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Summary

5 I began my inquiry in in February 2017. I suspended the inquiry between 3 May and 16 November 2017, as a result of the General Election in June. The Member was not returned to office and, I resumed the inquiry only after obtaining the approval of the Committee on Standards to do so in November. The former Member co-operated fully with my inquiry and I concluded it on 21 December 2017.

10 I found that the former Member had breached the rules on the use of House-provided stationery, and in consequence had breached paragraph 15 of the Code of Conduct for Members. The breach occurred because she had included in a letter sent to constituents on House-provided paper a hyper-link to a website which was explicitly published and promoted by the party and on which financial support for the party was solicited.

15 The former Member acknowledged the breach, apologised and agreed to refund the value of the misused stationery (£1,941.63) and I concluded the matter using the rectification procedure available to me under Standing Order No 150.

Ms Sarah Olney: Resolution letter

Letter from the Commissioner to Ms Anne Speak, 21 December 2017

5 I wrote to you on 16 November to tell you that I had resumed my inquiry into your allegation of misuse of House-provided stationery by Ms Sarah Olney before the June General Election.

10 I have now completed my work and am writing to let you know that I found that Ms Olney breached the *Rules for the use of stationery and pre-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis* through the inclusion of a hyperlink in her letter to you which directed the reader to www.rplibdems.org.uk; an official Liberal Democrat party website; a site which was explicitly published and promoted by the party and on which financial support for the party was solicited. That is a breach of paragraph 15 of the Code of Conduct for Members and I have, therefore, upheld your allegation.

15 Ms Olney has explained to me the circumstances in which this breach occurred. She has acknowledge and apologised for her breach of the rules, and she has agreed to refund the value of the misused stationery. I consider that to be an appropriate outcome and the matter is now concluded, by way of the rectification procedure available to me under Standing Order No 150. I will notify the Committee on Standards in due course of this outcome.

20 *21 December 2017*

Written evidence

1. Letter from Ms Anne Speak to the Commissioner, 16 February 2017

5 I received a letter yesterday from the Richmond Park MP, Sarah Olney written on House of Commons paper and in a 2nd class House of Commons envelope, stating her opposition to Heathrow expansion and encouraging residents to respond to the current consultations.

10 I have no issue with the content of Ms Olney's letter, but I do object to the fact that her website address as quoted in the header details and in the text of her letter are a direct link to the local Libdem website. I attach an image of the landing page which appears to me to be a call to volunteer and sign up to join her party. You can see here that the link here www.saraholney.org.uk has an automatic redirect to <http://www.rplibdems.org.uk/>

15 It therefore seems that the letter sent to all Richmond Park and North Kingston constituents seems to be in direct conflict with the sentiment of the paragraph below, <http://psallowances.parliament.uk/mpslordsandoffices/hocallowances/allowances-by-mp/stationery-and-postage/2-Rules-for-the-use-of-stationery-and-postage.pdf>

20 where paragraph 3 makes it clear that use of stationery and postage should not be used

- 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);

25 If this letter has been delivered to all households where it could have reached 77,000 residents, and although I acknowledge that the MP has the right to communicate to constituents about issues which may be of local concern, I am not happy that House of Commons stationery and postage are being used as a marketing tool for the LibDems.

I look forward to your response.

30 *16 February 2017*

Page 1 of the enclosure with Ms Speak's letter of 16 February 2017: undated letter from Ms Sarah Olney MP¹

5 The people of Richmond Park have demonstrated their overwhelming opposition to expansion of Heathrow, and as your MP, I am fighting as hard as I can to stop the third runway going ahead. I am writing to you today with information about what you can do to help the fight.

10 Following the government's decision to expand Heathrow by building a third runway, the Secretary of State for Transport, Chris Grayling, has released the draft Airports National Policy Statement (NPS) for public consultation. The draft NPS sets out the conditions that airport expansion will have to satisfy before it can be granted planning permission. These include:

- Demonstrating how the airport can be developed without breaching legal air quality obligations
- 15 • Meeting its pledge that airport-related traffic will be no greater than it is today
- Measures to mitigate the impact of noise, including legally binding noise targets and periods of respite.

