGS, [Annual Reports](#), Parliamentary Commissioner for Standards, [Annual Reports](#), date accessed 16 May 2024.

Country	United States of America (House of Representatives)
Code of Conduct	The Code of Official Conduct <sup>29</sup> , applies to Members, Delegates, Resident Commissioner and employees.
Behaviour code	No but ethics training is mandatory for both House Members and staff.
Policies related to bullying, harassment, or sexual misconduct	<p>Sexual Harassment is discussed briefly on the “Discrimination” portion of the House Ethics Committee’s ethics highlights pages. In the 101st Congress, there was a case whereby the Committee affirmed that sexual harassment is a form of sex discrimination and a violation of the Code of Conduct.<sup>30</sup></p> <p>The Congressional Accountability Act 1995 (the CAA), amended by the CAA of 1995 Reform Act, sets out the process for addressing and resolving harassment claims. Complaints go through the independent Congressional Workplace Rights (OCWR), formerly known as the Independent Office of Compliance, which administers the resolution process.</p>
Independent elements (if any)	<p>The Office of Congressional Ethics (OCE), established by the U.S. House of Representatives in March 2008, is a nonpartisan, independent entity charged with reviewing allegations of misconduct against members of the House of Representatives and their staff and, when appropriate, referring matters to House Committee on Ethics (formerly known as the Committee on Standards of Official Conduct). The OCE Board decides what to recommend to the Committee on Ethics: further review or dismissal. The Committee then decides whether to conduct further investigation, impose sanctions, or dismiss the matter. The OCE can review allegations from the general public. The House Ethics Committee currently does not take complaints from the public, unless they are signed by a Member of the House.</p> <p>The Ethics Committee’s membership consists of 10 Members, equal number from each national party. The Committee has sole jurisdiction over the interpretation of the Code of Official Conduct. The Committee advises on compliance, provides training to House members on the rules, conducts investigations into alleged breaches of House rules or any related statutes, and reviews financial disclosure statements. Reports are approved by the House.</p> <p>The OCWR is independent. The Board is responsible for adjudicating disputes under the CAA, promulgating regulations implementing the CAA’s statutory requirements, and recommending to Congress changes to the CAA to advance the rights of congressional employees.</p>
Rights of appeal	<p>The Member can appeal a fine to the Committee on Ethics. The appeal is considered within 30 days.<sup>31</sup> There is no formal appeals process for sanctions such as censure, expulsion, reprimand, etc.</p> <p>A Member can also file a Motion to Dismiss the alleged violation before a sanction is recommended. For example, on the grounds it fails to constitute a breach of the Code of Conduct.<sup>32</sup></p>

29 US House of Representatives House Committee on Ethics, [Code of Official Conduct \(10 January 2023\)](#)

30 Committee on Ethics, [Discrimination](#), date accessed 16 May 2024

31 Committee on Ethics, [Special Policies and Procedures Relating to Fine Notifications and Appeals \(9 March 2021\)](#)

32 See Rule 22: Respondent’s Answer [CoE Adopted Rules 118th](#)

Sanctions	Sanctions that the House of Representatives may recommend to the House for Members, House Officers and House Employees are listed in the Rules of the House Committee on Ethics. Sanctions may include: “[d]enial or limitation of any right, power, privilege, or immunity of the Member”; dismissal of employment (for employees), reprimand, fine, or “other appropriate sanction”. For Members, the most significant sanctions that can be recommended are “Expulsion from the House of Representatives” and “Censure.” <sup>33</sup>
Statistics	The OCE publishes a statistical summary of the OCE Board’s decisions on a quarterly basis.  Summary statistics for the House Committee on Ethics are also available in their “Activity Reports” published at the end of each Congress. For example: <a href="#">Activities of the Committee on Ethics for the 117th Congress</a> .
Proposed changes	None at present.

### Supranational parliaments

Legislature	European Parliament
Code of Conduct	The Code of Conduct came into force on 1 January 2012 and was last revised in 2023. <sup>34</sup> It sets out as its guiding principles that Members shall act solely in the public interest and conduct their work with disinterest, integrity, openness, diligence, honesty, accountability and respect for the European Parliament’s dignity and reputation. The Code of Conduct defines conflicts of interest and how Members should address them and it includes rules on disclosure obligations, activities of former Members and the Advisory Committee on the Conduct of Members.
Behaviour code	The Rules of Procedure of the European Parliament is the document with the operating rules of the European Parliament. MEPs have to sign a declaration relating to the Code of Appropriate Behaviour. The Code of appropriate Behaviour is annex II of the Rules of Procedure <sup>35</sup> .
Policies related to bullying, harassment, or sexual misconduct	In cases of harassment, the European Parliament applies Article 12a of the EU Staff Regulations.  Code of Appropriate Behaviour (see above).
Independent elements (if any)	Decisions on Code of Conduct matters are taken by Members. At the request of the President or after being signalled directly, the Advisory Committee on the Conduct of Members (comprised of 8 Members) assesses alleged breaches of the Code of Conduct and advises the President on possible action to be taken. The Advisory Committee proactively monitors compliance by Members with the Code of Conduct and its implementing measures.  The Advisory Committee on Harassment and its Prevention at the Workplace, consisting of parliamentary assistants, administration representatives and MEPs, listens to anyone who considers that he/she is a victim of harassment. It works autonomously, independently and on a strictly confidential basis, and recommends a sanction to the President.

