

Written evidence

1. Letter from Mr Andrew Boff to the Commissioner, 21 June 2017

I am requesting that you investigate the complaint detailed below.

5 Complaint: That Margaret Hodge used her offices in Portcullis House to undertake paid work commissioned by a third party which were not in support of her parliamentary duties. She consequently received undue financial benefit as a result of using these resources.

Supporting evidence:

10 On 19/10/16 the Mayor of London, through Mayoral Direction MD2041, authorised Dame Margaret Hodge MP to lead the "Review of the Garden Bridge Project". In this direction it was indicated that Margaret Hodge would provide her services "free of charge". <http://www.london.gov.uk/decisions/md2041-review-garden-bridge-project>

15 As part of the research for her final report Margaret Hodge held a number of meetings at her office in Portcullis House and used House of Commons stationery to carry out the work (attached). This can be verified by [redacted], the GLA's Executive Director of Resources, who was asked to give oral evidence. (email address provided.)

20 On 6 April another Mayoral Direction authorised the payment of £9,500 to Margaret Hodge "To reflect the significant amount of work involved in the review". <http://www.london.gov.uk/decisions/md2108-review-garden-bridge-project>

I look forward to your response.

21 June 2017

25 2. Letter from the Commissioner to Rt Hon Dame Margaret Hodge DBE MP, 29 June 2017

I would welcome your help with an allegation I have received from Mr Andrew Boff about your compliance with paragraph 15 of the House of Commons Code of Conduct for Members. I enclose a copy of Mr Boff's letter and the enclosures he sent with it.

30 The scope of my inquiry

The scope of my inquiry will be, in essence, to establish whether through the use of resources provided from the public purse other than in accordance with the rules laid down on these matters, you have received undue personal financial benefit.

The relevant rules and guidance

Paragraph 15 of the Code of Conduct (copy of Code enclosed) says that:

5 *"Members are personally responsible and accountable for ensuring that their use of any expenses, allowances, facilities and services provided from the public purse is in accordance with the rules laid down on these matters. Members shall ensure that their use of public resources is always in support of their parliamentary duties. It should not confer any undue personal or financial benefit on themselves or anyone else, or confer undue advantage on a political organisation."*

10 The Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis say, at paragraphs 2 - 4:

15 *"2. The rules cannot be expected to cover every eventuality; Members should therefore always behave with probity and integrity when using House-provided stationery and postage. Members should regard themselves as personally responsible and accountable for the use of House-provided stationery and postage. They must not exploit the system for personal financial advantage, nor (by breaching the rules in paragraph 3 below) to confer an undue advantage on a political organisation.*

20 *3. House-provided stationery and pre-paid envelopes are provided only for the performance of a Member's parliamentary function. In particular, this excludes using stationery or postage:*

- 25
- in connection with work for or at the behest of a political party (including fund-raising for a political party, advocating membership of a political party or supporting the return of any person to public office;*
 - for business purposes...."*

Paragraph 8 of the rules on the use of House-provided stationery outline the permitted uses of such stationery.

30 *"8. Examples of proper use of stationery and pre-paid envelopes include:*

- administrative correspondence enabling Members to run their offices, such as current working documents sent between Westminster and the constituency;*

- correspondence with Members or staff of either House (but using pre-paid envelopes only where correspondence cannot be sent in the internal mail system);
- 5 • correspondence with public bodies such as Government Departments, Agencies and NDPBs, devolved legislatures, local authorities and international organisations (but using pre-paid envelopes only where correspondence cannot be sent using IDS, and only for UK bodies);
- 10 • correspondence with constituents, including contact by Members about a specific issue with people who have not previously contacted them and questionnaires and surveys (but not newsletters, annual reports or general updates on a range of issues);
- correspondence with bodies or individuals outside the constituency in pursuance of parliamentary activities;
- 15 • correspondence by a Member or on behalf of a Member in connection with All-Party Parliamentary Groups and delegations to international parliamentary assemblies.”

Paragraph 9 of these rules explains the restrictions on the use of the crowned portcullis.

