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Summary

5 I investigated an allegation that in sending out a mailing to constituents in May 2020, the Member had broken the rules on the use of House-provided stationery and second-class postage-paid envelopes. Paragraph 3 of the *Rules for the use of stationery and postage-paid envelopes provided by the House of Commons*, sets out rules that exclude using House provided stationery or pre-paid postage, “...in connection with work for or at the behest of a political party...”

10 In response to the allegation the Member said, “*I am sorry if this [mailing] came across as political it was a genuine attempt to show residents how we were working across party lines...*”.

I decided that, in drawing attention to the political parties of two local Councillors in her mailing of 500 letters, the Member had breached paragraph 3 of the *Rules for the use of stationery*. This amounted to a breach of paragraph 16 of the House of Commons Code of Conduct for Members.

15 The Member acknowledged and apologised for her breach of the rules and has stated that she, “...*would certainly be more cautious on sending out any future letters*”. The Member has also undertaken to refund the House authorities (£363.96) for the misused stationery and postage.

20 I consider that to be an appropriate outcome, and concluded the inquiry using the rectification procedure available to me under Standing Order No 150.

Ms Maria Caulfield MP: Resolution letter

Letter from the Commissioner to the complainant, 29 September 2020.

5 I wrote to you on 20 July 2020, to tell you I had begun an inquiry into your allegation that Ms Maria Caulfield MP had acted in breach of the rules of conduct. I am writing to you now to tell you the outcome of my inquiry.

I found that Ms Caulfield's mailing to constituents, sent in May 2020, breached paragraph 16 of the Code of Conduct for Members. For my full rationale please see my letter to Ms Caulfield, dated 10 September 2020 (item 10 in the attached written evidence pack).

10 Ms Caulfield has acknowledged and apologised for her breach of the rules; and has committed to repay the House for the stationery and the postage she used. I consider that to be an appropriate outcome and have concluded the matter using the rectification procedure available to me under Standing Order no 150.

15 I will notify the Committee on Standards of the outcome in due course and the evidence pack will be posted on my webpages in the next few days.

This matter is now closed.

29 September 2020

Written evidence

1 Letter from complainant to the Commissioner, 9 July 2020.

5 I am writing as a resident to complain about the use of official parliamentary headed notepaper for a letter which is clearly party political and which I believe will damage public confidence in our parliamentary system.

10 Whilst I agree with the issue raised, and have myself campaigned on the same issue, the argument made claiming government support which does not exist is inaccurate and politically driven. More importantly the purpose of this letter, by naming county councillors and explicitly labelling another party, is clearly to score political points against another party. It should have been on Conservative Party paper.

15 From discussions with others it appears this letter has only been distributed in areas of contention between the Conservative and Liberal Democrat parties (particularly Newhaven) and so far has not been received in other parts of the District such as Lewes which are also affected by the proposals. I would like this distribution to be considered as part of your investigation.

I attach a copy of the letter and look forward to your response.

9 July 2020

Enclosure: Letter from Ms Maria Caulfield MP, sent in last week of May 2020.

20 Many of you will have heard of the East Sussex Fire and Rescue Service consultation on the planned restructuring of their fire services which in reality means a reduction in fire services in Newhaven, Lewes, Barcombe and Seaford. I am completely opposed to these plans.

25 These plans are being brought in by the local East Sussex Fire Authority, which is run by local councillors. Many residents from across the constituency have told me that they are concerned about these plans. In particular that they would see Newhaven Fire Station lose its second fire engine, a reduction of fire cover over night and at weekends, as well as a loss of 50% of firefighters.

30 Along with [name redacted], the MP for Brighton Kemptown & Peacehaven, I have written to East Sussex Fire Authority members (who make the decisions regarding the local fire service) urging them to postpone the consultation during the Coronavirus pandemic to allow residents the opportunity to digest and respond properly to the proposals that will have a huge impact on them.

35 I have offered to secure more funding from Central Government to try and stop these changes going ahead but I am told this is not a funding issue. This is about restructuring ESFRS, but the time is not right to do as in the aftermath of the

pandemic, changes may need to be made again once things return to normal. It seems sensible to wait and look at any possible changes once we are through this extremely challenging time.