33 For an example list, [List of Individuals Expelled, Censured, or Reprimanded in the U.S. House of Representatives](#)

34 European Parliament, [Code of Conduct for members of the European Parliament regarding integrity and transparency](#) (2023)

35 European Parliament, [Rules of Procedure \(November 2023\)](#)

Rights of appeal	<p>According to Rule 176(3) of the Rules of Procedure a Member concerned by a penalty shall be invited by the President to submit written observations before the decision is adopted.</p> <p>According to Rule 177 of the Rules of Procedure a Member concerned by a penalty may lodge an internal appeal with the Bureau within two weeks of notification of the penalty imposed by the President.</p>
Sanctions	<p>The penalties are laid down in Rule 176(5) of the Rules of Procedure as follows:</p> <p>(a) a reprimand;</p> <p>(b) prohibition of the Member from representing the Parliament on an interparliamentary delegation, inter-parliamentary conference or any interinstitutional forum, for up to one year;</p> <p>(c) in the case of a breach of confidentiality, a limitation in the rights to access confidential or classified information for up to one year;</p> <p>(d) forfeiture of entitlement to the daily subsistence allowance for a period of between two and sixty days;</p> <p>(e) without prejudice to the right to vote in plenary, and subject, in this instance, to strict compliance with the Members' standards of conduct, temporary suspension from participation in all or some of the activities of Parliament for a period of between two and sixty days on which Parliament or any of its bodies, committees or delegations meet.</p> <p>The penalty may consist of one or more of the above-mentioned measures.</p>
Statistics	The Advisory Committee publishes each year a report of its work including examinations on possible breaches of the Code of Conduct. <sup>36</sup>
Proposed changes	The Code on Appropriate Behaviour, to include mandatory anti-harassment training for members, will enter into force for the new European Parliament legislature. Under the new rules, approved in April, the parliament's political group leaders will have the power to propose the removal of any elected office-holder who fails to comply with the training within the first six months of their mandate.

#### Devolved bodies within the UK

Legislature	Northern Ireland (Northern Ireland Assembly)
Code of Conduct	Assembly Members' Code of Conduct <sup>37</sup> , agreed by the Northern Ireland Assembly, sets out the minimum ethical standards required of Members when discharging their obligations to the Assembly. The Code includes the Principles of Conduct and the Rules.
Behaviour code	Behaviour Code <sup>38</sup> , applies to all visiting or working for or within the Assembly.

36 European Parliament, [Advisory Committee on the Conduct of Members Annual Reports](#), accessed 16 May 2024

37 Northern Ireland Assembly, [Code of Conduct and Guide to the Rules](#) (April 2021)

38 Northern Ireland Assembly, [Behaviour Code](#), accessed 16 May 2024



Policies related to bullying, harassment, or sexual misconduct	<p>There are provisions in the Code of Conduct relating to equality and non-discrimination under “Additional Assembly Principles of Conduct”.</p> <p>The Northern Ireland Assembly Behaviour Code specifically says “bullying, harassment, discrimination and sexual misconduct will not be tolerated”.</p> <p>Northern Ireland Assembly Commission Complaints Policy and Procedure (covers unacceptable behaviour complaints about staff only).</p> <p>The current Committee on Standards and Privileges is due to consider the implementation of a Report on the development of an Unacceptable Behaviours Policy<sup>39</sup>, which was published by the predecessor Committee in March 2022.</p>
Independent elements (if any)	<p>Commissioner for Standards is statutorily independent, investigates alleged breaches of the Code of Conduct. The Commissioner also investigates alleged breaches of the Ministerial Code of Conduct.</p> <p>Committee on Standards and Privileges, which consists of 9 MLAs, oversees the Code of Conduct and considers reports on investigations into specific complaints of alleged breaches. When appropriate, the Committee recommends a sanction to the Assembly.</p>
Rights of appeal	<p>No, not in relation to the outcome of the Committee’s adjudication. However, complainants can request the Committee to give “further consideration” to decisions by the Commissioner that their complaints are inadmissible (but the final decision admissibility rests with the Commissioner).</p>
Sanctions	<p>Standing Orders provide that sanctions may include (but are not limited to); apology; censure of the Member; exclusion; withdrawal of rights and privileges (which may include salary and allowances).</p>
Statistics	<p>Annual report published by the Commissioner for Standards. Last reporting year published 2022–23.<sup>40</sup></p>
Proposed changes	<p>The current Committee is due to consider recommendations on various strategic policy issues which were set out in the <a href="#">Legacy Report</a> of its predecessor Committee, including the appointment of lay members to the Committee.</p>

Legislature	Scotland (Scottish Parliament)
Code of Conduct	Code of Conduct <sup>41</sup> , agreed by the Scottish Parliament. The Code of Conduct provides a set of principles and standards for Members of the Scottish Parliament.
Behaviour code	No but it does have a sexual harassment policy that applies to everyone who works in and for the Parliament.
Policies related to bullying, harassment, or sexual misconduct	<p>Unacceptable Actions Policy and Sexual Harassment Policy. There is an Independent Support Service to provide advice on bullying and sexual harassment complaints. Complaints about Members of Scottish Parliament (MSPs) go through the Commissioner.</p> <p>Code of Conduct also contains section on General Conduct of others, with reference to bullying and harassment policies created by the Scottish Parliamentary Corporate Body.</p>