20 It is my view that Heathrow will find it impossible to meet the air quality and traffic targets that are required before it can be granted planning permission, and that no opportunity should be lost to put this case to the Department of Transport. That is why it is so important that the consultation is responded to by as many members of the public as possible.

25 In tandem with the consultation on the draft National Policy Statement, there is also a consultation on UK Airspace Policy, to influence the way that UK airspace is managed. The Airspace Policy will determine future flightpaths, which are just as important for managing the effects of flight noise on our local communities as the airport expansion.

30 Separately, there is also a consultation on night flights taking place, as part of the process for setting new rules around night flight restrictions. As night flights are a continuing source of misery to many local residents, I wanted to make sure you are aware of this consultation, so that you have your opportunity to respond.

35 Details of the consultations and how to respond can be found on the reverse of this letter. I have also listed dates and locations for local consultation events which will allow people to view the plans and ask questions. I appreciate that consultations can sometimes be difficult to respond to. In due course I will place a template for

¹ The second page of the letter is not reproduced here. The original postage pre-paid envelope was also enclosed - this is also not reproduced.

responses to the consultation on my website - www.sarhaolney.org.uk² - and you might find this helpful to consult when preparing your own responses.

I hope you will take this opportunity to be part of the fight against Heathrow expansion. If you would like to be kept updated on progress, you can sign up for e-mail newsletters on this subject on my website.

2. Letter from the Commissioner to Ms Sarah Olney MP, 28 February 2017

I would welcome your help with an allegation I have received from Ms Anne Speak about your compliance with paragraph 15 of the House of Commons Code of Conduct for Members. I enclose a copy of Ms Speak's letter and the enclosure she sent with it.

The scope of my inquiry

The scope of my inquiry will be, in essence, to establish whether you have used parliamentary resources to confer an undue advantage on a political organisation.

The relevant rules and guidance

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

"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.

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 and 3:

"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.

² Clicking on this link took the user to <http://www.rplibdems.org.uk>

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:

- 5
- *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;”*

Next steps

10 I would welcome your comments on the allegation that the inclusion of the web address www.saraholney.org.uk, which takes the reader direct to <http://www.rplibdems.org.uk> – the website of the Richmond Park Liberal Democrats, amounts to a breach of the House's rules and the Code of Conduct for Members. In particular it would be helpful to have the following information:

- how the database for the letter sent to the Speak family was populated;
- 15 • whether the paper used to print this (and any similarly worded letters) was part of your House-provided allocation of stationery (I believe the postage pre-paid envelopes are clearly so);
- how it came about that this letter contained a web-address which appeared to be for your own website but that address directed the user to the website of a party political organisation
- 20 • whether you consider this email to amount to party political campaigning and, if you do not, the reason(s) for that belief
- how many such letters were distributed as part of this mailing; and
- 25 • whether you have used House-provided stationery and/or House-provided postage pre-paid envelopes to distribute communications containing similar links to party web or other address, since December 2016;
- If so, please provide details, including the number of such letters distributed and, if possible, copies of the communications.

30 I enclose a copy of the *Commissioner's Information Note*,³ which sets out the procedure I follow. I am writing to Ms Speak to let her 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

³ <http://www.parliament.uk/documents/pcfs/New%20Website%20Documents/PCS-Information-Note.pdf>

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 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.)

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.

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. 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 March 2017.

20 *28 February 2017*

3. Letter from Ms Sarah Olney MP to the Commissioner, 14 March 2017

I write to respond to your letter of 28 February 2017, in which you requested further details of a recent communication I sent to constituents.

The letters were sent in my capacity as local MP to my constituents in order to draw attention to the Government's current consultation on the draft National Policy Statements (NPS) on Airports.