20 *“9. The principle emblem of the House is the crowned portcullis. It is a royal badge and its use by the House has been formally authorised by licence granted by Her Majesty the Queen. It should not be used where its authentication of a connection with the House is inappropriate, or where there is a risk that its use might wrongly be regarded or represented as having the authority of the House. It may be used by*

25 *Members on their stationery provided by the House or used for their parliamentary functions; by registered All-Party Parliamentary Groups ...; and by organisations that have a direct association with the House and have obtained permission to use it....”*

30 The House authorities have long provided Members of Parliament with facilities, including offices on the parliamentary estate, to assist with their parliamentary duties. In order to assist Members, the House has routinely published a Members’ Handbook. The 2015 Member’s Handbook included this reference to the use of parliamentary resources:

35 *“The House provides various facilities and services to Members, the cost of which is either met in full or subsidised by public funds. These include, but are not limited to:*

- *Accommodation, including offices and meeting rooms*

- *Stationery and postage*
- *Research support*
- *Computer equipment and services*
- *Catering facilities.*

5 *You are personally responsible and accountable for ensuring that your use of any expenses, allowances, facilities and services provided from the public purse is in accordance with the rules.*

10 *You must ensure that your use of public resources is always in support of your parliamentary duties. It must not confer any undue personal or financial benefit on you or anyone else, or confer undue advantage on a political organisation.”¹⁰*

The *ICT Unacceptable Use Policy for Members of the House of Commons and their staff* which was applicable during the 2015 Parliament provided a definition of “unacceptable use”. That said:

15 *“You must not upload, download, use, retain, distribute, create or access any electronic materials including emails, documents, images, text or software which:*

- ...
- *Could be considered party political campaigning or fundraising and, in the case of Commons Members, private business activity”*

Next steps

25 I would welcome your comments on the allegation that you have misused public resources (your office and House-provided stationery) by holding meetings connected with the Review of the Garden Bridge Project (the Review) on the parliamentary estate and by writing to third parties about the review using House-provided stationery.

In addition to your response to the over-arching allegation, it would be helpful to have the following information:

¹⁰ <https://intranet.parliament.uk/people-offices/offices-departments/commons-departments/governance-office/publications-guidance/members-handbook/conduct/essentials--everyones-responsibility-/>

- How it came about that you were invited to conduct the Review
- When, where and with whom did you meet any third party in connection with the Review on the parliamentary estate
- 5 • Whether you used House-provided stationery (plain paper, headed note-paper, pre-paid postage envelopes and plain envelopes) in connection with the Review and, if so:
 - When and to whom you wrote
 - How much stationery (specifying the type of stationery) you used
- 10 • Whether you used House-provided ICT (hardware and/or software), including your parliamentary email account to communicate with others in connection with the Review, or in any other way to assist your work on the review
- If you used any House-provided resources identified above in connection with the Review, how this came about?
- 15 • Whether you consider any such use of House-provided resources in connection with the Review could reasonably be regarded as conferring on you (directly or indirectly) a personal financial benefit and, if you do not, the reason(s) for that belief

20 I enclose a copy of the *Commissioner's Information Note*,¹¹ which sets out the procedure I follow. I am writing to Mr Boff to let him know that I have decided to begin an inquiry into this matter. I will shortly update my parliamentary web pages to show the fact that I am conducting an inquiry into an allegation into an alleged breach of paragraph 15 of the Code of Conduct. My office will not comment further on any aspect of the inquiry to third parties. (They will, however, confirm that I have
25 begun an inquiry if asked before this information is posted on my webpages and they will answer factual questions about the processes I follow and the standards system more generally.)

30 As you will be aware, my inquiries are conducted in private. This letter and any subsequent correspondence between us is protected by parliamentary privilege until such time as a final report is published. (Any such report will include all the relevant evidence, including our correspondence.) I would, therefore, ask that you respect that confidentiality. (I have made a similar request of Mr Boff.)

¹¹ <http://www.parliament.uk/documents/pcfs/New%20Website%20Documents/PCS-Information-Note.pdf>

As a matter of courtesy, I should say now that I may make enquiries of the relevant House authorities in due course. If I do so, I will share that correspondence with you. While I do not, at this stage, know whether it will be necessary to interview you about this matter, it would be open to you to be accompanied at any such interview.
5 I am, of course, very happy to meet with you at any stage if you would find that helpful.

I would appreciate your help and co-operation, and welcome your comments on the allegation, together with any evidence you feel may assist my investigation, as soon as possible and no later than [14] July 2017.