5 You can help by doing the following: Complete the ESFRS consultation online at [details redacted], complete my survey at [details redacted], or by contacting your local Fire Authority Members asking them to change their minds and vote against these proposals. Your local Fire Authority Members are [details redacted] (Lib Dem), [details redacted] (Lib Dem). Their details can be found on the ESFRS website.

10 I do hope that you will be able to support us and the local Fire Service who are doing a fantastic job for the local community here in Newhaven.

Last week of May 2020

2. Letter from the Commissioner to Ms Maria Caulfield MP, 20 July 2020.

15 I am writing to seek your help with an inquiry into an allegation I have received from [name redacted], about your compliance with paragraph 16 of the House of Commons Code of Conduct for Members. I have included a copy of [name redacted] letter and the enclosure sent with it.

The scope of my inquiry

20 My inquiry will focus on whether your use of House-provided stationery, for a mailing sent out earlier this year, breached paragraph 16 of the House of Commons' Code of Conduct for Members.

The relevant rules of the House

The overarching rules on the use of resources provided by the public purse are found in the House of Commons' Code of Conduct for Members.¹

Paragraph 16 of the Code states:

25 *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*
30 *any undue personal or financial benefit on themselves or anyone else, or confer undue advantage on a political organisation.*

¹ <https://publications.parliament.uk/pa/cm201719/cmcode/1882/188201.htm>

Further to this, the **Rules on the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the crowned portcullis** state the following.

“Principles

5 2. *These rules are not 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*
10 *system for personal financial advantage, nor (by breaching the rules in paragraph 3 below) to confer an undue advantage on a political organisation.”*

Paragraph 3 of these rules lists circumstances when House-provided stationery should not be used. It says that *“House-provided stationery and pre-paid envelopes are provided only for the performance of a Member’s parliamentary functions”*. The rules clearly exclude using stationery or postage; *“in connection with work for or at the behest of a political party...”*

Paragraph 6 of the rules state, *“When a Member is **replying to correspondence**, party political references are allowed in House-provided stationery or in correspondence sent in pre-paid envelopes, subject to the restrictions in paragraph 3 above.”* [my emphasis].

Next steps

I would welcome your comments on the allegation that your letter amounts to a breach of paragraph 16 of the Code of Conduct for Members. In particular I would appreciate your answers to the following questions:

1. Is the scanned image a copy of a letter sent by you to constituents earlier this year using House-provided stationery?
 - a. If it is, please could you let me know the date, or period during which, this mailing was sent to constituents, and,
 - 30 b. How many letters in total were sent out in this mailing?
 - c. Whether you used House provided pre-paid envelopes for this mailing, and if so, how many letters were sent first and/or second-class?
2. Were you aware of the Rules regarding the use of House-provided stationery and pre-paid postage and in particular were you aware of paragraph 6?

3. Did you take advice from the House authorities before sending out this communication?
- a. If you did, please describe the advice given and provide copies of any correspondence you exchanged with House officials on the matter.
- 5 4. When you sent out your mailing to constituents, were you in each case **replying** to correspondence you had previously received?
- a. If so, please provide evidence that demonstrates this mailing was a reply, as a result of previous contact from recipients?
- 10 5. Do you believe that the letter could reasonably be construed as being “*in connection with work for or at the behest of a political party...*” and/or for purposes other than “*in support of your parliamentary duties.*”
- a. If not, please explain your reasons for that belief.
6. If these letters were sent to specific areas of your constituency only, please could you let me know which factors influenced you to target those areas?
- 15 7. Have you distributed any similar letters using House-provided stationery and/or postage pre-paid envelopes since the start of the 2017-19 Parliament?
- a. If yes, please provide copies of each letter, and the details of each mailshot (number of letters and whether sent first or second-class)
- 20 It would be helpful to receive any supporting evidence you have at the same time as receiving your response to these questions. Any other points you may wish to make to help me with this inquiry would be most welcome.

