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MPs' second jobs

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Debate on second jobs

At Business Questions on 18 July 2024, Lucy Powell, the Leader of the House of Commons, announced that there would “a debate on motions on second jobs for Members of Parliament and to establish a House of Commons modernisation committee”, on 25 July 2024.¹

The Labour Party manifesto for the 2024 general election said that:

The absence of rules on second jobs also means some constituents end up with MPs who spend more time on their second job, or lobbying for outside interests, than on representing them. Therefore, as an initial step, Labour will support an immediate ban on MPs from taking up paid advisory or consultancy roles. We will task the Modernisation Committee to take forward urgent work on the restrictions that need to be put in place to prevent MPs from taking up roles that stop them serving their constituents and the country.²

¹ [HC Deb 18 July 2024 c157](#)

² Labour Party, Change – Labour Party Manifesto 2024, [Serving the country](#)

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The current position

MPs are currently allowed to take second jobs.

However, [the Code of Conduct](#) (PDF) for MPs, prohibits MPs from providing paid parliamentary advice:

Members must not provide, or agree to provide, paid parliamentary advice, including undertaking, or agreeing to undertake services as a Parliamentary strategist, adviser or consultant.³

The Guide to the Rules provides some guidance on what this prohibition covers:

This prohibits Members from advising outside organisations or persons on process, for example, how they may lobby or otherwise influence the work of Parliament, in return for payment. The following is not parliamentary advice:

- a) advice on public policy and current affairs;
- b) advice in general terms about how Parliament works; and
- c) media appearances, journalism, books, public lectures and speeches.⁴

MPs who take on outside employment must have a contract or written statement detailing their duties. They must record income from employment and earnings in the Register of Members' Financial Interests. According to [the Guide to the Rules relating to the Conduct of Members](#) (PDF), they have to record "payments received (of whatever size) for any employment outside the House once they have received a total of over £300 in payments from the same source in a calendar year".⁵

These thresholds were introduced from 1 March 2023. The House [agreed them](#) on 12 December 2022,⁶ when it approved the revised Guide to the Rules appended to the House of Commons Committee on Standards⁷ report on [New Code of Conduct: final proposals](#) (PDF), which had been published in July 2022.⁸

³ House of Commons, [The Code of Conduct together with The Guide to the Rules relating to the Conduct of Members](#) (PDF), 10 February 2023, HC 1083 2022–23, The Code of Conduct, para 9

⁴ As above, The Guide to the Rules, chapter 4, para 2

⁵ As above, The Guide to the Rules, chapter 1, para 5

⁶ [HC Deb 12 December 2022 cc820–858](#)

⁷ The [Committee on Standards](#) is a select committee of the House of Commons. It comprises seven MPs and seven lay members.

It is charged with overseeing the work of the Parliamentary Commissioner for Standards; consider matters relating to the conduct of MPs, including alleged breaches of the Code reported to it by the Commissioner; and keeping the Code of Conduct under review

⁸ Committee on Standards, [New Code of Conduct: final proposals](#) (PDF), 4 July 2022, HC 544 2022–23

These changes followed a review of the Code of Conduct, which the Committee on Standards began in September 2020.

In November 2021, the Committee proposed (in a consultation document) to “introduce a ban on Members providing paid parliamentary advice, consultancy, or strategy services”.⁹ The Committee also considered whether the House could implement a requirement that MPs’ outside activities should be “within reasonable limits”,¹⁰ as proposed by the Committee on Standards in Public Life (see below) and endorsed by the House on 17 November 2021.¹¹

It concluded that a measure limiting the time an MP could spend on outside interests, or the amount they could earn, should “only be implemented with broad cross-party support”.¹²

In the assessment of its consultation, the Committee on Standards reported that no restriction should be introduced on the amount of time an MP could spend on outside work, nor on the income they might receive from it.¹³

The Committee restated its view that such a change required broad support, which it had not detected and it highlighted some difficulties with such a proposal:

We concluded in our November 2021 report that a “significant change” in the ability of Members to hold outside interests “should only be implemented with broad cross-party support”. We have detected no such support in evidence received to our consultation. Indeed, we have observed that there is a conflict between various proposed objectives: roles which might present a conflict of interest could be kept within defined time or income limits, and roles which are highly remunerated may only take up a small proportion of a Member’s time.¹⁴

⁹ Committee on Standards, [Review of the Code of Conduct: proposals for consultation](#) (PDF), 29 November 2021, HC 270 2020–21, para 179