10 *29 June 2017*

3. Letter from Rt Hon Dame Margaret Hodge DBE MP to the Commissioner, 13 July 2017

Thank you for your letter of 29 June regarding the complaint from Mr Andrew Boff which claimed I made improper use of in-house Parliamentary resources when
15 conducting the review of the Garden Bridge project. I note your decision to investigate the complaint and am grateful for the opportunity to respond to this allegation. I will summarise below the history of my involvement in this review covering the queries raised in your letter.

The aim of the Garden Bridge project was to provide a footbridge linking Temple
20 with the Southbank which was to be designed as a garden. The original aim was that this should be funded through private sources and donations. However, it soon became clear that public money both from the taxpayer and the London council taxpayer would be required to fund the project. Subsequently, serious concerns and doubts as to the feasibility of the project in the light of continuing rising costs and
25 risks to both the taxpayer and the council taxpayer became widespread.

In light of this the present Mayor of London, Sadiq Khan, invited me to conduct a review into the project with a view to determining whether taxpayers and council taxpayers were receiving value for money. I enclose the original Mayoral decision from the Mayor of London which sets out my remit. Following months of work I
30 concluded that costs had escalated north of £200 million and that the risks to the taxpayer and council taxpayer had intensified. The Mayor has since decided not to underwrite the maintenance costs associated with the Garden Bridge project and he will not invest further public money into this project.

I was asked to carry out this review because of my experience as Chair of the Public
35 Accounts Committee and because I had a particular interest in the matter since my constituents, as both tax and council taxpayers, would be required to contribute further to the costs, were the project to go ahead. I did not therefore regard the conduct of the review to be wholly separate from my Parliamentary duties and responsibilities.

My understanding was that the review could be completed within three months and would take just a day a week of my time. I therefore agreed to undertake the review on a *pro bono* basis. However the review required much more of my time, including most of my weekends. I spent around three days a week for four months working on the review.

In recognition of the significant amount of work and time involved I was subsequently paid a fee of £9,500. This is in keeping with the level of payment made to the authors of other reviews commissioned by the Mayor. This fee was not offered to me until *after* I had completed my first draft of the review.

10 I was offered and accepted the use of an employee seconded from the GLA who primarily focused on administration, but I was not offered separate office facilities for the purpose of carrying out the review. In this situation the obvious option was to use my office in Parliament as I am required to be on site to vote and it would not have been practical or suitable to hold these meetings in my constituency office, my home or in a public place. All the meetings and interviews held in connection with the review were therefore held in my office. Some 41 people came to my office to give evidence. In some instances they came in groups and around 20 meetings were held in my office. The people I saw are listed in the appendix to my report. However the reading of materials and the writing of the report itself, which took up most of the time, was done at home on my personal computer.

For the practical and necessary purpose of writing to stakeholders inviting them to give evidence, arranging meetings, acknowledging correspondence and further evidence, letters were sent using House of Commons headed notepaper. To the best of my knowledge around 70 letters were sent. The majority of these were sent using parliamentary email. Parliamentary emails were used to communicate with stakeholders and the GLA official who was seconded to work on the review for me. Obviously she had to liaise with my office to ensure the diary worked with my other commitments and pass on timely information to me.

I do not believe that 'any such use of House-provided resources in connection with the Review could reasonably be regarded as conferring on [me] a personal financial benefit' for the reasons I have set out in this letter. I was asked to carry out a review in the public interest on a controversial project that had profound implications for the taxpayer and the council taxpayer, including my own constituents. I was chosen to undertake this review as a Parliamentarian with experience in carrying out value for money investigations as Chair of the Public Accounts Committee and as an MP for a London constituency. I was provided with no office facilities. I carried out the review with the intention that it would be on a *pro bono* basis. No payment was offered or paid to me until the majority of the work had been completed and this was based on the extensive work I was putting into the review. Paragraph 2 of the *Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis* acknowledges that "the rules cannot be expected to cover every eventuality" and there is nothing in the rules which covers an inquiry of this kind. I do not believe that I made improper use of

Parliamentary resources in order to gain personal financial benefit. I carried out this review for the public good.

Please do let me know if you require any further information.

13 July 2017

5 Extract from enclosure: Terms of reference Part I, "Non-confidential facts and advice to the Mayor"¹² appended to Mayoral decision of 19 October 2016

"Introduction and background

1.1....