This is an extremely important issue in my constituency and I was keen to make people aware that they had this opportunity to contribute to the decision-making process.

30 Opposition to Heathrow expansion is not a party political matter. The previous Conservative MP also very clearly opposed Heathrow expansion - and this letter is part of a continuing cross-party campaign. We checked the content of the letter with the Parliamentary Standards team prior to sending it out and I attach a copy for your reference.⁴ As you will see, the letter does not mention my party affiliation or contain

⁴ See enclosure with item 1

a party political logo. I believe the letter has a parliamentary tone, rather than a party political one.

5 Use of Parliamentary stationery for this purpose is specifically permitted by Rule 8 - "Examples of proper use of stationery and pre-paid envelopes include ... correspondence with constituents, including contact by Members about a specific issue with people who have not previously contacted them."

10 Responding to the consultation required more detailed information than I was able to provide in a letter, so I posted further details on my website. The information on my website about replying to the consultation was written by local anti-Heathrow pressure group HACAN which is not a party political organisation. Similar information is also distributed via email to my constituents from the former Conservative MP for the constituency.

15 I own the domain www.saraholney.org (not paid for by IPSA) but do not currently have a separate site for this. For the time being, therefore, the site redirects to my local party's site - www.rplimdems.org.uk (also not paid for by IPSA). This is the website I use for all information about my activities.

20 The rules do not prohibit Members from quoting a personal website in their correspondence. I have found several examples of fellow Members (listed below) whose personal websites include invitations to donate. These are listed on the Parliament website, and therefore presumably also quoted on Member's stationery.

[Details of other Members redacted.]

25 The front page of my website had a very large banner showing people where to find the further information about Heathrow consultations. Anyone visiting the page for that purpose would have been able to quickly and easily find the information they needed without visiting any other page on the site.

To respond to your specific points:

- The database was populated from the electoral register.
- The letter was photocopied using House photocopiers and copier paper and then overprinted with addresses using my printer.
- 30 • The domain saraholney.org does not yet have a website, so the name redirects to my local party site. This is not a deliberate attempt to mislead, just a practical way of managing communications while I set up my operation as a new MP.
- 35 • By "email", I assume you are referring to the letter. As I explained above, the issue about which I contacted constituents is a cross-party issue and I

continue to campaign for it in the same way as my Conservative predecessor did. It is not a party political campaign. The reasons for directing people to my website were clearly set out in the letter and the information was easy to find and presented in a non-partisan way.

- 5
- I sent a total of 3,200 letters to constituent with identical content in the first two weeks of February.
 - I have quoted my personal website domain on the majority of letters I have sent out since I became an MP in December 2016 (C200). This currently redirects to my local party website. As this is not prohibited by the rules and appears to align with what other MPs do, I was not aware this was a breach. I have copies of all these letters if you would like to see them.
- 10

I have not received any complaints about the mailing that I have sent out, Indeed, I have had a great deal of positive feedback from constituents who have appreciated my keeping them informed and continuing to campaign against Heathrow expansion. Had I not been able to use the website, I would not have been able to send out the mailing, and I believe that this would have been to my constituents' detriment.

15

I shall happily co-operate fully with your ongoing investigation and myself and my staff will be glad to provide any further information or assistance.

20

I would be grateful for an opportunity to discuss this further and look forward to hearing from you.

14 March 2017

4. Letter from the Commissioner to Ms Sarah Olney MP, 19 April 2017

25 In my absence, having received a hard copy of your of 14 March 2017, my Complaints Manager emailed you on 16 March and again on 3 April, to let you know that you had omitted to provide the enclosure promised in your letter. A copy of her emails is enclosed. As you can see, the second email was sent to both of your parliamentary email accounts.⁵ [My Complaints manager] has also tried to call your office, without success.

30

I will not now be able to conclude my inquiry before the General Election but I would, nonetheless, be grateful if you would arrange for your office to provide the information requested before Dissolution.