Important information

25 My inquiries are conducted in private. Following the decision taken by the House on 19 July 2018, I will not publish the fact that I am conducting an inquiry into an allegation of an alleged breach of the Code of Conduct. My office will not comment on any aspect of the inquiry to third parties. They will answer direct factual questions about the processes I follow and the standards system more generally but will neither confirm nor deny that I have begun an inquiry.

30 Procedure

I enclose a copy of the Commissioner’s Information Note, which sets out the procedure for inquiries. Please note that this has not yet been updated to reflect the changes flowing from the decision of 19 July 2018.

This letter and any subsequent correspondence between us in connection with this inquiry is protected by parliamentary privilege. It should be kept confidential until the outcome of my inquiry is published.

5 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. I am, of course, very happy to meet with you at any stage if you would find that helpful.

I should say now, as a matter of courtesy, that I may seek the advice of the House authorities and others as part of this inquiry.

10 **Potential outcomes**

15 Inquiries are generally concluded in one of three ways. If the evidence does not substantiate the allegation, it will not be upheld. If the evidence demonstrates a breach of the rules, I may – in certain circumstances – uphold the allegation and conclude the inquiry using the rectification procedure, without making a referral to the Committee on Standards. Where an allegation is not upheld or is rectified, the material is published on the Parliament website, on my webpages.

20 If I uphold the allegation and it is either unsuitable for the rectification procedure, or you do not accept my decision, I must make a referral to the Committee on Standards. My Memorandum to the Committee would be published, as an appendix to the Committee's own Report.

25 I should make clear that all the relevant evidence, including our correspondence, will be published when this inquiry is concluded. I routinely redact the personal data of third parties unless it is relevant to my decision(s). If you provide sensitive material which you think I should consider redacting, please tell me. I would give careful consideration to any such request.

Action

30 I would be grateful to have your response to this letter as soon as possible and no later than 31 July 2020. If you would prefer me to communicate with you via a different postal address, please give the details when you reply to this letter. It would also be helpful if you were willing to provide a telephone number through which I might contact you. Information provided to me during the course of my inquiry will be retained, and disposed of, in accordance with the House of Commons' Authorised Records Disposal Policy.

Thank you for your cooperation with this matter.

35 *20 July 2020*

3. Letter from Ms Maria Caulfield to the Commissioner, 20 July 2020.

Many thanks for your letter to me dated today.

I am sorry that you have received a complaint against me, and I will do my best to answer your queries.

5 During the months of April and May our local fire authority (Conservative run) launched a consultation to remove one of our fire engines in Newhaven which is one of the towns in my constituency. We had hundreds of letters and emails on this from constituents very concerned about the loss of this vital service and I very publicly spoke out against the Conservative administration which has been well reported on
10 TV, newspapers and social media.

The fire authority (Conservative run) were running a consultation on this and I wrote to residents to let them know about this in the letter. I was working on this jointly with the Labour MP [name redacted] (mentioned in the letter) as he is my neighbour and his residents in Peacehaven were also to be affected if Newhaven lost
15 a fire engine in the planned changes. We were hailed locally for working together politically on this and putting politics aside for the sake of the town and it was very much a joint cross-party initiative which residents welcomed. I certainly didn't consider writing on Conservative party paper as it was a cross party initiative and this would have taken away from the good work myself and [name redacted] were
20 doing in trying to save the fires services and would have in contrast made it a party political issue which it was not.

I can find nothing in my letter which is political in nature only that I directed residents in Newhaven to contact their local councillors on the fire authority who are Lib Dems Cllrs, that is factual rather than political. The lady who contacted you
25 on this, [name redacted], is herself a Green Party councillor and in coalition with the Lib Dems locally which may have skewed how she read the letter.

I am deeply hurt by [name redacted] on this as we meet regularly, and I am helping her with [details redacted] and am lobbying ministers on her behalf, and she has never mentioned this letter to me. In fact, only last Tuesday we were on a joint zoom
30 meeting with the parish of South Heighton which includes parts of Newhaven and when I updated them on progress on the fire service changes, she welcomed the work I had done on this issue. I felt we had a strong cross party working relationship particularly on local issues.