1.2.....

10 1.3 The Mayor will initiate a review of the Garden Bridge project. The Mayor has expressed his concerns about the early days of the project and that it did not reach expected levels of transparency.

15 1.4 The Garden Bridge review will consider whether taxpayers are receiving value for money. It will look in detail at the procurement process around the project, and whether required standards have been met around transparency and openness going back to the beginning of the project.

20 1.5 The review will set out any lessons that should be learnt in order to improve the conduct of potential and approved projects in the future. A report will be produced for the Mayor following completion of the review and the Mayor has committed to publishing the report in full.

25 1.6 Dame Margaret Hodge's experience means she is well-qualified to undertake this review. She has been a London MP since 1994, representing Barking, and for five years chaired the Public Accounts Committee, scrutinising public spending across all areas of Government. Dame Margaret has previously expressed no opinion either for or against the Garden Bridge and brings no preconceptions to the role.

30 1.7 Although Dame Margaret will be providing her services free of charge, a contingency budget of £25,000 has been allocated to the review. This contingency budget will provide for any legal or

¹² Full document available at <https://www.london.gov.uk/decisions/md2108-review-garden-bridge-project>

specialist advice that Dame Margaret may require in order to support the review.

5 1.8 The review will be supported by GLA officers who will provide secretariat and audit support. The officers selected have had no involvement in the project and the officers will work to Dame Margaret's direction. The Head of Paid Service has set out his expectation that all officers of the GLA and its functional bodies will fully co-operate with the review and provide all information requested.

10 Objectives and expected outcomes

2.1....

15 2.2 The Garden Bridge Review will consider whether taxpayers are receiving value for money. It will look in detail at the procurement process around the project, and whether required standards have been met around transparency and openness going back to the beginning of the project.

...."

4. Letter from the Commissioner to the Director of Accommodation and Logistics Services, 20 July 2017

20 I would like to ask for your advice on an allegation I have received about the conduct of Rt Hon Dame Margaret Hodge MP, into which I have begun a formal inquiry. In essence, the complaint from Mr Andrew Boff is that Dame Margaret has misused House of Commons provided resources contrary to the rules of the House. Mr Boff alleges that Dame Margaret breached the rules by undertaking non-parliamentary work (work on a review, commissioned by the Mayor of London, into the Garden Bridge Project) in her Parliamentary office in Portcullis House and by using House-provided stationery in connection with that work.

I enclose the relevant correspondence, together with the papers that led to the inquiry. As you can see, Dame Margaret has said:

- 30
- that she did not regard the conduct of the review to be wholly separate from her Parliamentary duties and responsibilities;
 - That the fee was not offered until after she had complete her first draft of the review;
 - She was not offered separate office accommodation in order to carry out the review;
- 35

- Around 20 meetings were held in her office;
- Around 70 letters were sent out, the majority by email.

5 I appreciate that the House has not laid down detailed rules on the proper use of Member's offices on the estate but I would be grateful to know what advice you/your team would have offered Dame Margaret had she sought your advice (which she was not required to do) before undertaking the work described in the correspondence.

It would be very helpful to have your response to this letter by **3 August 2017**. Thank you for your assistance.

20 July 2017

10 **5. Letter from the Director of Accommodation and Logistics Services to the Commissioner, 25 July 2017**

15 Thank you for your letter dated 20 July 2017 concerning a complaint you have received from Mr Boff regarding Dame Margaret Hodge MP's use of her parliamentary office and stationery. I note that you have asked for the view my team or I would have given had we been asked to do so by Dame Margaret.

20 As you note in your letter the House has not laid down detailed rules on the use of offices on the parliamentary estate outside of what is published in the Members Handbook; and should I had been asked to provide advice, I would have referred Dame Margaret to the latest revision, *June 2017 Members Handbook, page 14*, and advise that she act in line with the guidance.

A link to the guidance is here:
<http://intranet.parliament.uk/Documents/intranet/members-centre/assets/Members-Handbook.pdf>

25 July 2017

25 **6. Letter from the Commissioner to Rt Hon Dame Margaret Hodge DBE MP, 21 August 2017**

Update

30 When I last wrote to you, I shared a copy of a letter I had sent to [redacted], Director of Accommodation and Logistics Services. I have now received the Director's advice and a copy of this is enclosed.