39 Northern Ireland Assembly, [Report on the development of an Unacceptable Behaviour Policies](#) (3 March 2022)

40 Northern Ireland Assembly, Commissioner for Standards, [Annual Reports](#), date accessed 16 May 2024

41 Scottish Parliament [Code of Conduct](#), date accessed 16 May 2024



Independent elements (if any)	<p>Commissioner for Ethical Standards in Public Life in Scotland is independently appointed and conducts investigations.</p> <p>The Commissioner will prepare a report describing their investigation, the facts found by the Commissioner in relation to whether or not the conduct complained about was committed by the Member and give the Commissioner's conclusion as to whether a breach of the conduct rules has occurred and the reasons for those conclusions. The Commissioner's report will be sent to the Standards, Procedures and Public Appointments Committee, composed of 5 MSPs. The Committee will decide whether or not to agree with the Commissioner's conclusions and may then recommend a sanction to the Scottish Parliament. The Committee may also direct the Commissioner to undertake further investigation or to conduct its own investigation.</p> <p>Certain complaints described as "excluded complaints" are not made to the Commissioner and can be investigated by the authority to whom the complaint is made. There is scope for the Commissioner to be directed to undertake investigation of an excluded complaint if directed to do so by the Standards, Procedures and Public Appointments Committee.</p>
Rights of appeal	None.
Sanctions	<p>Sanctions include; prevent or restrict a member from participating in proceedings of the Parliament; exclude a member from all proceedings of the Parliament; exclude a member from the premises or part of the premises (with loss of salary); withdraw the member's right to use the facilities and services; reimbursement or removal of Member's allowances; withdrawal of rights and privileges.</p> <p>In relation to breaches of the Interests of Members of the Scottish Parliament Act 2006, the guidance on the Code sets out sanctions that may be applied, depending on the nature of the breach. Certain breaches of the Act constitute an offence and, if convicted of such an offence, a Member may be liable to a fine not exceeding level 5 on the standard scale. The Parliament could subsequently decide to also sanction a member found guilty of an offence.</p>
Statistics	The Commissioner produces an annual report. <sup>42</sup>
Proposed changes	The Finance and Public Administration Committee is conducting an inquiry into "Scotland's Commissioner Landscape", which includes the Standards Commissioner. It is due to report in June 2024.

Legislature	Wales (Senedd Cymru / Welsh Parliament)
Code of Conduct	The Code of Conduct <sup>43</sup> , agreed by the Senedd, establishes the standards of conduct required of Members of the Senedd.
Behaviour code	Behaviour is also included in the Code of Conduct – it was last updated in March 2021 when an additional principle of 'respect' was added. The Senedd additionally has a dignity and respect policy <sup>44</sup> which covers Members of the Senedd, Support Staff and Senedd Commission staff – this is the subject of a review currently given the incorporation of the key elements of this into the Code.

42 Ethical Standards Commissioner, [Annual Reports](#), date accessed 16 May 2024

43 Welsh Parliament, [Code of Conduct on the Standards of Conduct of Members of the Senedd](#) (5 May 2021)

44 Welsh Parliament, [Dignity and Respect Policy \(22 December 2020\)](#)

Policies related to bullying, harassment, or sexual misconduct	These are covered in the code of conduct. The Code and its guidance have specific definitions of these terms.
Independent elements (if any)	<p>Complaints of breaches of the Code of Conduct are investigated firstly by the Commissioner for Standards, who is an independent office holder. The Commissioner then decides whether there has been a breach of the code of conduct or not. He writes a report, which is then taken to the Standards of Conduct Committee who decide whether they agree with his decision and, if they do and there has been a breach, what sanctions to recommend to the Senedd. The Senedd is the ultimate decision maker in the process.</p> <p>Complaints against Members of breaches of the Dignity and Respect Policy are carried out by the Commissioner for Standards under the Code of Conduct. For staff employed by Members of the Senedd these will be carried out under established Grievance procedures. These procedures are agreed by the Remuneration Board but are revised in partnership relevant trade unions. For staff employed by the Senedd Commission, these will be carried out under established Grievance procedures which are agreed in partnership with the Trade Union Side.</p>
Rights of appeal	<p>The previous Procedure for dealing with complaints against Members of the Senedd did have an appeals process – Members could appeal to a judge to review the decision of the Committee, before the Committee’s report reached Plenary. However, during the last review of the Procedure the appeals process was removed.<sup>45</sup></p> <p>Both complainants and Members are given an opportunity to comment on the Commissioner’s findings of fact, before the Commissioner produces a report for the Committee. The Committee gives both parties the opportunity to provide further written and/or oral evidence once they have received the Commissioner’s report. The Member is also afforded an opportunity to speak to the motion in plenary, before the vote take places, which allows an element of appeal to other Members. In contrast to the Houses of Parliament, the Senedd decision can also be subject to a judicial review.</p>
Sanctions	Sanctions include censure, exclusion from Senedd proceedings for a specified time (including that the Member would not be paid for this time), rights and privileges of membership of the Senedd to be withdrawn. This could include removal of building pass for a specified period of time. There are no restrictions of the length of a suspension, although a Member cannot formally be removed from the Senedd via the Standards process.
Statistics	<p>The complaints that the Committee have agreed to deal with through the rectification process are published, as well as all Committee reports for breaches of the code of conduct and investigations that have ended in no breach.<sup>46</sup></p> <p>The Commissioner produces an annual report.<sup>47</sup></p>

45 Welsh Parliament, [Procedure for dealing with complaints against Members of the Senedd](#) (05 May 2021)

46 Welsh Parliament, [Completed work and reports, Standards Conduct Committee](#), date accessed 16 May 2024

47 Standards Commissioner, [Reports](#), date accessed 16 May 2024

Proposed changes	The Committee may consider making some changes to the Procedure, but there is nothing imminent. The Committee has agreed to undertake a review on the dignity and respect approach in the Senedd, this will be wide ranging and will include consideration of methods of accountability for Members (recall or removal) – this was in part due to a recommendation from the Committee considering Senedd reform legislation.
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## Annex 8: Aggravating and mitigating factors in Code of Conduct cases

Extract from Committee on Standards, Seventh Report of Session 2019–21, Sanctions in respect of the conduct of Members (HC 241), para 80 [report approved by House, 21 April 2021]

### Aggravating factors

Non-cooperation with the Commissioner or the investigation process; concealing or withholding evidence
--

Seniority and experience of the Member
--

Racist, sexist or homophobic behaviour
--

Use of intimidation or abuse of power
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Deliberate breach or acting against advice given
--