To answer her question on who the letter was sent to, I only wrote to residents in
35 Newhaven as it was the only town affected by the changes and I did not write to the whole district because as they were not affected by the changes this then could have indeed be seen to be political in nature. There were other planned reductions in fire services across East Sussex but these were outside of my constituency, but it was why I was working cross party with my neighbouring MP on this issue. Newhaven
40 is not just represented by the Lib Dems, there are Conservative, Labour, Green and

independent councillors too but they do not sit on the fire authority on behalf of the town.

I am slightly confused by [name redacted] question around my mentioning of Government support as I feel in my letter where I say "I have offered to secure more funding from Central Government", to me seems slightly critical of my own party.

To answer your specific questions;

1. The letter is a scanned copy of the letter I sent out to residents in Newhaven. It was a single letter with no other content. We sent about 500 out, one to each household to minimise cost. These went out around the last week of May but I cannot be specific of the exact date but we posted them instead of hand delivering as the end date of the consultation, by the fire authority, was the 19th June.
2. We did use our prepaid envelopes. We only ever use second class to again minimise cost.
3. I am aware of the rules of using parliamentary stationary in paragraphs 3 and 6 but as I was highlighting to residents the issue of a decision of a Conservative run fire authority, I certainly did not see this as political in nature. The Conservative chair of the fire authority is in fact still furious that I was working with a Labour MP on this issue and I can send you an email exchange where he challenges me on this. He is still barely speaking to me.
4. I didn't take advice on this particular letter as I have taken advice in the past and have been told that as long as it is a single issue item and not political in nature that this would be ok .
5. This letter was not a reply to an individual, but I received several hundred letters and emails on this issue and wanted to let residents know how to take part in the consultation before it closed as the window was very tight for the consultation.
6. I have read the letter several times again. I don't mention the Conservative party at all and the only political reference I made was that the two local councillors on the fire authority are Lib Dem and this is a fact and not a criticism and I made a very special effort not to be negative against the two local members as I just urged residents to contact them to make their views known.
7. I have sent other letters in the past using my headed paper but I will have to send you copies separately as I will need my staff to pull copies for me. There are three that spring to mind. One was a letter to residents informing that there village was to be closed due to the water mains being installed in a village called Alfriston and how to contact me if there were problems during the road

works and another about a telephone mast being installed in a village called East Dean which is a mobile not spot. I also sent a letter to residents about Virgin installation of broadband as there was significant disruption during these works and we had to get the County Council involved to stop the night working and I wanted residents to have the details of how to contact us should they have further problems.

[Paragraph redacted as it is not relevant to the inquiry]

I feel this was a genuine use of parliamentary stationery as during the pandemic we were not allowed to go door to door delivering and using the postal service was the only way to get the message out to residents to take part in the East Sussex fire consultation before it closed. Both myself and [name redacted] are keen to work together on local issues in a cross party way and I am sorry that [name redacted] is unhappy and felt that this was political in any way.

If there is some advice for me, for the future, so I can be absolutely certain not to give the impression of being political I would be very happy to discuss this.

I am sorry to add to your workload at this time.

20 July 2020

4. Note of telephone call between the Commissioner and Ms Maria Caulfield MP, 22 July 2020.

This telephone call had been arranged after the complainant had asked about withdrawing her complaint, explaining that MC had contacted the leader of her local political group to express disappointment about the complaint having been made.

Included in the call;

The Parliamentary Commissioner for Standards (PCS)

Ms Maria Caulfield MP (MC)

Notes taken by Investigations and Complaints Manager (ICM)

The note below is not a verbatim record. It is based on manuscript notes made by ICM at the time.

PCS introduced herself and ICM, and thanked MC for finding time at short notice for the meeting. PCS said that she hoped MC could help her better understand a text which she (MC) had sent to the Leader of the Green Party in her constituency about the complaint PCS is currently investigating.

MC asked, “in what sense”?

PCS said that she understood MC had sent a text concerning the inquiry.