As you can see, the Director has told me she would have drawn the relevant guidance to your attention. She refers to the June 2017 Members' Handbook, which is the current version of the guidance to which I referred (and from which I quoted) in my letter of 29 June. It would then have been for you to judge whether using House-

provided resources (House-provided stationery, telephony, IT and accommodation) would fall within the scope of that guidance, when read in conjunction with the Code of Conduct for Members and, in particular, paragraph 15 of the Code which says “...
5 *Members shall ensure that their use of public resources is always in support of their parliamentary duties....*”

The fundamental issue you would have needed to consider was, therefore, whether or not your work on the review of the Garden Bridge Project constituted part of your parliamentary duties.

Emerging thinking

10 There is no exhaustive definition of parliamentary duties and activities. As the Committee on Standards noted in their Twenty-third Report of Session 2010-12¹³ “*Members have complex, multifaceted roles. Each case has to be judged on its own merits.*” I have not yet made a final decision on whether your work on the
15 independent review of the Garden Bridge Project could reasonably be defined as part of your parliamentary duties. However, I think it is only fair to tell you before asking you to comment on the Director’s advice that, on the basis of the evidence I have seen so far, I am inclining towards the view that this work was not part of your parliamentary duties. The factors that are leading toward this provisional conclusion are as follows:

20 • The document enclosed with your letter of 13 July evidences what you have told me about why you were asked to undertake this review. It is clear from the terms of reference document that your experience both as a London MP and in your role as chair of the Public Accounts Committee was key to your appointment. I do not think that it necessarily follows that
25 the work the review entailed was part of your parliamentary duties.

• The terms of reference for the review make explicit that the Mayor was seeking a value for money assessment, as well as a review of various other procedural aspects of the project, for example, the procurement process and the transparency arrangements.

30 — Those terms of reference seek objective assessments rather than a report as a representative of your/the GLA’s constituents.

• The report of the review was to be used to inform decisions to be taken by the GLA about the Garden Bridge project and about future GLA projects. The report was intended for publication by the Mayor.

35 — Although the work on the review was initially undertaken on a *pro bono* basis and you did not expect to receive any financial

¹³ <https://publications.parliament.uk/pa/cm201012/cmselect/cmstnprv/1887/188702.htm>

recompense for that work, the product of it – the report - was clearly to be “owned” by the GLA

- The report was not expected to be shared with other parliamentarians or to be subject to any parliamentary processes.
- 5
- The GLA provided the secretariat and audit resources to support the project, and allocated a contingency budget to support the review.

I appreciate that the GLA’s decision to remunerate you for the work was taken retrospectively but the fact that remuneration was paid does also, in itself, indicate that your work on the review was not part of your parliamentary activities.

10 I would be grateful to receive your comments on the Director’s letter and the emerging thinking described above by 5 September 2017. I do not think it is necessary for me to arrange an evidence gathering interview with you but I would, of course, be happy to meet if it would be helpful to discuss any of the above. If you would like to do this, I would be grateful if you would contact my PA, [redacted], as
15 soon as possible so that we may arrange a meeting before 5 September. [She] can be contacted on [redacted].¹⁴

21 August 2017

7. Letter from the Commissioner to Rt Hon Dame Margaret Hodge DBE MP, 12 September 2017

20 When we met on Monday (at your request), I said I would provide a note of our meeting as soon I was able to do so. That draft is enclosed; please let me have any proposed corrections, additions or clarification by 29 September 2017.

I have considered very carefully all the points you have raised with me by letter and in person. I am still minded to uphold the allegation that the use of your office on the
25 parliamentary estate and any House-provided stationery used in connection with the Garden Bridge Project Review was a misuse of House-provided resources and a breach of the Code of Conduct for Members.

When we spoke you raised the possibility that staff of the House should have been proactive and offered you advice about not using House-provided resources when
30 your work on the Review was widely reported in the media. I do not think the relationship between Ministers and their civil servants is analogous to that between Members and House officials, not least because House officials would have not have the same level of detail about the plans of individual Members as civil servants would about the activities of their Ministers.

