



HOUSE OF LORDS

House of Lords Commissioner for Standards  
Annual Report 2017–18



# Foreword

This report covers the period 1 June 2017 to 31 May 2018. During this, my second year in post, I received 19 complaints, of which I investigated 1.

While these numbers might suggest a period of relatively low activity, allegations and accounts in the press about inappropriate behaviour and a culture of bullying and sexual harassment at Westminster, which surfaced in November 2017, led to a great deal of activity with the aim of establishing an Independent Complaints and Grievance Policy for Parliament. I have been heavily involved in this work and it is anticipated that the policy will be up and running early in 2019. I say more about this in the final section of this report.

**Lucy Scott-Moncrieff CBE**  
**Commissioner for Standards**

# Review of the year

## Complaints investigated

I investigated one complaint into the conduct of Lord Bassam of Brighton, who referred himself to me. The complaint concerned allegations that Lord Bassam had wrongly claimed Lords travel allowance (paid by the House of Lords) and the Lords Office-Holders Allowance (paid by the Cabinet Office). I found that there was a lack of clarity and guidance surrounding the relationship between the Lords Office-Holders Allowance and Lords travel allowance. I concluded that although Lord Bassam broke the Code of Conduct by making the claims, he did so mistakenly not dishonestly, and therefore he did not breach provisions requiring Members to act on their personal honour.

In its report, the Privileges and Conduct Committee endorsed my finding that Lord Bassam should repay £15,737 in overclaimed travel allowance and recommended that he should write a letter of apology.

I am currently investigating a complaint into the conduct of Lord Lester of Herne Hill. This will be covered in my next annual report.

## Complaints in general

18 complaints were received which did not pass preliminary assessment and were not therefore investigated. These complaints were not investigated for a variety of reasons. A notable feature of several complaints was that they expressed concern at the views Members had expressed on Twitter.

The House of Lords Code of Conduct covers members' parliamentary activities. It does not extend to their performance of duties unrelated to parliamentary proceedings. Furthermore, a member's views and opinions are outside my remit (paragraph 116). This can be taken to mean that the manner in which a member expresses himself or herself is something that is not within the scope of the Code. As such, comments on Twitter, regardless of their taste or whether they might be perceived as offensive, are not within my remit.

In January 2018 Lord Lansley referred himself to me after the Channel 4 Dispatches broadcast "Politicians for Hire: Cashing in on Brexit." I reviewed the full transcripts of Lord Lansley's conversations with the undercover journalists working for Dispatches and concluded that there was no prime facie evidence that the House of Lords Code of Conduct was engaged by the things Lord Lansley said in those meetings. The transcripts show that Lord Lansley continually underlined the point that he would not be willing to

breach the Code and that he would want to take advice from the House authorities where necessary. Because I could find no prime facie evidence that the Code was engaged this investigation did not continue beyond this preliminary assessment stage.

### **Reflections and looking forward**

As noted in my foreword, allegations and accounts in the press about inappropriate behaviour and a culture of bullying and sexual harassment at Westminster have led to a great deal of activity. I spoke late last year to the cross-party Working Group convened to establish a new independent complaints and grievance procedure, in response to the reports of sexual harassment and bullying in Parliament. Furthermore, I have engaged substantially with both officials and with the House of Lords sub-committee on Lords' Conduct as the new procedure has begun to take shape. As I say above, it is hoped that the new policy, which will provide better support for complainants, will be in place next year.

When the allegations first surfaced, and after being advised that no complaint about such conduct had ever been made to my predecessor, I gave some thought as to whether this sort of behaviour would engage the current Code of Conduct.

I looked at the parts of the Code dealing with personal honour, and reached the view that bullying and sexual misconduct, if they occurred in the context of the discharge of a member's parliamentary duties, could engage the Code. I subsequently posted the following note on my website:

“The House of Lords Code of Conduct provides guidance on the standards of conduct expected of members in the discharge of their parliamentary duties. This includes a requirement to act on their personal honour in the discharge of their parliamentary duties. In relevant circumstances, I take personal honour to include personal conduct towards others.

It has been drawn to my attention that this may not be obvious from the wording of the Code and its guidance. Anyone wishing to establish whether the particular behaviour of an individual could amount to a breach of the Code, may contact me for further information.

Contact should be in the usual way, but may be through an intermediary if the person concerned wishes to remain anonymous during the preliminary discussion. Any preliminary discussion will be strictly confidential.”

**Lucy Scott-Moncrieff, 31 October 2018**