Motivation of personal gain
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Failure to seek advice when it would have been reasonable to do so
--

A repeat offence, or indication that the offence was part of a pattern of behaviour
---

Any breach of the rules which also demonstrates a disregard of one or more of the General Principles of Conduct or of the Parliamentary Behaviour Code.
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### Mitigating factors

Physical or mental ill health, or other personal trauma
---

Lack of intent to breach the rules (including misunderstanding of the rules if they are unclear)
--

Acting in good faith, having sought advice from relevant authorities
--

Evidence of the Member's intention to uphold the General Principles of Conduct and the Parliamentary Behaviour Code
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Acknowledgement of breach, self-knowledge and genuine remorse
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## Annex 9: Seven Principles of Public Life with revised descriptors proposed by Committee in 2022

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Extract from Report, para 78 above:

“In our recent review of the Commons Code of Conduct we proposed that the Seven Principles’ “descriptors” should be re-expressed to explain how they are directly relevant to the work of MPs. The Government did not support this proposal and the House did not adopt it. Nonetheless we draw attention to our proposed new descriptors as a useful starting point for understanding how the Seven Principles relate specifically to the conduct of Members.”

The Seven Principles with revised “parliamentary” descriptors were as follows:<sup>1</sup>

### **Seven Principles of Public Life**

The House of Commons Code of Conduct is inspired and informed by the Seven Principles of Public Life. The Principles apply across the public services; as set out below, they are supplemented by descriptors, which apply specifically to Members of Parliament.

#### **Selflessness**

Members of Parliament should act solely in the public interest. They should ensure that no private, financial or other personal interest risks compromising their principal role as a Member of Parliament. They should never misuse their position to gain financial or other material benefits for themselves, their family, or their friends.

#### **Integrity**

Members should conduct themselves in a manner which will inspire public trust and confidence in them and in the integrity of Parliament. They should avoid being placed under any influence or obligation which could undermine trust in them as an individual or in their role as a Member of Parliament. They should declare and resolve any interests and relationships which might reasonably be construed as a conflict of interest. When such conflicts do arise, they should be resolved in a way that is beyond reproach, maintains the trust of colleagues and the public, and protects the public interest.

#### **Objectivity**

Members are responsible for the exercise of their judgement as fairly as they can according to their conscience. They should avoid discrimination or bias. They should be able to demonstrate that they make decisions on merit, taking account of relevant evidence, advice and of any wider responsibilities.

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<sup>1</sup> Taken from Committee on Standards, [First Report of Session 2022–23](#), New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament (HC 227), published 24 May 2022, Annex 1, Section C; see also that report, paras 10-23. On 12 December 2022 the House of Commons approved a government motion to adopt the Committee’s proposed new Code of Conduct, with the exception of the new descriptors which were replaced by the standard CSPL descriptors. An amendment moved by the Committee Chair to reinsert the Committee’s proposed revised descriptors was negated on division by 241 votes to 135: see [Votes and Proceedings](#), 12 December 2022, item 8.

### **Accountability**

Members should make themselves accountable to their constituents, to the wider public and to Parliament. They should submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Members should, as far as possible, act in an open and transparent manner with the public, with colleagues and with others with whom they work. They should not withhold any relevant information unless there are clear and lawful reasons for doing so.

### **Honesty**

Members should be truthful in everything they say, write or do.

### **Leadership**

Members are elected as leaders, who can only be effective when they inspire trust by setting a good example. They should exhibit these principles in their own behaviour and treat others with respect. Without compromising the right of free speech for Members, they should actively promote and robustly support the principles, abide by the Parliamentary Behaviour Code, and exemplify anti-discriminatory attitudes in their own behaviour in relation to the protected characteristics in the Equality Act 2010. They should refrain from any action which would bring Parliament or its Members into disrepute.



# Conclusions and recommendations

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## How might the system be improved?

1. The current standards system has evolved over time as public expectations have changed, and also in response to particular controversies. That is the reason why so many bodies are involved and why they have the remits and powers that they do. There is scope at the margins to improve coherence through greater alignment of processes, and considerable scope to improve the presentation and public explanation of the system. We explore options for achieving these aims in further sections of this report. Although the system is complicated, it is coherent and there is logic behind the complexity. So we have concluded that structural change or amalgamations of bodies would not bring benefits. (Paragraph 105)
2. We consider that a declaration of commitment to the Nolan principles at the start of a Member's parliamentary career, renewed every time they are re-elected to the House, would make a powerful public symbolic statement about the House's commitment to the principles. It would impress on each individual Member through the solemnity of the occasion how important it is for them to understand the principles and internalise their application as part of everyday decision-making in the world of active politics. (Paragraph 113)
3. We recommend that the House should by resolution require Members when they first enter the House, or are re-elected to it, to make a public declaration of their commitment to the Seven Principles of Public Life. This declaration would be separate from the oath of allegiance and would be made immediately following the Member's swearing-in, while they are standing at the Table of the House. (Paragraph 115)
4. The declaration should take the form:
 

I solemnly declare that in my conduct as a Member of Parliament I shall uphold the Seven Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. (Paragraph 116)
5. Owing to the timing of the general election, it will not now be possible to bring this proposal into effect at the start of the new Parliament. Nonetheless we recommend that early in the Parliament this matter should be put before the House for decision. We recommend that this be done in such a way as to allow the House to decide, if it approves the proposal, whether the declaration in support of the Nolan Principles should be made in writing or in spoken form. (Paragraph 117)
6. We support the proposal by the Parliamentary Commissioner for Standards that there should be a systematic examination of the House's rules set out in the Rules Register to consider whether each set of rules can be simplified by being redrafted according to a principles-based approach. The assumption would be that "shorter is better" and that a principles-based approach should be adopted unless there are compelling arguments for imposing detailed rules. (Paragraph 127)