MC said that she knows the Leader [name redacted] well; they speak more or less every day and she would talk to her about a wide range of issues. There have been
5 some sensitive complaints about Lib Dem councillors (with whom the Greens are in coalition) and they had dealt with some of these matters confidentially “behind the scenes”. MC said that she had just expressed her disappointment that they hadn’t handled their complaint about her in the same way and said that she would be very happy to discuss it further. MC said she had a good working relationship with the
10 Greens locally, including [name redacted], and would chat with them pretty much every day.

PCS thanked MC for that explanation and asked her to send her a screenshot of the text. (MC agreed) PCS said that she wondered if, on reflection, MC still felt it was an
15 appropriate message to send given that PCS’s letter initiating the inquiry had set out the confidentiality requirements and the fact that the inquiry is protected by parliamentary privilege.

MC said that she “didn’t see it in the letter”. She said that she knew that the outcome and the correspondence would be made public at the end, and she was used to consulting [name redacted] on very sensitive matters and trusted her implicitly. MC
20 added that she genuinely hadn’t read anything in the letter which prevented her contacting [name redacted].

PCS read out the sentence in the letter which explicitly refers to keeping the matter confidential.

MC said she hadn’t sat down and read through the whole letter carefully; she had
25 responded quickly because she wanted to be co-operative. She said that she was “sorry if she had done anything wrong”.

PCS thanked MC for acknowledging her error and asked her not to discuss the inquiry any further with anyone. PCS asked ICM if there was anything she’d forgotten.

30 ICM asked MC about the purpose of sending a text to the Leader of the Greens

MC said that she “genuinely wanted to reach out”. The local council is run by a Lib Dem/Green coalition, and she’s a Conservative MP. The Greens are currently leading the council and that will switch soon to the Lib Dems, and she wanted to make sure the relationships remained good. If there was a problem, she wanted it
35 out in the open. There had been teething problems when the coalition had ousted the Conservatives on the council, but they have established a good working relationship. MC described herself as someone who would “say hands up” if she’d made a mistake and she was disappointed they hadn’t approached her direct.

PCS asked MC to confirm that she would send PCS a screenshot of the text she'd sent. She acknowledged that recess is about to start and that may mean a little delay as people may have leave to take. She explained that the next step would be to seek the advice of the relevant House authorities [name redacted] and that after that PCS would consider all the evidence and reach a decision as soon as possible.

MC said she had replied as quickly as she could because she didn't want this hanging over her, and while the inquiry is open it will be difficult to rebuild the relationships. She said she had been "genuinely upset" on Monday when she received the initiation letter, and that it would be great to have the inquiry resolved as soon as possible.

PCS acknowledged this and said it would be dealt with as quickly as possible and that it had been really helpful to have the conversation.

MC asked about some other letters she would like to send. ICM explained where she could find the stationery rules and that she would find the contact number for the House authority responsible for these rules at the back of the document. She could speak to [name redacted] for advice but they would probably want to see the full text before they could give advice. ICM also said that the House authority would not be able to give a definitive all clear.

Meeting ended after approximately 10 minutes.

20 22 July 2020

Enclosure: Text exchange between Ms Maria Caulfield MP and the local group leader of the Green Party, 20 July 2020.

Text from Maria Caulfield - 16:38

25 Hi [name redacted] I hope you are well. I just wanted to flag with you a slight disappointment that [name redacted] had reported me to the Standards Committee on a letter I sent to residents in Newhaven on the fire authority changes urging them to take part in the recent consultation. I have attended parish virtual meetings with [name redacted] and she has never raised it with me. Given I tried to be as sensitive as possible about the public complaints about [name redacted] I would have appreciated it being raised with me first before making an official complaint as I thought we were doing well putting party politics to one side. I have been lobbying ministers on [name redacted] behalf on planning issues so this is disappointing that she has never mentioned it in our discussions.

