



Communications Expenditure

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On 1 November 2006, the House agreed, in principle, to introduce a new Communications Allowance (now Communications Expenditure) “to assist in the work of communicating with the public on parliamentary business”. The Members Estimate Committee (MEC) published detailed proposals for the new Allowance. The House agreed to the proposals on 28 March 2007. The Allowance of up to £10,000 per annum was introduced from 1 April 2007.

The Committee on Standards and Privileges has dealt with a number of cases relating to the use of the Communications Allowance and the former Parliamentary Commissioner for Standards provided the Committee with a memorandum suggesting some ways of addressing the issues that the cases had raised.

In its review of Members’ pay and allowances, in 2007, the Senior Salaries Review Body considered that the Communications Allowances was “broadly sound”, both in terms of its extent and its level.

The MEC reviewed the SSRB’s recommendations on the Allowance and undertook a review of the allowance as part of its *Review of Allowances*. Revised rules, including a closed period for European, devolved legislature and local government elections, were introduced in the new edition of the Green Book that came into effect at the beginning of April 2009.

New limits on candidates’ campaign expenditure in the run-up to a general election, introduced by the *Political Parties and Elections Act 2009*, have led to changes in how Communications Expenditure can be used from 1 January 2010 until the general election.

The Conservative Party opposed the introduction of the allowance and has continued to voice concerns about it. Its Democracy Taskforce has recommended that the allowance should be abolished, and the Conservative Party has pledged to abolish it.

In its 2009 review of Members’ expenses, the Committee on Standards in Public Life recommended that the allowance should be abolished; and in its consultation on a new scheme for Members’ expenses, the Independent Parliamentary Standards Authority proposed that there should not be a separate communications allowance.

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1 Background

1.1 Provisions to 31 March 2007

Before the introduction of the Communications Allowance on 1 April 2007, Members could use the Incidental Expenses Provision allowance (IEP – for office running costs) to fund “some or all of the costs of preparing, printing and distributing publications to [their] constituents”.¹

In addition Members could use centrally purchased stationery and pre-paid postage. Details are provided in the notes that accompany the annual release of information on Members’ allowances:

Centrally purchased stationery

This column sets out the cost of stationery items ordered from a central supplier for use in direct connection with a Member’s parliamentary duties.

Postage associated with the use of centrally purchased stationery

This column sets out the cost of postage associated with the use of stationery with pre-paid postage ordered from the central supplier for use in direct connection with a Member’s parliamentary duties.²

The Serjeant at Arms was responsible for operating the rules on stationery and postage. Her Department has published guidance on the use of the Crowned Portcullis; the use of stationery; circulars and post paid envelopes. The *Rules on the use of Stationery, Post-paid Envelopes and the Crowned Portcullis* from the Serjeant at Arms’ Department were published in the Committee on Standards and Privileges’ report on the conduct of Michael Foster (Worcester).³ With the introduction of the Communications Allowance, *Rules and guidance on the House emblem, House of Commons stationery and pre-paid envelopes*, agreed by the Speaker and the House of Commons Commission, were published in March 2007.

1.2 Members of Parliament – Code of Conduct

On 13 July 2005, the House of Commons endorsed a revised version of the “Code of Conduct for Members”.⁴ The Committee on Standards and Privileges had reviewed the Code and proposed some alterations. The Code states:

14. Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the House on the use of such expenses, allowances, facilities and services.

The Committee considered the most appropriate way of enabling the Commissioner for Standards to undertake investigations arising from this provision:

¹ Department of Finance and Administration, *Funding publications from the Parliamentary Allowances*, April 2006

² House of Commons, *Members’ Allowances Financial Year 2005/06 – Explanatory Notes*, http://www.parliament.uk/about_commons/hocallowances/hocallowances06.cfm

³ Committee on Standards and Privileges, *Conduct of Mr Michael Foster (‘Worcester’)*, 14 June 2006, HC 1223 2005-06, Appendix 1, Written Evidence 3

⁴ HC Deb 13 July 2005 cc930-935; House of Commons, *The Code of Conduct together with The Guide to the Rules relating to the conduct of Members*, 23 June 2009, HC 735 2008-09 [The Code was approved on 13 July 2005 and the Guide to the Rules was approved on 9 February 2009]

14. As complaints about the misuse of facilities and services will henceforth fall within the responsibilities of the Commissioner if the House agrees to the new Code, the present arrangements whereby they are received and disposed of by the Serjeant at Arms and other House officials will no longer be appropriate other than in respect of evidence of misuse which they uncover themselves. However, the present arrangements for investigating such matters appear to work well and to command general confidence. It would therefore be sensible to build on them, while ensuring that overall control of the investigation is in the hands of the Commissioner. This would also help reduce the additional burden on the Commissioner from bringing misuse of facilities and services within the Code.

15. We recommend that all complaints received by the Commissioner relating to alleged misuse of facilities and services should be referred by him to the appropriate House authorities for investigation of the facts. When they have reported back, he would decide whether to dismiss the complaint; investigate it further and report to the Committee on Standards and Privileges; or to request the authority concerned to secure appropriate financial reimbursement.

16. At present, there is no mechanism whereby the Commissioner can refer complaints alleging misuse of allowances to the Director of Finance and Administration for investigation. Any such complaint, however minor, is subject to the Commissioner's full investigative procedure, in the course of which the Commissioner must necessarily draw heavily on factual material provided by the Department of Finance and Administration. We consider that there would be advantage if, in future, complaints alleging misuse of allowances were initially dealt with in a manner similar to that which we have recommended in respect of complaints alleging misuse of facilities and services.

17. We therefore recommend that all such complaints be referred by the Commissioner to the Department of Finance and Administration for investigation of the facts. The Department would report back to him and he would then decide whether to dismiss the complaint; investigate it further and report to the Committee on Standards and Privileges; or to request the Department to secure appropriate finance reimbursement.⁵

As a result of these changes, the Commissioner received a number of complaints about the use of postage and stationery facilities by Members. In turn the Commissioner referred some of these cases to the Committee on Standards and Privileges. In two reports in the 2005-06 Session, the Committee expressed a number of concerns about the then rules on postage and stationery (Members could use as much stationery and free postage as they liked, as long as it was used according to certain rules: although the amount used had to be reported alongside their claims against various allowances, they did not pay for these facilities) and the separate rules which permit Members to use their Incidental Expenses Provision to fund communications.