7. There may also be scope for alignment with other sets of rules, and for making the rules more accessible to users. We envisage that the House's Governance Office would play a co-ordinating role in this process, working with and liaising between the individual rule owners, with the Commissioner and with the House authorities. (Paragraph 128)
8. We recommend that there should be a pilot project involving a single set of subordinate rules with a further assessment by the Committee before the scope of the project is broadened to include the remainder of the Rules Register. (Paragraph 129)
9. We recommend that the House authorities indicate that they are content for this initiative to proceed. (Paragraph 130)
10. We welcome the recent steps on the Government's part to discuss further alignment between the Ministerial Code and the House of Commons Register, and their commitment to matching the reporting timescales for departmental transparency returns to the shorter timescales required for entries in the House's Register of Members' Financial Interests. It is vital that, when implemented, these shorter timescales are adhered to by the Government. We recommend that the Parliamentary Commissioner for Standards update our successor Committee on the progress of alignment, and that the successor Committee should monitor the timeliness of the transparency returns. (Paragraph 140)
11. We gave careful consideration to the Leader of the House's proposal that we should recommend to the House an increase in the reporting threshold for donations from £1,500 to £2,230, in line with the changes the Government has recently made to the equivalent reporting requirement for the Electoral Commission. We also took into account the arguments adduced by the Parliamentary Commissioner for Standards against proposing such a change. In the event, the Prime Minister's decision to call a general election in July 2024 means there is now no possibility of bringing in the change before the election. We had in fact concluded that we could not support the proposal. The House's rules in relation to registration and declaration of interests include other thresholds: it would appear arbitrary to adjust one threshold for inflation but not the others. The proposed new threshold would also have had the disadvantage of replacing an easily memorable 'round number' (£1,500) with a very unmemorable number (£2,230). Finally, we were concerned that for the House to have made this specific change, which would have had the effect of reducing the information publicly available about donations, in the immediate run-up to a general election would have sent an unfortunate signal about the House's commitment to transparency in the political process. (Paragraph 143)
12. We recommend that the overall issue of adjusting thresholds in line with inflation be considered by our successor committee in the next Parliament. We further recommend that our successor committee should be consulted by the Government before the Government brings in any adjustment to the thresholds. (Paragraph 144)
13. We believe that, following the recent reforms which clarified the respective roles of the Parliamentary Commissioner for Standards and the Standards Committee, the basic institutional relationship between the two is sound and facilitates mutual respect. We have an open mind on whether that relationship should be codified by

way of a formal protocol specifying how the Committee may be expected to carry out its oversight function. We will continue discussions with the Commissioner on this matter with a view to establishing whether such a protocol would give “added value” to our relationship or enhance its transparency. (Paragraph 151)

14. The time taken to conclude Code of Conduct investigations is a sensitive issue. As the Commissioner has pointed out, justice delayed is justice denied, and it would not be right for a Member to have allegations of misconduct hanging over them a day longer than is necessary. That said, we do not believe that there have been significant delays caused by poor administration or under-resourcing in the Commissioner’s office. There are many reasons why investigations take as long as they do, not least the need to ensure scrupulous fairness and the rigorous collection and assessment of evidence. From our detailed examination of the serious cases referred to us we can testify to the high standards of professionalism shown by the Commissioner’s team. External factors beyond the control of that team may add to the length of investigations. We welcome the recent reduction in the average time taken to complete Code of Conduct investigations, and the Commissioner’s expression of his personal commitment to seeking ways of reducing the average time still further. We recommend that our successor Committee in the next Parliament should continue to monitor the situation closely. (Paragraph 159)
15. It is a matter of the Commissioner’s judgement in individual cases whether an investigation by the Commissioner into an alleged breach of the Code would be “proportionate”. Each case will differ in its circumstances, and the Procedural Protocol makes clear that the decision is for the Commissioner alone; the Committee respects his operational independence and does not seek to second-guess these decisions. We thought it would be helpful to publish some indication of the criteria the Commissioner uses in making his decision on proportionality, and we are grateful to him for supplying us with this information. We note that among the criteria listed are “previous decisions of the Committee on Standards”. We welcome the inclusion of this criterion, which is a sensible way of ensuring that the House and the Commissioner remain aligned in relation to the issue of proportionality, without compromising the Commissioner’s independence. (Paragraph 164)
16. We believe that to transfer the role of the Committee to the IEP, in an attempt to restore simplicity to the system, would not be desirable. (Paragraph 167)
17. The Standards Committee as currently constituted, with a balance between sitting MPs who contribute knowledge of Parliament, and lay members who bring wider experience including that of other regulatory bodies, seems to us a better way of protecting the independence of the ICGS and ensuring that Code of Conduct cases receive the right kind of informed scrutiny. We therefore do not support the Institute for Government’s proposal. (Paragraph 168)
18. In the short time that elapsed between publication of the Kernaghan review on 13 May 2024 and the Prime Minister’s election announcement on 22 May, we did not have the opportunity to discuss with stakeholders their response to the review or to arrive at our own detailed conclusions. We note that, as with Code of Conduct cases, there is a perception that cases take too long to be concluded. One of the reviewer’s key terms of reference was “to act as a critical friend to the ICGS Director

in her efforts to improve the timeliness and quality of investigations”. We note Mr Kernaghan’s recommendations with regard to mandatory training for MPs and their staff. We recommend that our successor Committee in the new Parliament should give early consideration to Mr Kernaghan’s analysis and recommendations. (Paragraph 175)