If you are returned to office on 8 June, I will resume my inquiry then. In the meantime, your name will continue to appear on my webpage on the list of current

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⁵ Copies of emails not reproduced. Missing enclosure provided by Ms Olney's office on 21 April 2017

inquiries. (This will be amended on Dissolution to show that my work is suspended pending the General Election.)

19 April 2017

5. Letter from the Commissioner to Ms Sarah Olney, 13 June 2017

5 Thank you for calling my office yesterday and for providing your contact details.

I realise that you would like to resolve any outstanding issues relating to your time in Parliament as soon as possible. As -[my Complaints Manager] explained when you called, I cannot say yet whether I will be resuming my inquiry into your alleged breach of the rules on the use of House of Commons stationery during the 2015
10 Parliament.

This is because I may investigate the conduct of a former Member only with the approval of the Committee on Standards. I do not know when a new Committee will be formed or when it is likely to meet for the first time. However, I do aim to consult the Committee at the earliest opportunity and I will let you know as soon as I have
15 a decision.

I have today written to the complainant, Ms Anne Speak, to update her. A copy of that letter is enclosed for your information.⁶ As you will see, I have reminded her that the matter remains protected by parliamentary privilege until such time as I have completed my work.

20 *13 June 2017*

6. Letter from the Commissioner to Ms Sarah Olney, 16 November 2017

When I wrote to you on 13 June, I said that I would consult the Committee on Standards at the earliest opportunity about whether to continue my inquiry into the allegation made by Ms Anne Speak in February of this year. I am sorry that so much
25 time has since elapsed but, as you may be aware, the Committee on Standards was one of the last to be constituted after the General Election.

I raised this matter at the Committee's first meeting, which took place earlier this week, and I am writing to you now to let you know that I am resuming the inquiry. I am writing to Ms Speak today and I will update the information on my webpages
30 in the next few days.

I have today written to the Director of Accommodation and Logistics Services, [name redacted], to seek her advice, in accordance with my usual practice when considering an allegation of misuse of House-provided resources. I enclose a copy

⁶ Not reproduced here

of my letter to her for information. I will give you the opportunity to comment on her advice before I reach a decision on this matter.

As before, this matter remains protected by parliamentary privilege and you should not share the contents of our correspondence with any third party.

- 5 I am conscious that it is now some considerable time since I began my work and I will, of course, complete it as soon as I am able to do so.

16 November 2017

7. Letter from the Commissioner to the Director of Accommodation and Logistics Services, 16 November 2017

- 10 I would like to ask for your advice on an allegation I received in February concerning Ms Sarah Olney's use of House of Commons stationery and postage pre-paid envelopes. I suspended my inquiry during Dissolution and, given that Ms Olney was not returned after the General Election, I have sought guidance from the Committee on Standards before resuming my inquiry this week.

- 15 In essence, the allegation I am investigating is that, contrary to the rules of the House, Ms Olney made use of House of Commons stationery and pre-paid envelopes for what appear to be party political purposes.

- 20 I enclose the relevant correspondence, together with the papers that led to the inquiry. Ms Olney has told me that the letter was produced using House-provided paper and it is clear that the envelopes were House-provided. (Ms Olney used postage pre-paid House of Commons envelopes.) Ms Olney has also told me that she/her office sought advice from the "Parliamentary Standards team" prior to dispatching this letter. She has not clarified for me to whom she is referring. Rather than delay matters further to try to obtain that clarification, I would be grateful to have a copy of any records your team have of giving advice on this matter. If there is no record of advice having been given, it would be helpful to have your comments on the advice your staff routinely give, including any advice they would offer Members about providing the addresses (email, website or otherwise) of party political organisations as part of communicating about parliamentary matters.

Please would you let me have your advice on whether, under the guidance given to Members on the use of stationery and postage-paid envelopes provided by the House of Commons, you consider the use of any House-provide stationery for these mailings was within the acceptable use of House-provided resources.