The Committee on Standards and Privileges expressed concern that the rules on the use of House stationery and free postage “do not appear to be readily available to Members”. It echoed the Commissioner’s concern about the “evident complexity’ of the rules and that there is no single authoritative document to which Members and their staff can turn which sets out all the relevant considerations in plain language”. It recommended that a leaflet provided by the Serjeant at Arms and intranet guidance on the use of these facilities should

⁵ Committee on Standards and Privileges, *Review of the Code of Conduct*, 4 April 2005, HC 472 2004-05, paras 14-17

“be revised as soon as possible” and be set out with the rules.⁶ It also reported that its inquiry had revealed “a number of uncertainties over the proper interpretation of what constitutes a circular and the scope of communications which can properly be described as ‘solicited’”.⁷ It recommended that:

... a single unified stationery and postage regime governed by one clear set of rules would reduce the scope for both deliberate and inadvertent misuse. This would undoubtedly be of benefit both to Members themselves, and to wider public confidence in the system. We are happy to work with the House of Commons Commission and the Administration Committee as appropriate to ensure that, whatever arrangements ultimately emerge from the current review, the rules are clear and capable of effective enforcement. However, whether or not a single unified regime results from the current review, we recommend that the existing rules are clarified as a matter of urgency in the areas we have identified ... above.⁸

The Committee also commented on the “significant differences of interpretation amongst Members as to the acceptable limits of party-related material that can properly be included in IEP funded material”. It pointed out the consequent difficulty that that presented the Committee in interpreting the rules:

These significant differences of view represent an unsatisfactory position from the perspective of those who have to enforce the rules, and need to be addressed. We intend to report further to the House on the general matter of publications funded from the IEP and will look at the scope for a tighter definition of permissible expenditure. In the meantime, we once again draw the attention of the House to the importance of ensuring high standards of propriety in the use of Parliamentary allowances, and reiterate Mr Speaker's advice in his introduction to the Green Book that Members should seek advice in cases of doubt.⁹

In another case, the Committee on Standards and Privileges confirmed that House of Commons headed stationery should not be used to endorse candidates, after a new Member attributed her mistake to confusion in the guidance.¹⁰

1.3 Communicating with the public

In June 2004, in its report on *Connecting Parliament with the Public*, the Modernisation Committee noted that the Senior Salaries Review Body (SSRB) was considering the adequacy of the Incidental Expenses Provision in its 2004 review of Members' pay and allowances:

8 Communication between Members and their constituents

127. The primary thread running through this inquiry, and the major focus of this Report, has been the interaction between the public and Parliament as an institution. We were also encouraged, however, to consider some of the issues relating to direct contact between individual MPs and their constituents.

⁶ Committee on Standards and Privileges, *Conduct of Mr Michael Foster ('Worcester)*, 14 June 2006, HC 1223 2005-06, paras 11-13

⁷ Committee on Standards and Privileges, *Conduct of Mr Michael Foster ('Worcester)*, 14 June 2006, HC 1223 2005-06, para 14

⁸ Committee on Standards and Privileges, *Conduct of Mr Michael Foster ('Worcester)*, 14 June 2006, HC 1223 2005-06, para 16

⁹ Committee on Standards and Privileges, *Conduct of Mr Michael Foster ('Worcester)*, 14 June 2006, HC 1223 2005-06, paras 24-25

¹⁰ Committee on Standards and Privileges, *Conduct of Nadine Dorries*, 28 June 2006, HC 1368 2005-06, paras 3-5

128. The House of Commons has strict rules on the use of direct mail by Members. Members may not use the House of Commons pre-paid envelopes for unsolicited mailings, but may pay for mailings out of their Incidental Expenses Provision (IEP). Circulars funded in this way must not be used for business or commercial activities, for fundraising, surveys, to encourage people to join a political party or for election campaigning. In response to our survey, nearly half of Members thought that the rules on mailings were not sufficiently clear. Circulars include the annual and Parliamentary Reports which are now produced by many Members but they can also include 'standard letters' which are in routine use by many Members, cards listing dates and locations of surgeries and other non-partisan material. It may on occasion be appropriate to distribute these items more widely, rather than only sending them in response to constituents' letters.

129. The prohibition on using the House's postal services for political campaigning, fundraising or business correspondence is entirely proper. Any changes to the rules should be aimed at improving clarity and also, where appropriate, opportunities for Members to communicate to constituents matters relating to the business of the House, with no relaxation of the rules prohibiting party-political content. It is essential that facilities provided to Members to communicate with their constituents should not be available for use in a way which would tend to promote the interests of the incumbent MP at election time.

130. The Review Body on Senior Salaries (SSRB) is currently conducting its triennial review of Members' allowances, including the Incidental Expenses Provision, and is expected to make recommendations about the adequacy of the IEP. We understand that the SSRB has received representations on the need for better facilities for Members to communicate with their constituents, among other things. The question of the level of the IEP and the uses to which it may be put also falls within the remit of the newly-established House of Commons Members Estimate Committee. These are matters to which we might return in the fullness of time, once other bodies have had an opportunity to examine them.¹¹

In its 2004 report, the SSRB concentrated on the use of IEP for funding office facilities rather than communications with the public.¹²

On 25 July 2006, Jack Straw, the Leader of the House of Commons, announced that the Prime Minister had written to the SSRB, requesting it to undertake the next triennial review of Members' pay and allowances. The terms of reference of the review made no mention of a communications allowance.¹³

2 The motion on the principle of the Communications Allowance

On 1 November 2006, the House debated whether it supported the principle of establishing a communications allowance:

COMMUNICATIONS ALLOWANCE
Mr Jack Straw

¹¹ Modernisation Committee, *Connecting Parliament with the Public*, 16 June 2004 HC 368 2003-04, paras 127-130

¹² Senior Salaries Review Body, *Review of Parliamentary Pay and Allowances 2004*, Cm 6354, October 2004, pp26-28, <http://www.ome.uk.com/downloads/SSRB%20pay%20review%20Cm%206354%20part%201.pdf>

¹³ HC Deb 25 July 2005 cc102WS-103WS, <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm060725/wmstext/60725m0173.htm#06072524000018>

..That this House welcomes the principle of establishing, from 1st April 2007, a separate Allowance for Members of Parliament to assist in the work of communicating with the public on parliamentary business and instructs the Members Estimate Committee to prepare a detailed proposal for such an allowance.¹⁴

During Business Questions on 26 October 2006 Mr Straw did not mention this motion when he listed the items to be debated on 1 November 2006.¹⁵ However, following Theresa May's question, he announced:

... She asked whether anything else was to be added to the list that I read out. Yes, very possibly, although I cannot be certain at the moment. It would be in relation to communications allowances. I shall certainly refer to the proposal of which she is aware from her membership of the House of Commons Commission. We may have a resolution on that, but I cannot be certain at the moment and I will of course keep the Opposition and the Liberal Democrats informed.¹⁶

In press coverage over the weekend between Business Questions and the debate, both the *Mail on Sunday* and *Scotland on Sunday* reported that the allowance would be set at £10,000.¹⁷

3 The debate on the principle of the Communications Allowance

On 1 November 2006, the House agreed to the principle of establishing the Communications Allowance by 290 votes to 199.¹⁸ It asked the Members Estimate Committee (MEC) to bring forward more detailed proposals.

