



House of Commons
Commission

Employment of Members' staff by the House

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The House of Commons Commission

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1 Introduction

1. On 30 April the House agreed the following resolution (moved by the Deputy Leader of the House):

“(1) That, in the opinion of this House, staff who work for an hon. Member should be employed by the House, as a personal appointment and managed by the hon. Member; and

(2) That the House of Commons Commission shall consider this decision and make recommendations for its implementation, including any transitional provisions which may be necessary, by 29 October 2009.”¹

2. Employment by the House would replace the current arrangement whereby each Member employs his or her own staff but the House pays staff directly and provides for standard contracts and pay ranges. The Member is required to ensure that the staff concerned are employed to meet a genuine need relating to the Member's parliamentary duties, are able and (if necessary) qualified to do the job and are actually doing the job, and that the costs charged to Staffing Expenditure are reasonable and entirely attributable to the Member's parliamentary work.²

3. The House has expressed a view and has asked us to make recommendations for putting it into effect, rather than requesting our opinion of the proposal. We have accordingly concentrated on examining how the proposal could best be implemented, rather than on whether it should be taken forward at all, which will be for the House to determine.

4. Since the House agreed its resolution, the Government has proposed an Independent Parliamentary Standards Authority (IPSA) and Parliament has passed legislation (the Parliamentary Standards Act 2009) to set it up. The establishment of the IPSA complicates the House's proposal. The IPSA has a statutory duty to prepare an allowances scheme³ and to pay allowances to Members. If Members' staff are to be paid from an allowance, the House would be the employer, the IPSA would pay the staff and the Member would recruit and manage. The House could pay direct, but it would need to be considered whether it would be more appropriate for a benefit to Members (in the form of the provision of staff) to be provided under the scheme which Parliament has only recently enacted. It seems likely that the IPSA's allowances scheme will include a staffing element and criteria to govern how this allowance can be spent. It would make sense for such rules to include standard contracts and pay scales, but at this stage it is not known what approach the IPSA will take.

¹ The resolution was agreed to on division by 280 votes to 100.

² The Green Book: A guide to Members' allowances (July 2009), p 27.

³ Section 5, Parliamentary Standards Act 2009.

Our consideration of the matter

5. We put out a consultation paper on 12 June and received 100 submissions.⁴ Because of the limited time available we relied entirely on written material. We would like to thank all those who took the trouble to send us their views.

6. The majority of submissions (57) were from Members' staff, sometimes presenting the views of several staff members. Also, there were three submissions from Members directly incorporating the views of their staff⁵ and there were submissions from the Members' and Peers' Staff Association (MAPSA) and the Unite and TUS unions. The Members' staff who wrote to us were overwhelmingly opposed to the proposal,⁶ as was the MAPSA. Among Members, only four of the 36 who responded were in favour.⁷ The Parliamentary Labour Party (PLP) and the 1922 Committee were opposed to the proposal.⁸

7. We were pleased to receive so many submissions from staff, which gave us a valuable insight into how they view their employment by Members. We wish to emphasise at the start of this report that we could not do our jobs as Members without the help of our staff and that we recognise and value immensely their dedication and loyalty.

8. We did not approach this subject without previous knowledge. Not only are we, individually, employers of staff, but the matter had already been examined in detail by the Members Estimate Committee (MEC), whose membership is the same as the Commission's, in its *Review of Allowances* in 2008.⁹ The evidence gathered then has been of great value to us in the current examination.¹⁰ The MEC stated then that it was "vitally important" to the work of Members "that their staff should be entirely and unambiguously committed to the individual MP and the causes being championed, rather than to the House of Commons as a corporate body."¹¹ It observed then that it had been unable to identify any model elsewhere which combined central employment by Parliament with an individual Member's ability to appoint and direct his or her own staff.¹² It remains the case that no such model has been identified, but in this report we attempt to devise one in response to the House's request.

⁴ The consultation paper and the submissions are on the Commission's website at www.parliament.uk/about_commons/house_of_commons_commission_.cfm. References in this report to the submissions are in the form 'MS' followed by the number of the submission.

⁵ MS 10, 40, 41.

⁶ 36 were opposed, 12 in favour and nine were neutral or expressed no view on the principle of House employment.

⁷ Seven expressed no view on the principle of House employment. For the balance of views in 2008, see HC 578-I (2007-08), para 86.

⁸ MS 1, 2.

⁹ Third Report from the Members Estimate Committee, 2007-08, Review of allowances, HC 578-I, paras 72-103. The current members of the Commission who were members of the MEC in 2008 are Sir Stuart Bell, Harriet Harman (Leader of the House), Nick Harvey and David Maclean.

¹⁰ HC 578-II (2007-08), Ev 12-22.

¹¹ HC 578-I (2007-08), para 92.

¹² *Ibid.*, para 85. For information on other parliaments, see *ibid.*, paras 81-5; HC 578-II (2007-08), Ev 14.