- 35 It would be very helpful to have your response to this letter by 30 November 2017. Thank you for your assistance.

16 November 2017

8. Email from Ms Sarah Olney to the Commissioner, 20 November 2017

Thank you for your letter dated 16 November 2017, which I received on Friday evening.

5 Your colleague kindly explained to me the process for investigating complaints when I called your office just after the General Election was announced, so I was aware that the investigation would be held open and that there would be a delay in resuming enquiries.

10 I note from your letter to [the Director] that I have not provided sufficient clarity around whom I sought advice from before dispatching the letter about which the complaint was made. I thought it would be helpful if I gave some further information about the circumstances of the letter which may assist with your enquiries.

15 To provide some background, you will probably be aware that I was first elected to Parliament on 1st December 2016, through a Parliamentary by-election. As a very new and inexperienced MP, I hired a member of staff who had already had considerable experience of working for an MP and who came very highly recommended by other party staff. I relied on this person to advise me on how best to carry out my responsibilities as an MP and how to navigate Parliament.

20 It was his suggestion that I could write to constituents about the ongoing consultation on Heathrow expansion and that, as long as the letter was non-political, it would be acceptable to use Parliamentary stationery and postage. I asked my member of staff to check with the appropriate authorities that the letter we were proposing would be an acceptable use of such facilities. I relied on him to know who the "appropriate authorities" would be in this case, so I'm afraid I can provide no further information on exactly who he contacted.

25 I distinctly recall asking him, before we started producing the letter, that he had definitely received approval from the authorities that the letter was acceptable and asking him to guarantee that it was OK to send out. His response was to say that he had checked and that it was fine. It was my impression - and certainly my expectation - that this meant that he had emailed a copy to the right person and
30 received a sign off to say that it was fine to send.

I have subsequently understood - through another phone call to your office - that it ought to have been made clear to us that, although the Standards' Commissioner's office can provide advice or guidance, the final judgement as to whether a letter abides by the guidelines is ultimately for the MP to decide. This advice was not
35 passed on to me by my staff member at the time. I assumed that the approval I thought I had received was a confirmation that the letter observed all the guidelines.

Therefore, when the letter went out, I was confident that I had sought and received all the appropriate approvals for the use of House stationery and that I had therefore complied fully with the rules.

When you contacted me to make me aware of the complaint about the letter, I asked my member of staff to produce the email that I was under the impression had been received from the Standards Commissioner to "prove" that the letter had been deemed acceptable to send. This was when I first discovered that no emails had
5 been exchanged and that my member of staff had merely read selected passages of the letter out over the telephone. Consequently, I was not able, in my response to your letter, to provide the evidence I expected to have that the letter had been approved. My member of staff was not able to recall who he had spoken to, which is why the letter refers vaguely to the "Parliamentary Standards Team".

10 I no longer have copies of the original letter I sent out to constituents or the subsequent exchange between ourselves, so I am unable to comment any further about the contents of my response to your letter. If there is anything else about which you require clarification, please do not hesitate to get in touch.

15 I hope the above has been useful and look forward to a swift resolution to your enquiries and resolution of this investigation. Should you wish to contact me by telephone, my number is [redacted].

20 November 2017

9. Email from the Commissioner's office to Ms Sarah Olney, 23 November 2017

20 [The Commissioner] asked me to let you know that she has shared your email of 20 November with [the Director] so that [she] may take this into account when responding to [the Commissioner's] letter of 16 November.

23 November 2017

10. Letter from the Director to the Commissioner, 23 November 2017

25 Thank you for your letter dated 16 November 2017 concerning a complaint you have received from Ms Speak regarding Sarah Olney's use of stationery.

I note that Ms Olney's response to you dated 14 March 2017 states that her correspondence was checked with the Parliamentary Standards team prior to it being sent out. I have investigate the House's document management system and unfortunately can find no record showing an approach from Ms Olney or her office
30 to either me or my team.; although it is entirely possible that IPSA colleagues may have been consulted and I would have no sight of that. When my team and I provide guidance to Members it is with the proviso that 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
35 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 for you as Commissioner for Standards to rule on individual cases, and our guidance cannot in any way bind your decisions.