During the course of the debate, Jack Straw, the Leader of the House, explained the context for the motion and gave some further indications about the operation of the allowance and its relationship to existing provisions. A number of arguments against the introduction of a new allowance were made.

In introducing the allowance, Jack Straw outlined the increasing amount of correspondence with which Members had to deal, recent reports (such as the Puttnam Commission and the Power Inquiry¹⁹) which had recommended that Parliament and Members should improve their communications with their constituents, and the concerns of the Committee on Standards and Privileges over the rules concerning the existing stationery and communication facilities.²⁰ He explained that the motion did not commit the House to a form or level of allowance but he implied that, if agreed, it would have a knock-on effect on other provisions:

... the motion does not at this stage commit the House to any particular form or level of allowance; nor does it commit the House of Commons Commission to any particular action in respect of the prepaid envelope regime, although I think it is well understood that the arrangements for that regime would take into account any new allowance. That is an important part of the package. However, the motion commits the Members Estimate Committee to working out a scheme for a communications allowance, the

¹⁴ *Order Paper*, 1 November 2006

¹⁵ HC Deb 26 October 2006 c1675

¹⁶ HC Deb 26 October 2006 c1677

¹⁷ Simon Walters, "Straw gives MPs £10,000 each to stop postal abuse", *Mail on Sunday*, 28 October 2006; Brian Brady, "MPs want £10,000 extra in expenses", *Scotland on Sunday*, 28 October 2006

¹⁸ HC Deb 1 November 2006 cc411-414

¹⁹ Hansard Society, *Members Only*, 2005; Power Inquiry, *Power to the People*, March 2006

²⁰ HC Deb 1 November 2006 cc310-312

rules for it—taking into account the recent report to which I have just referred [the Committee on Standards and Privileges report, HC 1223 2005-06]—and a proposed level. It would also indicate what the boundary between political work and parliamentary work should be, and how it should be approached in the context of the existing rules in that area.²¹

When pressed, he indicated that he thought the House should impose a limit on the use of prepaid stationery and envelopes:

As the right hon. Lady knows, at present there is no limit on prepaid stationery and envelopes. She has been party to many conversations about that, where it has been not implicit but explicit that part of any change, which is in the end a matter for the House, is that there would be a limit on prepaid stationery and envelopes, and I hope that would meet the convenience of the House.²²

At the end of the debate, he went a little further still:

Mr. Robathan: I am grateful to the Leader of the House for giving way and I am sorry that I missed his earlier speech. Can he confirm that if we had a communications allowance it would definitely put a cap on the amount of postage Members could use and can he give us some idea of what it might be?

Mr. Straw: That is ultimately a matter for you, Mr. Speaker, but if I may speak for you for a moment, I can confirm that there would be a cap. The aggregate will depend on the final recommendations—which are not a matter for me, but for you and the Commission—but the total amount for envelopes and other communication will be less than some Members currently claim for envelopes.²³

In his opening speech, he also confirmed that the rules the MEC would draw up would take into account concerns about the existing provisions on postage and communication.²⁴

He indicated that, depending on the cap imposed on postage and stationery, the Communications Allowance would be in the region of £10,000:

It depends also on the size of the cap, which is related. The combination of the two would mean an overall cap, below the total spending of some Members on both sides of the House now. The actual amount is a matter for the Members Estimate Committee and then the House, but the figure provided to me has been about £10,000—although that is not the only figure suggested.²⁵

Theresa May, the Shadow Leader of the House, commented on the Communications Allowance. She pointed out that the existing rules were “sending out confusing messages, and we need to look at this issue”.²⁶ She argued that rules were needed but would prefer them to be drawn up in such a way that met the requirements of all Members, hence she preferred an overall budget “which allows the Member of Parliament to choose how they communicate”.²⁷

²¹ HC Deb 1 November 2006 cc312-313

²² HC Deb 1 November 2006 c313

²³ HC Deb 1 November 2006 cc400-401

²⁴ HC Deb 1 November 2006 c317

²⁵ HC Deb 1 November 2006 c317

²⁶ HC Deb 1 November 2006 c323

²⁷ HC Deb 1 November 2006 c327

David Heath, the Liberal Democrat spokesman, spoke in a personal capacity. He was not persuaded that the Communications Allowance was necessary and questioned “how some hon. Members manage to spend quite as much as they do on their postage allowance within the rules of the House, as I understand them”.²⁸

Chris Mullin also expressed some concerns about the proposed allowance. He was concerned that it would contribute to the “recent growth in thinly disguised party propaganda”. He described some publications as “vanity publishing”. He also argued that as a candidate facing an incumbent who had used public funds to publish and distribute literature that looked like campaign literature, he would be “mightily upset”.²⁹

Sir George Young, who chaired the Committee on Standards and Privileges also expressed some concerns. He was not sure how the allowance related to the review of parliamentary pay and allowances that the SSRB was then undertaking.³⁰ He then argued that the communications allowance should:

... replace rather than supplement the two existing IEP funding regimes—one of them for free stationery and postage, and the other for funding stationery and postage, parliamentary newsletters and similar publications, and websites. If those hopes were fulfilled, there would be consequential implications for the scope and level of the residual IEP allowance.³¹

4 Proposals from the Members Estimate Committee

On 19 March 2007, the MEC published its detailed proposals for a Communications Allowance. The MEC noted that a number of committees of the House and external bodies had advised the House “to put more effort into communicating with the public”; and noted a number of anomalies in the existing rules on communicating with constituents.³² It concluded that:

... our unanimous view is that a new Communications Allowance should only come into effect in parallel with a limit on the annual amount of pre-paid envelopes and other House stationery each Member may use. In drawing up our proposals for the allowance we fully support the decision of Mr Speaker to restrict the amount of pre-paid envelopes and other House stationery to the value of £7,000 a year per Member with effect from 1 April 2007.³³

It set out the scope and purpose of the allowance and reported that detailed rules would be printed separately but it gave examples of how the allowance could and could not be used. It recommended that the new allowance be set at £10,000 per annum from 1 April 2007:

We recommend that the new Communications Allowance be set at £10,000 for the year beginning 1 April 2007 and that it be adjusted annually in line with the movement in the Retail Prices Index. This is linked directly to the new annual limit of £7,000 for pre-paid stationery.³⁴

²⁸ HC Deb 1 November 2006 c336

²⁹ HC Deb 1 November 2006 cc349-350

³⁰ In his speech, Jack Straw told the House that he had “kept the Senior Salaries Review Body in touch with what is being proposed” [HC Deb 1 November 2006 c312]

³¹ HC Deb 1 November 2006 c354

³² Members Estimate Committee, *Communications Allowance*, 19 March 2007, HC 319 2006-07, paras 4-6