19. The Committee supports the recommendation from the IEP that the Recall of MPs Act 2015 be amended to bring a suspension imposed by the House following on from a report from the IEP within the ambit of the second recall condition. Later in this report we recommend that the 2015 Act should be subject to formal post-legislative scrutiny. If such scrutiny leads to legislation to amend the Act, we trust that this modest “tidying up” proposal will be included among the amendments put forward by the Government as part of that process. (Paragraph 178)
20. It is clear to us that parties face common problems in setting up robust and effective internal mechanisms for dealing with conduct issues. We do not minimise the challenges they face, but the constructive way in which the whips and party representatives have responded in our discussions with them, and the lack of party rancour between them on these issues, gives us encouragement that the parties may be able to make progress on developing joint approaches. (Paragraph 189)
21. Party political processes within the House and the role of whips in relation to standards issues are important but opaque and not co-ordinated. The adversarial nature of democratic politics means that parties are reluctant to air the “dirty linen” of conduct allegations in public for fear this will be weaponised against them by their political opponents. While this may be an understandable reaction, the culture of opacity within parties is unhelpful in tackling issues of behaviour. We accept the independence of political parties but we encourage them to be more open, and to explore with each other the development of common standards and processes for handling complaints. We endorse the recommendation from the Institute for Government that each party should publish on its website, where it does not already do so, an accessible statement of its internal processes for dealing with conduct issues. We welcome the evidence we have received of developing liaison between the whips and the ICGS over complainants’ choice of different routes. We note that there is considerable scope for the parties to facilitate training and education of their members in relation to conduct issues (a matter we return to in a separate section of this report). (Paragraph 190)
22. A triaging portal would either (a) take decisions itself on the route a complaint should take, or (b) actively forward complaints to what it considered to be the correct body, for that body to take a final decision on whether to accept the complaint. In our view either proposal would be attended by grave difficulties. Both proposals would require the recruiting of highly trained staff who were knowledgeable about all aspects of the standards system. Each of the bodies comprising the standards landscape is likely to resist decision-making on such key matters being delegated from them. There would be a serious risk of the portal making incorrect decisions or giving incorrect advice that would need to be corrected, or where its judgement might conflict with that of the various bodies. A triaging portal (which, as the CSPL noted, would “not be resource-light”) might prove to be a very expensive way of



creating more rather than less complication, leading to increased use of appeals procedures as well as possible legal challenges. For these reasons we do not favour the creation of a portal with an active triaging function (Paragraph 198)

23. Instead we recommend the creation of a single internet site which will provide centralised information on the roles of the bodies which make up the parliamentary standards landscape, giving details of categories of complaint. The information should be in plain English and outline how to complain with links to the landing pages of the relevant bodies. It should aim to anticipate users' queries and concerns, and provide the information they need as accessibly as possible, with follow-up contact details where necessary. (Paragraph 199)
24. This could also afford an opportunity to encourage each of the bodies to improve where necessary the information they provide on their websites, and create greater clarity and consistency across the bodies in terms of their public-facing material (including web design and accessibility). A possible comparator in terms of presentation is the website of the Parliamentary and Health Service Ombudsman which provides very clear information about how to make a complaint and to whom (using a "quick and easy complaint checker"). (Paragraph 200)
25. We envisage that this "parliamentary standards website" might most logically be provided by Parliament as a free-standing part of the wider parliamentary website. The fact that the website will not have a decision-making or triaging function will lessen the risk of potential "turf wars" between the relevant bodies involved. However, setting up a website of which a dozen or more bodies will feel some 'ownership' will be a significant organisational challenge. It would require input from all the bodies plus some agreed way of co-ordinating and taking final decisions on what information would be included and how it would be presented. We consider that the House's Governance Office is best placed to play this co-ordinating role. We propose that the Government should also contribute information to the website about its processes under the Ministerial Code, and we encourage them to do so. Mechanisms will be needed to ensure that the website information is kept up to date. (Paragraph 201)
26. Later in this report we recommend that there be more formal and regular liaison between all the bodies which comprise the standards landscape. We recommend that discussion of our proposal for a parliamentary standards website should be taken forward as part of this new liaison process and regarded as a high priority within it. (Paragraph 202)
27. We see effective learning and professional development for Members and for their staff as vital in continuing to improve behaviour in Parliament. This must comprise five key components: (1) understanding how to be more aware of the inevitable conflicts of interest which arise for Members; (2) learning how to manage such conflicts while holding in mind the Seven Principles of Public Life and how to internalise them in a Member's day-to-day work; (3) understanding the specific contents of the Code of Conduct - the rules and how to avoid falling into breach of them; (4) promoting awareness of the issues relating to bullying, harassment and sexual misconduct; and

- (5) recognising that all leaders in Parliament, particularly Members themselves, have the highest obligation to lead the continuing improvement of attitude and behaviour by their example. (Paragraph 204)
28. It will be particularly important to have effective induction and continuous professional development put in place for the new intake of Members expected at the imminent general election. Training for Members' staff is important as well as for Members, though it should not be forgotten that the primary responsibility for compliance with the rules rests with the Member. While Members are not employees, nor is the House their employer, it is an issue for the House to decide how far it can collectively require its individual Members to participate in such learning and professional development. (Paragraph 205)
  29. We support the recent increase in the quality and quantity of training made available to Members, their staff and staff of House in the field of standards. It is imperative that the push for cultural change should continue and broaden in the new Parliament. We support the work being done by the Parliamentary Commissioner for Standards, IPSA and others in this regard. (Paragraph 221)
  30. We consider that the following further steps should be taken before and following the general election. (Paragraph 222)
  31. During the election campaign, we recommend that candidates should be offered, through their political parties, access to material which sets out the House's requirements in relation to conduct, and provides information about the parliamentary standards and complaints system. We recommend that the Parliamentary Commissioner for Standards should offer assistance to parties in this matter at their request. (Paragraph 223)
  32. We recommend that within the initial information pack prepared by the House, and handed over by Returning Officers to a Member when elected, there should be a summary of standards guidance and rules. (Paragraph 224)
  33. Previously in this report we have recommended that the new Parliament should be inaugurated by a public commitment by every Member of the House to the Nolan principles (see para 115 above). We support the proposal by the recent Speaker's Conference, agreed to by the House, that more time than previously should be found in the first days and weeks of the Parliament for induction and support for incoming Members. We recommend that Members should be offered sessions on:
    - The Code of Conduct (including registration and declaration of interests, and the lobbying rules)
    - The Behaviour Code (including behaviour in the Chamber and to staff)
    - Employment requirements and rules
    - Standards bodies and the standards landscape