¹⁴ A meeting was subsequently arranged for 11 September 2017

I accept your assurances that you were not motivated by personal financial gain in this matter and that you did not think that using your room for meetings in connection with the Review would be in breach of the rules. However, as you know, the only question for me is whether House-provided resources have been used for purposes other than those for which they were provided, and I am still of the view that they were.

You told me that you do not know precisely how much House-provided stationery might have been used and that the figure you provided in your letter of 13 July was an estimate (and likely an over-estimate). You indicated that you could make further enquiries to establish a more accurate figure. I would be grateful if you would do that and let me have that information at the same time as letting me have any comments on the meeting note.

Once I have your comments I will prepare a draft Memorandum for the Committee. I will explain my decision and the evidence I have relied upon, and I will give you an opportunity to comment on the draft Memorandum and to add any further comments of your own before I make a formal submission to the Committee. As I explained, it will then be for the Committee to reach its own decision on the allegation under inquiry as well as to consider whether there are wider points which might be clarified to the benefit of all Members.

20 *12 September 2017*

Enclosure: note of meeting on 11 September 2017

Kathryn Hudson (Commissioner)

[Redacted] (Commissioner's Complaints Manager)

Rt Hon Dame Margaret Hodge MP

25 Background

The meeting was held at Dame Margaret's request, following the Commissioner's letter to her of 21 August inviting Dame Margaret's comments on the advice given by the Director of Accommodation and Logistics Services and on the Commissioner's emerging thoughts on the allegation under investigation.

30 Key points

Dame Margaret explained that she had been surprised by the Commissioner's letter because she had viewed her work on the Review as part of her work and, as she had explained in her letter of 13 July, she did not regard it as "wholly separate" from her role as a Member. She said that she understood the Commissioner's rationale but felt it reflected the letter, rather than the spirit, of the rules.

Dame Margaret said that she had been surprised by the Commissioner's interpretation of the rules because she was aware of other Members who had undertaken similar Reviews (for other bodies) working from their parliamentary offices. In her own case, the GLA had provided all the resources for the Review
5 except for an office for her to work from. A GLA member of staff had provided administrative support, including drafting letters (for Dame Margaret to approve) and despatching letters and emails on her behalf. Dame Margaret's parliamentary staff had not been involved in the Review at all. Dame Margaret had done most of the work on the Review at home, not in her office.

10 Dame Margaret emphasised that her work on the Review was a very small proportion of her overall workload. She said she might send as many as 120 letters a week to constituents contrasting that with a maximum of perhaps 70 in connection with the Review. Similarly, although she had held around 20 meetings in her parliamentary office in connection with the Review, this amounted to fewer than
15 one per week over the seven months of the Review.

Kathryn said she had not reached a final decision but was not, so far, persuaded that the Review was part of Dame Margaret's parliamentary activities. She said that she and some of her predecessors had investigated complaints about the misuse of Members' offices and, as a general rule, had accepted that an occasional meeting
20 unconnected with a Member's parliamentary activity might not amount to a breach of the Code but it was very much a question of degree. She also gave examples of allegations about misuse of offices on the parliamentary estate which had been upheld.

Dame Margaret said she had not been aware that holding Review meetings in her
25 office could be a breach of the rules. It had not crossed her mind that using headed notepaper would be inappropriate – her work identity was absolutely that of a Member and she did not regard this piece of work as wholly separate from her wider parliamentary responsibilities. She said that her involvement in the Review was widely reported at the time and she thought that the House authorities should have
30 drawn it to her attention if she might be in breach of their rules. (In her experience as a Minister, civil servants would not allow non-Departmental meetings to take place in government offices and she assumed House staff would do the same for Members.)

Kathryn accepted Dame Margaret's assurance that she had not realised she might
35 be in breach. The Director of Accommodation and Logistics Services and her team would give advice where it was sought but, in the Commissioner's opinion, House staff could not reasonably be expected to offer Members unsolicited advice on the basis of media reports (which by their nature would not necessarily contain all the relevant facts). It was for Members to ensure that they kept to the rules and to seek
40 advice if unsure. Kathryn referred to the workshops run periodically by her office, aimed at the staff of Members, which focus on the proper use of House-provided resources. While those workshops deal primarily with the stationery rules, they also address use of other House-provided resources such as IT and office facilities.

In the context of keeping a Member on the right side of the rules, Members own staff were more closely analogous (than House staff) to a Minister's civil servants.