Text sent in reply by local leader of the Green Party group

Hi Maria. I am sorry I agree it would have been better to have let you know before hand. I will speak to her. [name redacted]

20 July 2020

5. Email from Ms Maria Caulfield MP to the Commissioner, 22 July 2020.

5 Many thanks for your time today. I have reflected on what you said about the issue being under parliamentary privilege. I have re-read the letter and can now see that I completely missed this part when I initially read the letter. Monday was a particularly busy day for me as I am the Trade whip and we had our trade bill going through the Commons and I had to be in the Chamber for 5pm for the rest of the day
10 until 10pm. I therefore did speed read the letter and focused on the questions you asked so I could respond to you as quickly and thoroughly as possible. I completely missed the part about parliamentary privilege and misread the letter and thought that this was all going to be published in the public domain as per page 4 of the letter.

I am very used to sharing extremely sensitive information with [name redacted],
15 who, as I explained I get on well with and I wanted to raise the matter with her so that we could draw a line under it and hopefully resolve any concerns with [name redacted] and continue to be able to have full and frank discussions on issues like these when they arise, which I hope you can see from the copy of the text was my aim in raising it with her. Politics in Lewes is difficult and I want to ensure that
20 councillors of any party feel they can raise things directly with me if there are problems and I reciprocate this arrangement so that we keep politics out of the work we are doing and save it for elections.

I am sorry I misread your letter and with hindsight I should have left my response until the next day when I had time to read it fully and would have then seen that the
25 information was subject to parliamentary privilege.

22 July 2020

6. Letter from the Commissioner to the Director of Customer Experience and Service Delivery, 28 July 2020.

I would like to ask your advice on a complaint I have recently received about Ms
30 Maria Caulfield MP. In essence the complaint is that Ms Caulfield used House provided stationery and pre-paid envelopes to send out a letter, which was in breach of paragraph 16 of the Code of Conduct for Members.

I enclose a scanned copy of the unsolicited mailing sent by Ms Caulfield to 500 constituents. The Member has already informed me that she did not seek advice
35 prior to sending this mailing. It would be helpful to know how you would have advised her if she had sought advice from your team before sending this mailing in May 2020. It would also be helpful to understand the factors you would have taken into account when giving that advice.

It would be very helpful to have your response to this letter as soon as possible and no later than 11 August 2020.

28 July 2020

5 **7. Letter from the Director of Customer Experience and Service Delivery to the Commissioner, 25 August 2020.**

My humble apologies, we had looked into this and I had failed to respond. Would recommend a response as below:

10 The House provides the stationery budget to assist Members in performing their parliamentary duties but the rules cannot be expected to cover every eventuality; ultimately it is incumbent on the Member to always behave with probity and integrity when using House-provided stationery and postage and they should regard themselves as personally responsible and accountable for the use of it. Although we can provide guidance on usage, if a complaint were made, it is the Commissioner for Standards who rules on individual cases, and our guidance cannot
15 bind the Commissioner's ability to come to a different conclusion. [Please see the stationery rules for more details.](#)

20 I would advise being careful in sending out this unsolicited mailing. Firstly it contains personal views such as "I am completely opposed to these plans", "the time is not right", "...asking them to change their minds and vote against these proposals". I think you may be within the rules to let their constituents know about this issue, but they would need to do so in an entirely balanced and factual way rather than urging them to vote against the proposals.

25 Alternatively, to avoid this being seen as political, as a Conservative Member, I do not think that they should reference two Liberal Democrat Fire Authority Members for their constituents to write to "asking them to change their minds and vote against these proposals."

I would therefore suggest they do not use House provided stationery or postage paid envelopes to send this out unless there were revisions to the letter first.

25 August 2020

30 **8. Email from the Office of the Parliamentary Commissioner for Standards to Ms Maria Caulfield MP, 26 August 2020.**

35 When the Commissioner wrote to you on 20 July 2020, she explained that she may seek the advice of the House authorities as part of her inquiry. On 28 July 2020 the Commissioner wrote to the Director of Customer Experience and Service Delivery to ask for his advice, which we received yesterday. Although the Commissioner is currently away from the office, she would routinely share this advice with the Member.

Please find attached a copy of the Director's email, which is password protected using the same password previously shared with you. It would be helpful to receive your comments on the Directors advice as soon as possible or by 4 September 2020. The Commissioner is due to return to the office next week and once she has reviewed your response, she will write to you again.