We recommend that the political parties, their business managers and the House authorities should as a matter of urgency make plans to implement this recommendation. (Paragraph 225)



34. We recommend that Members should be invited to attend workshops on the Code of Conduct, to include real-life scenarios to help embed their understanding of the Nolan principles and the Code, as well as the core elements of registration, declaration and the lobbying rules. This could build on what the Commissioner is already doing, mostly with Members' staff. (Paragraph 226)
35. We recommend that the House of Commons Commission undertake an assessment of the pros and cons of making office management training for Members a condition of receiving IPSA funding for their staff, in cases where a Member cannot demonstrate that they have any previous experience of managing staff. (Paragraph 227)
36. We recommend that there should be more formal and regular (but not frequent) liaison between all the bodies regulating MP conduct to share understanding, best practice and challenge, and to ensure there is no overlap or duplication or gaps. This might take the form of an annual seminar or awayday for the relevant bodies. We recommend that our successor Committee in the new Parliament should seek the other bodies' approval for the principle of such an event. If this is secured, the Committee may wish to take the lead in organising an inaugural event. (Paragraph 228)
37. We also recommend that our successor committees in future parliaments should update this standards landscape report every five years, in conjunction with their five-yearly review of the Code of Conduct. (Paragraph 229)
38. Witnesses made no specific proposals to us for sanctions to be introduced which are not currently available. We are satisfied with the range of sanctions available for the Committee and the IEP to recommend, and do not propose any changes to the current situation. More effort could however be made to communicate to Members and others what sanctions are available and how flexible the system actually is: we recommend that this be done as part of the communications strategy we discuss in paras 199-201 above. (Paragraph 233)
39. There has been no policy to increase the severity of sanctions that have been imposed. The Committee assesses each Code of Conduct case fairly on its own merits, taking into account aggravating and mitigating factors as approved by the House, and past precedents. We recommend that our successor Committee keep these matters under review. (Paragraph 235)
40. The Recall of MPs Act 2015 has had a significant impact on the operation of the parliamentary standards system. In making a recommendation on sanction in a Code of Conduct case, we are fully aware that suspension for 10 or more days, if approved by the House, may have a career-changing or career-ending impact on the Member concerned. We have no doubt that the Independent Expert Panel is similarly aware of the consequences of such a recommendation in ICGS cases. (Paragraph 240)
41. We recommend that the Government accept the principle of post-legislative scrutiny of the Recall of MPs Act 2015 and bring forward timetabled proposals for the conduct of that scrutiny. (Paragraph 242)

42. Had the present Parliament continued, we proposed to review our procedures to see if there was scope for greater clarity about the circumstances in which the Committee should recommend a suspension long enough to engage the provisions of the Recall of MPs Act. We proposed to request our legal advisers to review whether lessons could be learned from employment law or elsewhere that would assist in developing ‘sentencing guidelines’ and/or more precise criteria to assist the Committee in reaching decisions on sanctioning, and we planned to report further to the House in due course. Our successors in the next Parliament may wish to return to this matter. (Paragraph 243)
43. The UK House of Commons’ standards system, compared to those in other parliamentary institutions in the UK and elsewhere, has high levels of independence. The ICGS, the Independent Expert Panel and the presence of lay members on the Standards Committee appear to be almost unparalleled in the other jurisdictions we studied. On the other hand, the evolution of our standards system, including its Code of Conduct, Behaviour Code, and policies and procedures to address bullying, harassment, and sexual misconduct, has not happened in a vacuum. In response to wider cultural trends on an international scale, many parliaments have adopted, or are in the process of adopting, their own standards procedures of a similar nature. We recommend that our successors in the next Parliament continue to monitor developments in comparator institutions to ensure that Westminster stays abreast of international good practice in regulating the conduct of parliamentarians. (Paragraph 249)

# Formal minutes

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**Thursday 23 May 2024**

## **Members present:**

Ms Harriet Harman, in the Chair

Allan Dorans

Philip Dunne

Sir Francis Habgood

Sir Bernard Jenkin

Dr Michael Maguire

Ms Mehmuda Mian

Dr Rose Marie Parr

Carys Williams

Draft report (House of Commons standards landscape: how MPs' standards and conduct are regulated), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 249 read and agreed to.

Annexes 1 to 9 agreed to.

*Resolved*, That the Report be the Third Report of the Committee to the House.

None of the lay members present wished to submit an opinion on the Report (Standing Order No.149(8)).

*Ordered*, That the Chair make the Report to the House.

Written evidence was ordered to be reported to the House for publication with the Report.

## **Adjournment**

The Committee adjourned.