On the substance of the complaint and the use of addresses of party political organisations when communicating about parliamentary matters; I have written to you previously in relation to links to party-funded websites being included in correspondence. My view is the inclusion of this form of references can lead the recipient to believe that the correspondence is in some way political in nature and thus in contravention of the rules that exclude the use of stationery and postage:

5
10 "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."

I hope this response is helpful.

23 November 2017

11. Letter from the Commissioner to Ms Sarah Olney, 27 November 2017

15 Thank you for emailing my office last week. As you know, we forwarded your email to the Director of Accommodation and Logistics Services to inform her response to my letter of 16 November.

20 I have now received the Director's reply and I enclose a copy of her letter for your information. I would welcome your comments on her advice which is, in essence, that she would have recommended against including a link to a party-funded website in correspondence written on House-provided stationery.

Once I have your comments, I hope to be in a position to make a decision on the allegation. I would be grateful if you would let me have those comments as soon as possible, and no later than 11 December 2017. I am happy to receive them by email, if that is more convenient for you.

25 *27 November 2017*

12. Email from Ms Sarah Olney to the Commissioner, 4 December 2017

Thank you for your letter dated 27 November which I received last week. I'm grateful to you for the swiftness with which this investigation is being conducted and I hope that it can soon be concluded.

30 You have invited me to respond to the letter you have received from [the Director of Accommodation and Logistics Services] in which she states that she has no record of any approach from me or from my office.

35 I refer you to the email I sent last week outlining the actions I took. As I explained in that email, I instructed a staff member from my office to contact the appropriate authorities to gain clearance that we were using parliamentary stationery in the

manner for which it was intended. I had expected that the contact would be made by email and did not find out until after the complaint was received that the contact had been made by telephone.

5 As I further laid out in my email, I asked my member of staff several times to ensure that the letter had been cleared by the appropriate authorities and I did not authorise the distribution of the letters until I had received assurances from him that clearance had been received. I would not have dispatched the letter if I had not believed that the letter had been properly reviewed and cleared.

10 As the link to the website was part of a letter which I thought had received clearance I did not consider it a separate risk. Naturally if I had received guidance which had told me that it was an issue I would not have included it in the letter.

15 Having insisted that I would not send the letter out without the approval of the House authorities, and having checked with my staff several times that that approval had been received, I do not know what else I could have done to ensure that the letter was compliant with the rules.

I am obviously distressed to discover that the letter was not reviewed and approved in the way that I had requested it should be, and can assure you that, had I been given correct information by my member of staff, I would not have sent the letter in the form that you have seen it.

20 Thank you for giving me the opportunity to respond to [the Director's] letter and I look forward to hearing from you further.

4 December 2017

13. Letter from the Commissioner to Ms Sarah Olney, 7 December 2017

25 Thank you for your email of 4 December 2017. I now have enough information to make a decision on the allegation that you acted in breach of paragraph 15 of the Code of Conduct for Members in February 2017 by using House-provided envelopes to write to the Speak family and others about a public consultation exercise.

My decision

30 I have considered the matter very carefully and decided that the inclusion of the web address www.saraholney.org.uk in your letter amounted to a breach of the rules on the use of House-provided stationery because that hyperlink directed the reader to www.rplibdems.org.uk; an official Liberal Democrat party website. In your letter you offered constituents a template for responding to the Government's consultation on a draft *Airports National Policy Statement*, and that template was
35 hosted on the website of the Richmond Park Liberal Democrats, a site which was explicitly published and promoted by the party and on which financial support for the party was solicited.

In light of those facts and the Director's advice, I uphold the allegation that your use of House-provided stationery amounted to a breach of paragraph 3 of the stationery rules, which prohibits the use of House-provided stationery "*in connection with work for or at the behest of a political party*".