³³ Members Estimate Committee, *Communications Allowance*, 19 March 2007, HC 319 2006-07, para 7

³⁴ Members Estimate Committee, *Communications Allowance*, 19 March 2007, HC 319 2006-07, para 15

However, Members could supplement this with transfers from the Staffing Allowance (up to 10 per cent of the value of the Staffing Allowance could be used for communications).³⁵ The Committee encouraged Members to seek advice on the operation of the new allowance and on the new arrangements for pre-paid stationery before committing resources.³⁶

The Committee noted that under the House's freedom of information publication scheme, the amount claimed by each Member would be published annually, along with details of claims for other allowances.³⁷

The MEC drafted a Motion that could be used to endorse its report and introduce the Communications Allowance at £10,000:

COMMUNICATIONS ALLOWANCE

(1) That this House approves the First Report of the Members Estimate Committee 2006-07 (HC 319) on a Communications Allowance, and is of the opinion that provision should be made with effect from 1 April 2007 for a Communications Allowance in accordance with paragraphs (2)-(4) below.

(2) The allowance shall be for the purpose of assisting Members with expenditure incurred wholly, exclusively and necessarily in communicating with the public on parliamentary business, and the scope of the allowance shall be as set out in the first report of the Members Estimate Committee.

(3) The allowance shall be at a rate of £10,000 per year for each Member, uprated annually in line with any increase in the Retail Price Index.

(4) The detailed rules and guidance for the Allowance shall be determined and reviewed from time to time by the Members Estimate Committee.³⁸

5 Debate on the Members Estimate Committee's proposal

The House agreed to the MEC's proposal on 28 March 2007. The Communications Allowance was set at £10,000 per annum and became available to Members from 1 April 2007. At the same time, a cap of £7,000 was imposed on the provision of postage-paid envelopes, as Jack Straw explained:

Another decision will be made in parallel with the proposal today, if the House agrees it—Mr. Speaker has already indicated that he will cap the provision of paid-for envelopes at £7,000. As I shall spell out, it will not be possible for Members to use the communications allowance—if it is approved—to purchase additional paid-for envelopes. Although this is a matter of some controversy across the parties, not least my own, I accept—and I have done from the moment that I got this job—that it is unacceptable for there to be no limit on the amount for paid-for envelopes.³⁹

Jack Straw also noted that, at the time, spending on pre-paid envelopes averaged “between £4,500 and £5,000” per Member.⁴⁰

³⁵ Members Estimate Committee, *Communications Allowance*, 19 March 2007, HC 319 2006-07, para 17

³⁶ Members Estimate Committee, *Communications Allowance*, 19 March 2007, HC 319 2006-07, para 21

³⁷ Members Estimate Committee, *Communications Allowance*, 19 March 2007, HC 319 2006-07, para 23

³⁸ Members Estimate Committee, *Communications Allowance*, 19 March 2007, HC 319 2006-07, Appendix

³⁹ HC Deb 28 March 2007 c1515

⁴⁰ HC Deb 28 March 2007 c1521

In introducing the motion, Jack Straw explained how the allowance could be used and what it could not be used for:⁴¹ fuller details were provided in guidance produced by the Department of Finance and Administration and the Serjeant at Arms Department – *The Communications Allowance and the use of House stationery*.⁴² With the introduction of the Communications Allowance, *Rules and guidance on the House emblem, House of Commons stationery and pre-paid envelopes*, agreed by the Speaker and the House of Commons Commission, were published in March 2007.

Theresa May accepted that “Members need to be able to communicate properly with constituents, and ... that ... the rules need to change”. However, she expressed concerns about the new allowance:

... I agree that the issue needs to be addressed, but, as I made clear in the previous debate on the issue and on a number of other occasions, I fear that what is proposed will not just replace the abuse of stationery supplies and bring Parliament up to date but will give an enormous taxpayer-funded advantage to sitting Members of Parliament.⁴³

Concerns about the allowance exacerbating an incumbency effect were also raised during this debate.

Following a division, the House agreed to implement the MEC’s recommendations by 283 votes to 188.⁴⁴

6 Review by the Committee on Standards and Privileges

On 21 January 2008, the Committee on Standards and Privileges published a report entitled *Publications funded from the Communications Allowance*.⁴⁵ The Committee reported that there had been “an upsurge in complaints to the Parliamentary Commissioner for Standards involving Members’ parliamentary reports to constituents” and that as a result it had made three reports to the House.⁴⁶ The Committee said that it received a memorandum from the then Parliamentary Commissioner for Standards, Sir Philip Mawer, in December 2007, which “helpfully summaris[ed] a number of issues arising from these inquiries”; and the Committee reproduced Sir Philip’s memorandum with its report.⁴⁷

The Committee reported that:

These cases have revealed some of the difficulties Members have encountered in determining the boundaries both of what was permissible in this area under the IEP rules, and of what is currently permissible under the Communications Allowance rules. They have also highlighted some of the challenges we, the Commissioner and the Department of Finance and Administration have so far faced in enforcing the relevant rules.

⁴¹ HC Deb 28 March 2007 c1516; cc1520-1521

⁴² Department of Finance and Administration and Serjeant at Arms Department, *The Communications Allowance and the use of House stationery*, April 2007

⁴³ HC Deb 28 March 2007 c1524

⁴⁴ HC Deb 28 March 2007 cc1513-1551

⁴⁵ Committee on Standards and Privileges, *Publications funded from the Communications Allowance*, 21 January 2008, HC 232 2007-08

⁴⁶ The reports were: *Conduct of Mr Martin Salter and Mr Rob Wilson*, 17 October 2007, HC 1071 2006-07; *Conduct of Mr Elfyn Llwyd, Mr Adam Price and Mr Hywel Williams*, 19 November 2007, HC 94 2007-08; and *Conduct of Mr Norman Baker, Mr Malcolm Bruce and Mr Sadiq Khan*, 13 December 2007, HC 182 2007-08

⁴⁷ Committee on Standards and Privileges, *Publications funded from the Communications Allowance*, 21 January 2008, HC 232 2007-08, para 1

In his memorandum, Sir Philip has made a series of suggestions and proposals, with the primary aims of improving both the clarity and certainty for Members as to what should be permissible, and of making the task of enforcement easier for all concerned. The Commissioner has also been mindful of the need to ensure that such publications continue to achieve their intended purpose of providing a means by which Members can communicate to their constituents on how they have discharged their representative parliamentary functions.⁴⁸

The Committee recommended that Sir Philip's memorandum should be given "careful consideration" by the House and the Members Estimate Committee in its review of the rules relating to the Communications Allowance, which it planned to conduct "a year or so after its introduction".⁴⁹

In his memorandum, Sir Philip identified six particular issues which had emerged from the recent reports concerning the publication of parliamentary newsletters:

- The timing of issue of newsletters and other written communications;
- The extent of distribution of newsletters and other written material;
- The use of party logos and other distinguishing marks of party allegiance;
- The content of publications
- The *Political Parties, Elections and Referendums Act 2000*; and
- Procedures for obtaining advice.