## Witnesses

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The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Tuesday 18 July 2023

**Sir Laurie Magnus CBE**, Independent Adviser on Ministers' Interests [Q1–86](#)

### Tuesday 23 January 2024

**Lieutenant General (Retired) Doug Chalmers CB DSO OBE**, Chair, Committee on Standards in Public Life; **Professor Gillian Peele**, Independent Member, Committee on Standards in Public Life [Q1–32](#)

**Thea Walton**, Director, Independent Complaints and Grievance Scheme; **Lucinda Maer**, Director, House of Commons Cultural Transformation Team [Q33–59](#)

### Tuesday 23 January 2024

**John Pullinger CB**, Chair, The Electoral Commission; **Louise Edwards**, Director of Regulation and Digital Transformation, The Electoral Commission; **Richard Lloyd OBE**, Chair, Independent Parliamentary Standards Authority (IPSA) [Q60–96](#)

### Wednesday 24 January 2024

**Dr Hannah White OBE**, Director, Institute for Government; **Professor Meg Russell**, Director, The Constitution Unit, University College London; **Daniel Bruce**, Chief Executive, Transparency International UK; **Professor Robert Hazell CBE**, Professor of Government and Constitution and Founder, The Constitution Unit, University College London [Q97–123](#)

### Tuesday 06 February 2024

**Rt Hon Penny Mordaunt MP**, Leader of the House, House of Commons; **Alex Burghart MP**, Parliamentary Secretary, Cabinet Office [Q192–206](#)

**Dave Penman**, General Secretary, FDA; **Mike Clancy**, General Secretary, Prospect [Q207–237](#)

### Tuesday 06 February 2024

**Daniel Greenberg CB**, Parliamentary Commissioner for Standards; **James Davies**, Registrar of Members' Financial Interests, Office of the Parliamentary Commissioner for Standards [Q238–259](#)

## Published written evidence

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The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

LAN numbers are generated by the evidence processing system and so may not be complete.

- 1 Centre Think Tank ([LAN0005](#))
- 2 Committee on Standards in Public Life ([LAN0002](#))
- 3 Committee on Standards in Public Life (supplementary evidence) ([LAN0028](#))
- 4 Compassion in Politics ([LAN0018](#))
- 5 Compliance Officer for IPSA ([LAN0013](#))
- 6 Electoral Commission ([LAN0010](#))
- 7 Full Fact ([LAN0008](#))
- 8 HM Government ([LAN0019](#))
- 9 HM Government (supplementary evidence) ([LAN0027](#))
- 10 House of Commons Cultural Transformation Team ([LAN0011](#))
- 11 Independent Complaints and Grievance Scheme ([LAN0014](#))
- 12 Independent Expert Panel ([LAN0003](#))
- 13 Independent Parliamentary Standards Authority (IPSA) ([LAN0012](#))
- 14 Independent Parliamentary Standards Authority (IPSA) (supplementary evidence) ([LAN0026](#))
- 15 Institute for Government ([LAN0009](#))
- 16 Keaveney, Ms Paula (Senior Lecturer in Politics, Edge Hill University) ([LAN0023](#))
- 17 Lucas, Caroline MP ([LAN0020](#))
- 18 Nottage, Ms CM ([LAN0004](#))
- 19 Office of the Parliamentary Commissioner for Standards ([LAN0006](#))
- 20 Prospect and FDA ([LAN0016](#))
- 21 Transparency International UK ([LAN0007](#))
- 22 UCL, The Constitution Unit ([LAN0001](#))
- 23 UCL, The Constitution Unit (supplementary evidence) ([LAN0024](#))
- 24 Walton, Thea (Director, Independent Complaints and Grievance Scheme) ([LAN0025](#))
- 25 Woods, Emma ([LAN0022](#))

## List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the publications page of the Committee's website.

### Session 2023–24

Number	Title	Reference
1st	Stephen Flynn	HC 348
2nd	Scott Benton	HC 413

### Session 2022–23

Number	Title	Reference
1st	New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament	HC 227
2nd	Code of Conduct: Procedural Protocol	HC 378
3rd	New Guide to the Rules: final proposals	HC 544
4th	Andrew Bridgen	HC 855
5th	Precautionary exclusion: response to the House of Commons Commission's consultation	HC 1049
6th	Alex Davies-Jones	HC 1048
7th	Rules for the use of House of Commons stationery	HC 1263
8th	All-Party Parliamentary Groups: final proposals	HC 228
9th	Margaret Ferrier	HC 1276
10th	Matt Hancock	HC 1417
11th	Jess Phillips	HC 1439
12th	Christopher Pincher	HC 1653
13th	Mr Marcus Fysh	HC 1811
14th	Rishi Sunak	HC 1810
1st Special	Government Response to the Committee's First, Second and Third Reports	HC 709
2nd Special	All-Party Parliamentary Groups: final proposals: Government Response to the Committee's Eighth Report	HC 1706

### Session 2021–22

Number	Title	Reference
1st	Boris Johnson	HC 549



Number	Title	Reference
2nd	Mrs Natalie Elphicke, Sir Roger Gale, Adam Holloway, Bob Stewart, Theresa Villiers	HC 582
3rd	Mr Owen Paterson	HC 797
4th	Review of the Code of Conduct: proposals for consultation	HC 270
5th	Daniel Kawczynski	HC 1036
6th	Review of fairness and natural justice in the House's standards system	HC 1183
7th	All-Party Parliamentary Groups: improving governance and regulation	HC 717

### Session 2019–21

Number	Title	Reference
1st	Kate Osamor	HC 210
2nd	Stephen Pound	HC 209
3rd	Greg Hands	HC 211
4th	Conor Burns	HC 212
5th	Mr Marcus Fysh	HC 213
6th	Confidentiality in the House's standards system	HC 474
7th	Sanctions in respect of the conduct of Members	HC 241
8th	David Morris	HC 771
9th	Dr Rosena Allin-Khan	HC 904
10th	The House of Commons and the criminal law: protocols between the police and the Parliamentary Commissioner for Standards and the Committee on Standards	HC 883
11th	ICGS investigations: Commons-Lords agreement	HC 988
12th	Sanctions and confidentiality in the House's standards system: revised proposals	HC 1340