5 Dame Margaret stressed that she had not been motivated by personal gain; the decision to remunerate her for her work on the review had been taken only after it was realised how much work it involved. She said that she felt strongly that the work had been undertaken in the public interest and that her constituents were among the (council) tax-payers who were entitled to expect that value for money was achieved. Kathryn accepted Dame Margaret's assurance on the first point and said that the second point was not one on which she might take a view; the question
10 was whether the Review was part of Dame Margaret's parliamentary activities not whether it was in the public interest for the work to be done.

Dame Margaret said that she met a wide range of people about different topics, for example, she might representatives of relevant Health Authorities in her office; would that be a breach of the rules? Kathryn said it would depend on the purpose
15 of the meeting. On this occasion, the meetings had been in connection with the GLA review and Kathryn did not think that was parliamentary activity. Dame Margaret raised another example; asking - about MPS who accept remuneration for consultancy work or for speaking engagements - would they be in breach of House rules if they did any preparatory work for meetings/speeches in their parliamentary
20 offices? Kathryn said that these were interesting examples but she could not adjudicate on hypothetical cases. In any particular case she would need to establish all the relevant facts and then reach a decision.

Kathryn acknowledged that there are few specific rules about the use of Members' offices on the estate and that the examples raise the possibility that Members could
25 benefit from more detailed guidance but in the absence of detailed rules, Members should be guided by the rules of conduct (paragraphs 10-16 of the Code) and the seven principles of public life (paragraph 8 of the Code). The relevant over-arching rule is set out in paragraph 15 of the Code, as quoted in her letter of 29 June.

Kathryn explained the steps that she would need to take before submitting a
30 Memorandum to the Committee on Standards, i.e. agreeing a note of the meeting, drafting a Memorandum and giving Dame Margaret the opportunity to comment on a draft and to add any further comments of her own. It would then be for the Committee on Standards to reach their own decision.

**8. Letter from Rt Hon Dame Margaret Hodge DBE MP to the Commissioner,
35 28 September 2017**

Thank you for your letter of 12 September, and for the draft note of our meeting. In your letter you asked me to make further enquiries to establish a more accurate figure in regard to the amount of "House-provided stationery" used in connection with the review. I have tried to do so, but with no success. I can only repeat that the
40 figure of 70 letters (largely sent by parliamentary email) is likely to be an over-estimate because a proportion of the correspondence in connection with the review

was dealt with on my behalf by the administrative assistant based at the GLA, using Mayoral resources.

5 So far as the accuracy of the draft note of our meeting is concerned, the only correction I would like to make is in reference to the size of my constituency correspondence compared to that generated by the review: I send out between 100 and 120 letters a week to constituents, not 700. But, of course, the point that 70 letters over a seven-month period, even if it was unintentionally inappropriate use, still amounts to "a modest use of stationery" as described in the guidance still holds, particularly as a proportion of the correspondence was sent out by the GLA.

10 Arising from our meeting (which I found helpful), I would just like to add the following comments. Whilst noting that you accept I was not motivated by personal financial gain, and that it did not occur to me that the use of my room for meetings in connection with the review could be in breach of the rules, it does not seem to me that the distinction you draw in the light of paragraph 15 of the Code of Conduct
15 between activity which is in support of one's parliamentary duties and activity which is not, is far from clear. In this instance the distinction seems to be a very fine one: that is, between activity which is in support of one's parliamentary duties on the one hand, and activity arising from one's parliamentary duties on the other. As you accept, I was asked to undertake the review by reason of my being both a
20 Member of Parliament for a London constituency and a former long-serving Chair of the Public Accounts Committee. I regarded, and still regard, that work as having been a seamless adjunct to my parliamentary duties. Moreover, it was a one-off assignment, to be contrasted with the gainful employment or occupation pursued by many Members of Parliament. I hope this explains more clearly what I meant
25 when I said that what I did was "within the spirit" of the Code of Conduct, if not the letter and I would be grateful if these comments could be incorporated into your submission to the Committee.

Two final comments, if I may. First, I remain of the opinion that my use of House of Commons headed stationery in connection with the Review was entirely
30 appropriate: I conducted this review in my capacity as a serving Member of Parliament, and by virtue of my status as the former Chair of the PAC. Second, none of my parliamentary staff were involved in any aspect of the review.

28 September 2017