Sir Philip made the following recommendations:

44. My recommendations may be summarised as follows:

a) a closed period should be introduced in respect to a European Parliament, devolved legislature or local government (excluding community and parish council) election during which Members would be prohibited from proactive written communication with constituents funded from the CA (paragraph 18);

b) the closed period should apply also in the case of by-elections to the aforementioned bodies (paragraph 18);

c) the closed period should be defined by reference to the relevant regulatory period for candidates' election expenses, as set out in paragraph 16 above;

d) the closed or prohibited period should cover all forms of Communications Allowance funded written material, not just newsletters, except for material of a purely factual nature (paragraph 18);

e) the use of party logos and party campaigning strap-lines should not be permitted in House-funded publications (paragraphs 28 and 30);

f) if the House wishes to continue to allow party logos, the circumstances in which they are to be permitted should be much more precisely defined (paragraphs 29 and 30);

g) whether or not party logos continue to be permitted, publications funded from the CA should prominently carry the crowned portcullis emblem (paragraph 30);

⁴⁸ Committee on Standards and Privileges, *Publications funded from the Communications Allowance*, 21 January 2008, HC 232 2007-08, paras 2 and 3

⁴⁹ Committee on Standards and Privileges, *Publications funded from the Communications Allowance*, 21 January 2008, HC 232 2007-08, para 4

h) The guidance issued to Members by the House should draw attention to the fact that CA-funded material which does not comply with the rules of the House may be regarded as constituting "campaign expenditure" under section 72 of PPERA, and therefore as being subject to the requirements of Part V of the Act (paragraph 37);

i) In the longer term once the House's rules have been revised the Committee may wish to consider ways of ensuring that material compliant with those rules is not regarded as falling within the scope of section 72 of PPERA (paragraphs 38-39);

j) when the guidance on the CA is next revised, attention should be drawn to:

i) the need to ensure that distribution arrangements for newsletters are focused so far as possible on a Member's own constituents and do not stray unreasonably beyond the boundaries of the Member's constituency (paragraph 20);

ii) as regards the content of publications, the need to exercise care in relation to the inclusion of photographs of other elected representatives and generalised statements or selective use of statistics promoting a particular political party (paragraph 32);

iii) the potential value of Members seeking advice on a proposed publication in a timely manner (paragraph 41).⁵⁰

7 Review Body on Senior Salaries review of parliamentary pay, pensions and allowances 2007

In its 2007 review of Parliamentary pay, pensions and allowances, the SSRB reviewed the introduction of the Communications Allowance. In its summary, the SSRB said that it believed that the allowance was "broadly sound", and noted its recommendation:

Recommendation 26: We recommend that the Communications Allowance be renamed Communications Expenditure and be confirmed at £10,000 a year. It should be updated in April each year in line with movement in RPIX.⁵¹

In its report, the SSRB provided the following commentary on the allowance:

5.38 A new allowance designed to increase public understanding of parliamentary matters was introduced on 1 April 2007. The Communications Allowance covers the costs of communicating with constituents collectively about parliamentary business, for example through constituency newsletters, annual reports and websites. It is currently set at £10,000 and MPs are also able to use centrally purchased stationery and pre-paid postage free of charge, but capped at a value of £7,000, for individual correspondence. Prior to the introduction of the Communications Allowance, MPs could use the IEP to fund some or all of the costs of a website or printing and distributing publications to constituents and there was no cap on centrally provided stationery and postage, resulting in some extraordinarily high usage.

5.39 We heard from MPs who were concerned that the allowance would provide a means of greater contact and influence with constituents that would give incumbent

⁵⁰ Committee on Standards and Privileges, *Publications funded from the Communications Allowance – Memorandum from the Parliamentary Commissioner for Standards*, 21 January 2008, HC 232 2007-08, Appendix, para 44

⁵¹ Review Body on Senior Salaries, *Review of parliamentary pay, pensions and allowances 2007*, Report No 64, Cm 7270-1, January 2008, para 30, <http://www.ome.uk.com/downloads/Review%20of%20Parliamentary%20pay%202007%20volume%201.pdf>

MPs an unfair advantage at a General Election. The allowance could also increase the volume of correspondence an MP receives and subsequently apply more pressure on Staffing Expenditure to cope with the extra workload. At this stage it is too early to judge; we will consider this allowance more substantially in our next review. However, we are again encouraged by the guidance the House authorities have issued on the use of the allowance which makes clear that it is not to be used for personal or party campaigning.

5.40 PwC looked at the cost of printing leaflets and found that £10,000 would cover the cost of producing and hand delivering two leaflets and two flyers or two reports to just under 40,000 households. They concluded that this was a reasonable sum to cover the cost of current communications activities plus the cost of printing extra communications to constituents each year and operating a website. We therefore endorse the setting of the Communications Allowance at £10,000 although in line with our general recommendations on terminology, we suggest that this element be renamed Communications Expenditure. We believe this allowance should be updated annually in line with movement in RPIX.⁵²

8 MEC Review of Allowances and the revised Green Book

In January 2008, the House asked the MEC to consider the recommendations on allowances made by the SSRB. In June 2008, the MEC's report, *Review of Allowances*, was published. It incorporated the review of the Communications Allowance that was promised when the allowance was introduced.

In its consideration of the Communications Allowance, the MEC briefly reviewed the current system, and noted that the Committee on Standards and Privileges had made a number of recommendations for improving the operation of the allowance. It then noted the SSRB's recommendations, and reported views expressed by Members. It reported that the main views expressed by Members were that the Incidental Expenses Provision should not be reduced as a result of the introduction of the Communications Allowance; and that the Communications Allowance should be abolished because it was used for political purposes and supported incumbency.⁵³ The MEC drew on the views of Committee on Standards and Privileges and made a number of proposals to incorporate into revised regulations for the allowance:

138. The new Communications Allowance is intended for pro-active communication with constituents, while the pre-paid envelopes and stationery are for reactive communication. It was made clear at the outset that the working of the new allowance would be reviewed in due course. We have not agreed to the SSRB's proposal that the IEP should be reduced to take account of the creation of the Communications Allowance but, instead, have concluded that the latter allowance should be frozen for three years.