¹⁰ As above, paras 181–192

¹¹ This Opposition Day followed various debates on standards and how the House of Commons should police its standards regime after Owen Paterson was found to have breached the House’s paid advocacy rules. On 17 November 2021, the House agreed a government amendment to the opposition motion. It called on the Committee on Standards to examine recommendations from the Committee on Standards in Public Life in its ongoing review of the Code of Conduct [[HC Deb 17 November 2021 cc624–692](#)]

¹² Committee on Standards, [Review of the Code of Conduct: proposals for consultation](#) (PDF), 29 November 2021, HC 270 2020–21, para 192

¹³ Committee on Standards, [New Code of Conduct and Guide to the Rules: promoting appropriate values, attitudes and behaviour in Parliament](#) (PDF), 24 May 2022, HC 227 2022–23, para 118

¹⁴ As above, para 117

3 The Committee on Standards in Public Life's views on MPs' outside interests

The independent Committee on Standards in Public Life (CSPL)¹⁵ has looked at this issue on several occasions. Its 2009 and 2018 recommendations on MPs' outside interests have not been implemented.

3.1 CSPL recommendations from 2009

The CSPL's report, [MPs' expenses and allowances: Supporting Parliament, safeguarding the public](#) (PDF), was published in November 2009.¹⁶

The CSPL considered that an outside interest was “any form of activity outside the time commitments for which an MP receives payment and which might create a conflict of interest or time commitments which stop the MP from actively fulfilling his or her primary role, or both” (para 11.4).

The CSPL noted that in its First Report, in 1995, it had concluded that it was “desirable for the House of Commons to contain Members with a wide variety of continuing outside interests”. It noted that since 1995, sitting hours had changed, there had been a rise in constituency work, and more MPs had political backgrounds. It noted a range of views on whether outside interests were good or bad for MPs and their constituents. It recommended that:

MPs should remain free to undertake some paid activity outside the House of Commons, provided it is kept within reasonable limits and there is transparency about the nature of the activity and the amount of time spent on it (Recommendation 34).

It argued that this would allow electors to decide whether to vote for someone who was not devoting their time to their parliamentary duties.

¹⁵ The [Committee on Standards in Public Life](#) (CSPL) is an independent committee which advises the Prime Minister on arrangements for upholding ethical standards of conduct across public life in England

¹⁶ Committee on Standards in Public Life, [MPs' expenses and allowances: Supporting Parliament, safeguarding the public](#) (PDF), November 2009, Cm 7724

3.2

CSPL recommendations from 2018

In its 2018 report, [MPs' outside interests](#) (PDF), the CSPL expressed its regret that the recommendations it had made on MPs' outside interests in its 2009 had “not been fully acted upon by government and Parliament”.¹⁷

It noted, again, that a majority of MPs did not hold outside interests, but it was concerned that “where a small number of individuals have taken up outside interests beyond what might be considered reasonable, it risks undermining trust in Parliament and Parliamentarians”.

In its 2018 report, it examined how to interpret and police “reasonable limits”. It considered that neither time limits nor financial limits on outside interests were appropriate. Some MPs had to spend specific amounts of time on maintaining professional registration (doctors, nurses, etc). In other cases, earnings came from royalties and did not take time.

It proposed that regulation of MPs' outside interests should be based on the principle that any outside roles MPs undertake, whether or not they were paid, should not prevent MPs from fully undertaking the range of duties expected of them in their primary role as an MP. The first recommendation of the 2018 report was that the Code of Conduct should include this requirement. Any breach of this principle should trigger an investigation by the independent Parliamentary Commissioner for Standards. Dependent on the findings of that investigation, sanctions should be recommended by the Commons Committee on Standards.

The CSPL argued that it was not appropriate for MPs to engage in “paid political or Parliamentary advisory or consultancy work” because this risked “perpetuating the public concern that MPs are using their public office for personal gain” (p14).

The CSPL noted that such activity was not permitted in other UK legislatures and recommended that the MPs' Code of Conduct should be updated to state:

MPs should not accept any paid work to provide services as a Parliamentary strategist, adviser or consultant, for example, advising on Parliamentary affairs or on how to influence Parliament and its members. (Recommendation 10).

The CSPL also recommended that:

- any information MPs registered on their outside interests should be “digitally accessible” and that declarations made in debate should be identifiable

¹⁷ Committee on Standards in Public Life, [MPs' outside interests](#) (PDF), July 2018

- the rules on registration of interests should be reviewed
- non-financial interests should be registered on the same basis as financial interests
- changes should be made to the rules on accepting gifts
- parliamentary candidates should be required to publish details of any outside interests they intended to continue to hold after election.

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