5 **Reasons for my decision**

The information you have provided about how this mailshot came to be distributed is helpful but, as you know, paragraph 15 of the Code says explicitly that 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 matter.*"

The Director's advice on the inclusion of the details of the website is clear and you have confirmed that you would have followed that advice had you received it. However, given your account of steps you took to avoid a breach of the rules, I accept that the breach was inadvertent. Nonetheless, it was a misuse of public resources.

15 **Resolving this inquiry**

I need now to consider how best to resolve this matter.

Under Standing Order No 150, I am able to resolve an inquiry, without submitting a full and formal memorandum to the Committee on Standards, using the "rectification" procedure. With your agreement, I would be ready to consider resolving this matter through that procedure. I would inform the Committee of the outcome and my decision letter, with all the relevant correspondence, would be published on my webpages in due course.

Under the rectification procedure, the Committee would normally expect the Member to have acknowledged their breach of the Code, apologised and taken any steps necessary to rectify the error. In this instance, this would involve acknowledging and apologising for the breach and refunding the cost of the misused stationery. I would consider that to be an appropriate resolution to this inquiry.

On the basis of the information you have provided the cost of the stationery misused on this occasion (3,200 2nd class postage-prepaid envelopes @ £150.45 per 250 = £1,925.76) and 3,200 sheets of plain photocopier quality white paper @ £12.40 per 2,500 = £15.87) would be £1,941.63. (In all the circumstances, I have decided not to extend my inquiry now into your wider use of House-provided stationery during your period of office.)

If you agree, I would give you an opportunity to see the letter I will send to Ms Speak and the evidence which will be posted on my webpages, before I conclude my inquiry. I would also explain how to make a refund to the House authorities. The content of the letter to Ms Speak will be, of course, a matter for me alone but you will have the opportunity to comment on its factual accuracy.

It would be very helpful if you would let me know by 6.00pm on 19 December 2017 whether you would like me to rectify the complaint on the basis I have suggested.

In the meantime, this matter remains protected by parliamentary privilege and the contents of our correspondence should not be disclosed to any third party.

5 *7 December 2017*

14. Email from Ms Sarah Olney to the Commissioner, 12 December 2017

Thank you for your letter of 7th December, providing your decision and outlining your proposal for concluding this investigation.

10 I acknowledge that the letter I sent was an inadvertent breach of the Code of Conduct for Members and I offer my sincerest apologies that this breach occurred.

I am happy to accept your proposal for rectifying this breach and would be grateful if you could forward the details of how the refund should be paid.

I am grateful, as ever, for your swift actions in this case and look forward to it being concluded.

15 *12 December 2017*

15. Letter from the Commissioner to Ms Sarah Olney, 14 December 2017

20 Thank you for your email of 7 December 2017, confirming your acceptance of my decision and your agreement that it should be concluded through the rectification procedure. I am grateful for your prompt and helpful responses, particularly as it has – by necessity – been delayed for procedural reasons.

25 I said that I would give you an opportunity to comment on a draft of the letter I propose to send to Ms Speak. While its content is a matter for me alone, I would welcome any observations you wish to make on its factual accuracy. (The draft letter is the first item after the summary, in the enclosed written evidence pack.)
Once I have any comments you wish to make, I will finalise the letter to Ms Speak, send you both a copy of the final evidence pack and post the pack on my webpages shortly after.

30 All that remains is for you to make the refund of £1,941.63 to the House Authorities. You may do that either by electronic transfer using the following details [redacted] or by sending a cheque payable to HOC MEMBERS 2 to my office. If you choose to make an electronic transfer, I would be grateful if you would send me a copy of the confirmation of the transaction.

I would be pleased to have any comments you wish to make on the draft letter to Ms Speak as soon as possible and no later than 29 December 2017.

Our correspondence continues to be protected by parliamentary privilege until I send you and Ms Speak letters concluding this inquiry.

14 December 2017