139. We have incorporated that review into our current work. Use of the Communications Allowance, and before its creation the use of the IEP for the same purposes, has been the subject of several complaints to the Parliamentary Commissioner for Standards. Prior to his leaving office on 31 December 2007, the former Commissioner Sir Philip Mawer made some general recommendations for improving the operation of the Allowance. Drawing on those, the Committee on Standards and Privileges has also made a number of recommendations for improving the operation of the Communications Allowance in the light of a full year's operation.³⁶

⁵² *Ibid*, paras 5.38-5.40

⁵³ Members Estimate Committee, *Review of Allowances*, 25 June 2008, HC 578-I 2007-08, paras 131-135

We have also sought the advice of the House's Department of Resources, which is responsible for the operation of the allowance and in particular for approving the content of the publications it funds.

140. In summary, after considering all this evidence, we have reached the following conclusions, which we propose to incorporate into revised regulations for the Communications Allowance:

- A closed period of 28 days before polling day will be introduced in respect of European parliament, devolved legislature or local government (excluding community and parish council) elections taking place in a constituency, during which the MP will be prohibited from issuing proactive communications funded from the Communications Allowance. The closed period will not cover by-elections.
- The use of party logos and recognised party campaigning slogans will not be permitted in House-funded publications. If a logo is used, this should only be the crowned portcullis, but its inclusion will not be compulsory.
- Joint publications with other elected office-holders will be subject to a rule that the entire content of the publication should satisfy the rules of all the bodies involved in funding it.
- Photographs which include other elected office-holders with the MP will be permitted, but captions should be purely factual and should not actively promote such people.
- While it is not easy for officials to police the selective use of statistics in publications, nevertheless statistics whose use overtly promotes a particular political party—for example by mentioning a year in which there was a change of government—are *prima facie* politically selective and will not be permitted.
- Surveys may ask questions on national or international issues but data from local surveys must not be transferred to national campaigns or used for local party campaigning.
- Extracts from Hansard will be permitted, provided that the entire publication including the Hansard extract complies with the prohibition on party political content.
- Members must use their best endeavours to ensure that distribution arrangements for newsletters do not stray unreasonably beyond the boundaries of their constituency: while accepting that non-contiguous post codes can make this inevitable at the margins.
- In revising the rules for the Communications Allowance we will endeavour to ensure that material compliant with those rules is not regarded as falling within the scope of Section 72 of the *Political Parties, Elections and Referendums Act 2000 (PPERA)* and thus constituting 'campaign expenditure'.
- Further work will be undertaken in relation to websites funded from the Communications Allowance.
- Claims for publications which cost £1,000 or more to produce will only be met if the publication has been cleared in advance with the Department of Resources. This would come into effect on 1 April 2009 and the MEC will keep this limit under review.

- There should be a new process involving senior Members to resolve any appeal against the decision of the Department of Resources in individual cases.

141. We recommend that the rules governing the Communications Allowance be tightened in respect of not publishing during election periods, not using party logos or other distinguishing labels, confining distribution to Members' own constituencies and other matters; and that claims for the costs of production of any publication costing more than £1,000 will only be met if it has been cleared in advance with the Department of Resources.⁵⁴

The House debated the MEC's report on 3 July 2008. Although the House rejected some of the Committee's proposals, it endorsed the recommendations on the Communications Allowance.⁵⁵

A further debate on Members' allowances was held on 16 July 2008, and the House asked the Advisory Panel on Members' Allowances (APMA) to revise the Green Book.⁵⁶ The APMA reported to the MEC and its report, *Revised Green Book and audit of Members' allowances*, was published on 15 January 2009.⁵⁷ The revised Green Book endorsed the recommendations of the Parliamentary Commissioner for Standards on the Communications Allowance. The House agreed the report on 22 January 2009.⁵⁸ The revised Green Book that came into effect on 1 April 2009 was published in March 2009. A further revision, which did not alter the provisions on Communications Expenditure, was issued in July 2009, following changes made to the Personal Additional Accommodation Expenditure in May 2009.⁵⁹

9 Candidate spending limits at general elections

9.1 Background

The *Political Parties and Elections Act 2009* introduced new rules on the amounts that candidates could spend in general election campaigns. When there has not been a general election for 55 months, new limits to spending on behalf of a candidate now apply, whether or not they have been selected. The new limit is £25,000 plus 7p for every entry in the electoral register in county constituencies and 5p in borough constituencies. However, the limits will be tapered so that the full amount is only available when the dissolution is in the 60th month, and at 90 per cent if in the 59th month, 80 per cent if in the 58th month, 70 per cent if in the 57th month, and 60 per cent if in the 56th month.⁶⁰ However, the legislation provided that, if a general election took place in 2010, the limits would apply from 1 January 2010.⁶¹ Further information is available in Library Standard Note 5185 [Pre-candidacy election limits](#).

⁵⁴ Members Estimate Committee, *Review of Allowances*, 25 June 2008, HC 578-I 2007-08, paras 138-141

⁵⁵ HC Deb 3 July 2008 cc1061-1124

⁵⁶ HC Deb 16 July 2008 cc255-315

⁵⁷ Members Estimate Committee, *Revised Green Book and audit of Members' allowances*, 14 January 2009, HC 142 2008-09

⁵⁸ HC Deb 22 January 2009 cc914-970

⁵⁹ House of Commons, *The Green Book – A guide to Members' allowances*, Revised Edition, July 2009, pp42-49

⁶⁰ Full details of the debate are given in [Library Standard Note 4967](#) *Progress of the Political Parties and Elections Bill 2008-09*

⁶¹ Full details on pre-candidacy limits are given in [Library Standard Note 5185](#), *Pre-candidacy election expenditure limits*

During the course of debate on the new provisions on pre-candidacy limits, Members asked whether expenditure under Communications Expenditure would count towards the pre-candidacy limits. Ministers indicated that new rules on Communications Expenditure would be introduced:

Mr. Wills: As I say, we are open to representations on this. We want to take a view that as far as possible commands consensus. If the hon. Gentleman wants to come forward with an alternative proposal, I can absolutely assure him that we will consider it with an open mind, as we have done with all the representations that we have received.

We propose that the new clause and associated amendments will be commenced by order following Royal Assent. The exact date of commencement is to be determined and will in part hinge on the timetabling of a debate to consider the appropriate use of parliamentary allowances during the longer regulated period. Regardless of the date of commencement of the new clause, for the sake of clarity and simplicity we have provided that should the new limit be needed for the current Parliament, it would only begin to regulate expenses used after 1 January 2010. That is slightly later than the 55-month point, but we do not consider that this significantly undermines the purpose of the provisions.

Mr. Maude: Will the Minister be a little more specific about the proposal that the Government plan to bring before the House on the use of Members' allowances during this equivalent period? He will know from previous discussions that we are concerned about symmetry in this case. Members of Parliament have large allowances available that can be used for pro-active communication with their electors. When candidates are affected by this measure, which we support, to control spending during the last few months of the Parliament, the House must put in place rock-solid arrangements regarding the use of allowances, whether for communications or for incidental expenses, to do stuff that promotes Members of Parliament in a way that is equivalent to a candidate's campaigning. I am grateful to him for the indication that new clause 17 will not commence until such matters have been decided, but it is crucial that the House understands exactly what is proposed, and that there is no intention to commence the provision until that happens.