26 August 2020

9. Email from Ms Maria Caulfield MP to the Office of the Parliamentary Commissioner for Standards, 26 August 2020.

Thanks [name redacted] for sending this through. I do welcome the assessment on the form of wording, and I have found the email you sent me very helpful.

I hope I outlined in my previous response that this was a cross party piece of work to save the fire engines in Newhaven in conjunction with my Labour colleague next door, who I mentioned in the letter. The aim was to show that we were working with the Lib Dems on this and as they are the elected party on the council for the fire authority that we all needed to be united on this. The reason I mentioned Lib Dems is that while everyone locally knows [name redacted] is a Labour MP they may not have realised their local councillors were Lib Dem. The fact that the complainant is a Green Party councillor whose main opposition is the Lib Dems in Newhaven I think bears some explanation of why she complained. I unfortunately could not include the Greens in the letter as they are not elected on the fire authority for the town.

I do however take the point on the wording and that it could have been phrased better and would certainly be more cautious on sending out any future letters.

[Paragraph redacted as it is not relevant to the inquiry]

I am sorry if this came across as political it was a genuine attempt to show residents how we were working across party lines and that by working together we can successfully deliver for the town. All three parties have been thanked by the public for their efforts and locally, apart from the Green councillor who complained, people certainly did not take the letter as being political.

However, I am sorry if there is a perception that it was political in nature as that was certainly not the intention.

26 August 2020

10. Letter from the Commissioner to Ms Maria Caulfield MP, 10 September 2020.

Thank you for your email dated 26 August 2020, and your comments on the advice received from the Director of Customer Experience and Service Delivery. Having

reviewed all of the correspondence available, I now have sufficient information to make my decision.

My Decision

5 I have carefully considered all of the evidence, the advice of the Director of Customer Experience, as well as your own comments on that advice. My decision is that, in using House-provided stationery and second-class postage-paid envelopes to send out your mailing in May 2020, you acted in breach of paragraph 16 of the Code of Conduct for Members.

Rationale

10 Paragraph 3 of the rules for the use of stationery states, "*House-provided stationery and pre-paid envelopes are provided only for the performance of a Member's parliamentary functions*". Further to this the rules set out circumstances when House-provided stationery should not be used, clearly excluding using stationery or postage; "*...in connection with work for or at the behest of a political party...*"

15 When I asked for his advice about your letter, the Director of Customer Experience and Service Delivery said, "*...to avoid this being seen as political, as a Conservative Member, I do not think that they should reference two Liberal Democrat Fire Authority Members for their constituents to write to, ...asking them to change their minds and vote against these proposals.*"

20 The Director was clear that, had you sought his advice, he would have advised that you should, "*... not use House provided stationery or postage paid envelopes to send this out unless there were revisions to the letter first.*" I consider his advice to be sound.

25 Paragraph 6 of the rules for stationery states, "*When a Member is **replying to correspondence**, party political references are allowed in House-provided stationery.*" In your letter of 20 July 2020, you explained that, "*This letter was not a reply to an individual...*". I do not, therefore, consider your letters to be covered by that provision. Your mailshot was, for the 500 recipients, an unsolicited letter. As a result, your mailing was not in compliance the stationery rules.

30 Therefore, I find that your letter was in breach of paragraph 16 of the Code of Conduct for Members, which requires Members to use resources provided from the public purse in accordance with the rules laid down on these matters.

Future letters

35 In your most recent email to me you indicated that you, "*...would certainly be more cautious on sending out any future letters.*" During our telephone conversation on 22 July 2020, I explained who to approach for day-to-day advice about the stationery

rules. I hope it's helpful to provide those details again now. Should you wish to seek advice in the future, you should contact the Members' Accommodation Manager, [details redacted].

Other matters

5 In my initial letter to you, sent on 20 July 2020, I explained that during my investigation correspondence between us was protected by parliamentary privilege and, *"It should be kept confidential until the outcome of my inquiry is published"*. When you received my letter, you contacted a colleague of the complainant to express your disappointment that a complaint had been made without contacting
10 you first, thus breaching confidentiality. We spoke about that on 22 July and you told me that you had not read my letter sufficiently carefully and had overlooked that point. You immediately apologised for your breach of confidentiality. While I appreciate your prompt apology, I think it is appropriate to draw to your attention now, that your approach to that colleague could easily have been interpreted as an
15 attempt to influence.

Next steps

While your mailing of May 2020 breached paragraph 16 of the rules, I consider this breach to be at the less serious end of the spectrum. I would be willing to conclude this matter through the rectification procedure, which is open to me under Standing
20 Order No 150. This allows me to conclude an inquiry without making a referral to the Committee on Standards in certain circumstances.

In order for me to implement the rectification procedure, it would be necessary for you to acknowledge that you were in breach of paragraph 16 of the rules of conduct and to apologise for that breach. You can do this by way of your response to this
25 letter. In this matter, rectification would also include refunding the House authorities for the cost of the paper, envelopes and second-class postage used for sending out your mailing of 500 letters in May 2020.

If you agree to this proposal, my office would send you details about the various methods available for repayment to the House authorities. I would share with you
30 a draft copy of my letter to the complainant, [name redacted], informing her of the outcome, alongside a draft copy of the written evidence pack. The content of my letter to the complainant is, of course, a matter for me alone. However, you will be invited to comment on the factual accuracy of the written evidence before publication on my webpages; <https://www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/parliamentary-commissioner-for-standards/>. I would also report the outcome to the Committee on Standards in due
35 course.

Please let me have a response to this letter by 18 September 2020. In the meantime, our correspondence remains protected by parliamentary privilege and I must ask
40 that you continue to maintain the strict confidentiality of the inquiry.

10 September 2020

11. Email from Ms Maria Caulfield MP to the Commissioner, 16 September 2020.

5 I would like to fully apologise for the breach of paragraph 16 of the rules of conduct. I fully take on board the comments you have made and accept the results of your investigation and I welcome the advice you have given me to avoid a repeat of this in the future.

16 September 2020

10 **12. Letter from the Commissioner to Ms Maria Caulfield MP, 24 September 2020.**

Thank you for your email of 16 September 2020, in which you acknowledged and apologised for your breach of the rules.

15 As I explained in my letter on 10 September 2020, rectification would also include refunding the House authorities for the cost of the paper, envelopes and second-class postage used for sending out your mailing to constituents. Based on the details you provided, that 500 letters were sent, I have calculated the following;

- A4 cream House provided paper with the crown portcullis embossed,
 - £9.03 per pack of 250 = £18.06
- Cream House provided envelopes (110 x 220) embossed crown portcullis,
 - 20 ○ £10.45 per box of 250 = £20.90
- Second-class postage of 65p per letter = £325.00

The total sum due for repayment will be £363.96.

Payment can be made using one of the following methods; [details redacted]

25 I would be grateful if you would send me a copy of your confirmation once the transaction is completed.

30 I enclose a copy of the written evidence pack, which includes the correspondence exchanged during the investigation. In this pack you will find a draft copy of the letter I plan to send to the complainant; it is the first item in the pack, after the summary. While the content of the letter is a matter for me alone, I would welcome any comments on the factual accuracy of this and the written evidence pack. The complainant's name will be redacted from the published pack; please let me know if

there are any further redactions you think should be made, and I will consider your request.

5 Once I have any comments you wish to make, I will finalise the complainant's letter. I will also send you both a copy of the final written evidence pack, shortly after which the pack will be posted on my webpages <https://www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/parliamentary-commissioner-for-standards/complaints-and-investigations/allegations-the-commissioner-has-rectified/> I will notify the Committee on Standards of the outcome of my inquiry in due course.

10 I would be pleased to receive any comments you wish to make on these items as soon as possible, and no later than 2 October 2020.

In the meantime, our correspondence continues to be protected by parliamentary privilege. Until I send you and the complainant letters concluding the inquiry, this matter should remain confidential.

15 *24 September 2020*