Mr. Wills: The right hon. Gentleman knows that we understand his concerns about symmetry, which is why we have said what we have said on this matter. We heard such concerns expressed forcefully on Second Reading and we are taking them into account. Some of the issues are complicated, but we accept the point about symmetry. I can give the right hon. Gentleman the assurance that he wants on commencement. The House will know exactly what we will propose in due course.⁶²

Ministers did however indicate in written answers that Communications Expenditure would not count as election expenditure, provided that it had not been misused:

Mr. Maude: To ask the Secretary of State for Justice pursuant to the answer to the hon. Member for Chichester of 15 December 2008, *Official Report*, columns 478-9W, on political parties: finance, whether an hon. Member who triggered their election expenses by virtue of prejudicing the electoral prospects of another candidate at the election would be required to count any subsequent expenditure from the communications allowance as regulated election spending. [258663]

Mr. Straw: The restrictions on use of the communications allowance for political purposes are clear. As such, it should not be the case that expenditure for electoral

⁶² HC Deb 9 February 2009 cc1220-1221

purposes could be funded by the communications allowance in any event, whether the expenditure in question precedes or follows any separate statement that has the effect of prejudicing another candidate's electoral prospects.⁶³

9.2 MEC decision

In November 2009, the MEC agreed changes to the rules on Communications Expenditure to reflect the new law on pre-candidacy election expenditure limits.⁶⁴ Members were informed of these changes by letter.

The *Independent* reported the letter on Friday 27 November:

... MPs have been notified by Commons authorities that use of the £10,000 “communications allowance”, used to fund pamphlets and websites, is to be severely curtailed. The Members Estimate Committee has sent a letter to all MPs telling them that almost no claims on the allowance will be paid out from 1 January.

The note, signed by Terry Bird, director of operations at the Commons, states that only small surgery posters and some contractual costs will be reimbursed. Claims for the costs of newsletters, petitions, surveys and websites will be abolished. “In other words a ban on anything that can be put through a letterbox” has been put in place, Mr Bird writes. The Kelly review recommended the communications allowance be abolished. Tories had long complained that it gave an unfair advantage to incumbent MPs.⁶⁵

At its meeting on 14 December 2009, the MEC amended its decision on Communications Expenditure. The MEC’s minutes recorded:

6. COMMUNICATIONS EXPENDITURE (MEC)

The Committee amended its decision of 23 November. The amended decision is as follows:

- That no claims for expenditure incurred on or after 1 January 2010 will be paid from Communications Expenditure, with the exception of expenditure on advertisements for surgeries, including posters (subject to restrictions set out below), and maintenance of equipment funded from Communications Expenditure where there are contractual commitments.
- That advertisements for surgeries, where the expenditure is incurred on or after 1 January and is funded by Communications Expenditure, must not include party colours or logos and slogans, must not include extraneous material, must be proportionate in nature, and may not include advertisements in national media or leaflets or flyers; references to other elected officials must be approved in advance by the Department of Resources.
- That no materials or resources, other than websites and office equipment, purchased from Communications Expenditure before 1 January 2010 may be used on or after that date unless the Member first returns the full cost of those resources to the House.
- That where Communications Expenditure is used to fund an ongoing cost or item which occurs across both the restricted and unrestricted period, only the relevant fraction of the costs can be paid for out of Communications Expenditure, unless the

⁶³ HC Deb 9 March 2009 c94w; see also HC Deb 12 January 2009 c519w and 17 September 2008 c2291w

⁶⁴ House of Commons Commission, *Minutes 23 November 2009*, Item 4

⁶⁵ Michael Savage, “Pay rise for peers – no receipts required”, *Independent*, 27 November 2009

item concerned is (i) one of the items excepted in the first point above or (ii) the Member entered into an unconditional obligation to pay for the item using Communications Expenditure on or before 23 November 2009 and the item is not used on or after 1 January.⁶⁶

The changes were also set out in response to a parliamentary question.⁶⁷

10 Conservative ongoing opposition

The Conservative Party opposed the introduction of the Communications Allowance when the House voted on it in March 2007:

28 March 2007 (Div. 87):

Two Labour MPs voted against the introduction of a new Communications Allowance at the rate of £10,000 per year:

[the two Members were listed]

Notes: The Conservative frontbench was whipped against the proposal, but two Tory backbenchers – Quentin Davies and Bob Spink - voted in favour. The Liberal Democrats allowed their side a free vote, splitting 19/26 against the new allowance.⁶⁸

Some of the arguments raised by Theresa May, on behalf of the Conservative Party, during the debate are set out above. The Party has continued to have reservations about the allowance and Francis Maude has tabled a number of questions to clarify the way in which the allowance can be used and restrictions placed on its use. He asked the Leader of the House:

Mr. Maude: To ask the Leader of the House (1) what the level of the communications allowance for hon. Members is in 2007-08; and what it will be in 2008-09;

(2) whether the communications allowance may be spent on payments to political parties for the provision of communications services on (a) commercial and (b) non-commercial terms;

(3) what her definition is of campaigning with regard to the prohibition of the use of communications allowance for campaigning;

(4) what the maximum financial amount in cash terms is in 2007-08 that can be transferred to communications allowance from (a) incidental expenses provision and (b) staffing allowance;

(5) what guidance has been published on using party political descriptions in literature financed under the communications allowance.

Helen Goodman: The communications allowance was introduced on 1 April 2007. It was set by the House at a level of £10,000 p.a. It will increase in April each year by the annual rise in the retail price index as at 31 December of the preceding year.

The purpose of the allowance is to meet the cost of proactive communications by Members to their constituents. The rules and guidance in the Green Book, as approved by the Members Estimate Committee are set out and published in July 2007.

⁶⁶ House of Commons Commission, *Minutes 14 December 2009*, Item 6

⁶⁷ HC Deb 7 January 2010 cc494W-495W

⁶⁸ Philip Cowley and Mark Stuart, *From Blair to Brown: Dissension amongst the Parliamentary Labour Party, 2006-2007 – A Data Handbook*, November 2007,

Members must avoid any arrangement which may give rise to an accusation that public money is being diverted for the benefit of a political organisation. Campaigning, which is prohibited by the rules, is understood to be the use of parliamentary funds to seek to gain a party or sectional electoral advantage.

The allowance rules in the Green Book permits Members the flexibility to transfer money between allowances so that they can use the available funds to meet the needs of their constituents more efficiently. Members may transfer up to 10 per cent. from their staffing allowance and 100 per cent. from their incidental expenses provision to the communications allowance.

The Members Estimate Committee undertook to consider and where necessary review the rules and guidance in the light of experience.⁶⁹

He asked Nick Harvey, representing the House of Commons Commission “what the Commission’s definition is of campaigning with regards to the prohibition of the use of House stationery for campaigning”. He was given the following response:

Nick Harvey: The House approved on 28 March 2007 a new Communications Allowance as set out in the First Report from the Members Estimate Committee 2006-07 HC 319. At the same time, a limit of £7,000 was placed on the amount of House stationery which could be used by each Member in one year. Detailed rules for both the Communications Allowance and the use of House stationery, approved by the Members Estimate Committee, were published at the time (The Communications Allowance and the use of House stationery, April 2007). The Committee undertook to review the detailed rules in the light of experience. The Committee on Standards and Privileges has recently reported on a number of cases arising from use of the Communications Allowance. The Parliamentary Commissioner for Standards has said that he intends to submit a further report to that Committee on some general issues relating to publications funded from the allowance. The Commission and the Members Estimate Committee will await the Committee’s conclusions on this before deciding on a review.⁷⁰

On 14 January 2008, David Cameron “launched” the findings of the Conservative Party’s Democracy Taskforce’s third report, *Trust In Politics – A programme for restoring public respect for the political system*.⁷¹ As well as considering the subjects of peerages and the honours system; the Ministerial Code; and ministerial appointments, the report also addressed the question of Members’ pay, pensions and allowances. It recommended that the Communications Allowance should be abolished.⁷² The Conservative Party has pledged to abolish it.⁷³

In a speech on cutting the costs of politics, in September 2009, David Cameron, the leader of the Conservative Party, reiterated his commitment to abolish the Communications Allowance:

⁶⁹ HC Deb 19 November 2007 c538W

⁷⁰ HC Deb 21 November 2007 c859W

⁷¹ Conservative Party Democracy Taskforce, *Trust In Politics – A programme for restoring public respect for the political system*, January 2008; follow the link from: Conservative Party News, *Trust in Politics*, 14 January 2008

⁷² *Ibid*, p1

⁷³ Footnote to the ‘Right to Know’ form; story – Conservative Party News, The Right to Know, 5 February 2008, http://www.conservatives.com/tile.do?def=news.story.page&obj_id=142147; the form is available from Sam Coates, *Expenses: At half-time, Cameron 1, Brown 0*, 5 February 2008 <http://timesonline.typepad.com/politics/2008/02/expenses-at-hal.html#more>

We've already said we'll get rid of the £10,000 yearly 'Communications Allowance' that every MP gets. It may sound new fangled, but let me tell you : it's nothing less than old-fashioned, state-sanctioned propaganda.

It's there for every MP to pay for sending newspapers and leaflets to their constituents to tell them how great they are, what a brilliant job they're doing and why they're the best thing since sliced bread.

It's anti-democratic, it's a waste of money, so it's gone.

And the best thing is, we'll save the taxpayer £5 million.⁷⁴

11 Proposals for Communications Expenditure in the New Parliament

In its review of Members' expenses, the Committee on Standards in Public Life recommended that the Communications Allowance/Expenditure should be abolished. However, it argued that this should not stop proactive communication with constituents:

[Recommendation 23] The communications allowance should be abolished. MPs should continue to be able to communicate proactively with their constituents, but the cost should be met from within the reformed administrative and office expenditure allowance. The current cap on postage and stationery, and the rules regarding proactive communications, should remain in place.⁷⁵

The Independent Parliamentary Standards Authority (IPSA), which was established by the *Parliamentary Standards Act 2009*, has the duty to draw up a new expenses scheme for Members of Parliament. The Act required that, in devising a scheme, the IPSA had to consult a number of named stakeholders.

IPSA issued a consultation document, *MPs' Expenses – a consultation*, on 7 January 2010. The consultation closed on 11 February 2010 and the consultation document has been removed from the consultation website (<http://mpexpensesconsultation.org.uk/>). In its consultation, IPSA proposed that there should be no separate communications allowance:

Expenditure on communications

10.15 The current Communications Expenditure allowance was designed to help MPs to communicate with their constituents about their work. The Green Book currently allows expenses to be met for:

- regular reports, constituency newsletters, questionnaires, surveys and petitions;
- contact cards and distribution costs;
- advertising of surgeries and constituency meetings;
- websites; and
- some capital purchases such as equipment for communication purposes.

10.16 In principle, providing public funding for much of the expenditure on this list seems justifiable as being necessary for the work of an MP. For example, MPs need to be able to make their constituents aware of when they are available for surgeries or constituency meetings, or how they can be contacted.

10.17 However, as noted in the CSPL's Report, the current communications expenditure has proved the subject of considerable controversy. This has arisen for

⁷⁴ Conservative Party, *Speech – David Cameron: Cutting the Cost of Politics*, 8 September 2009,

⁷⁵ Committee on Standards in Public Life, *MPS' Expenses and Allowances: Supporting Parliament, safeguarding the taxpayer*, November 2009, Twelfth Report, Cm 7724, Recommendation 23, p70,

two reasons. Firstly, there is an argument that the expenditure gives an unwarranted benefit to incumbents. Communication often appears self-promotional, even where this may be unintentional on the part of the MP. This, it is argued, puts an incumbent MP at an unfair advantage to potential candidates.

10.18 The second argument suggests that the expenditure is inevitably used for party political purposes. Even where no direct reference to any party is made, the use of photographs or the presentation of issues or statistics can often be considered party political. The potential for the funds to be used for party political purposes makes it extremely difficult to police. We *could* ask MPs to send in publications to be agreed by IPSA before they are reimbursed, but to assure the validity of these claims would require IPSA's staff to make frequent and complex discretionary judgements on whether the communication is, or could be construed as, party political. Websites prove even more difficult as they can be frequently edited without prior agreement.

10.19 The House of Commons has recognised the dangers inherent in expenditure on communications by limiting the types of expenditure that will be available to MPs from January 2010 onwards. A few items such as posters advertising constituency surgeries will still be allowable, but public funds will no longer be provided for the production and distribution of, for example, any leaflets.

10.20 *In the light of these arguments, we have concluded that there will be no separate communications allowance. We intend to allow expenses claims for funding the advertising of constituency meetings and surgery times, and for contact cards. MPs would be able to claim for these items as part of their expenses for running offices. All other currently available types of communications expenditure will be excluded.*

Q16: Do you agree with our proposed approach to communications expenditure?⁷⁶

⁷⁶ Independent Parliamentary Standards Authority, *MPs' Expenses – a consultation*, January 2010, paras 10.15-10.20

Appendix – Communications Allowance/Communications Expenditure – maximum rates

		£ per annum
Communications Allowance	Apr 2007-Mar 2008	10,000
	Apr 2008-Mar 2009	10,400
Communications Expenditure	Apr 2009-Mar 2010	10,400