

Rt Hon David Blunkett MP: Resolution Letter

Letter to Mr Tony Kennick from the Commissioner, 19 January 2009

I am writing in response to your letter of 20 December with your complaint against Mr David Blunkett MP about his apparent use of the House of Commons Communications Allowance to send a survey card to people outside his constituency.

In essence, your complaint was that Mr Blunkett had used the Communications Allowance to communicate to people who are not his constituents and for party political or campaigning purposes.

I have checked the position with Mr Blunkett. Despite what is said in the imprint on the card, no parliamentary resources were used for this survey. The reference to funding from the Communications Allowance was a mistake made by the printer who used the wrong pro-forma. It was, and was intended by Mr Blunkett to be, a Labour party survey. Mr Blunkett has accepted that he or his staff should have checked the small print, and he has made very clear that such a misunderstanding must not occur in future.

I am satisfied, therefore, that Mr Blunkett neither sought nor received any Parliamentary funding for this survey card. Therefore, there was no breach of the rules of the house. Accordingly I have dismissed your complaint on this basis.

Thank you for raising this with me.

I am copying this letter to Rt Hon David Blunkett MP.

19 January 2009

Rt Hon David Blunkett MP: Written evidence

1. Letter from Mr Tony Kennick, to the Parliamentary Commissioner for Standards, 20 December 2008

Please find enclosed a postcard/flyer I have received from David Blunkett, which I would like to bring to your attention. The reason I think it falls within your purview is the small print that states it has been paid for using Mr Blunkett's communication allowance.

It is my understanding of the Communications Allowance is that it "may only be used to help Members inform their constituents" and "It cannot be used to meet personal costs, or the costs of party political activities or campaigning" and I think this item fails on both counts.

Firstly as you can see, it was sent to me as someone who is not a constituent of Mr Blunkett. Secondly it is quite clear by the fact that is to be returned to the local Labour party freepost address and it solicits personal details for their marketing database (hence the data protection opt out at the bottom on the return side) that this is not in any way for parliamentary business.

Based on these points I would like to formally register a complaint that this is a misuse of the communications allowance and hope to hear from you soonest on this matter.

20 December 2008

2. Leaflet circulated by Rt Hon David Blunkett MP

I want to know your views ...

As you probably know, I have been the MP for the Brightside Constituency here in the North of Sheffield for the last 21 years. However, the existing boundaries are being changed - and from the next General Election will include your neighbourhood in the new Brightside & Hillsborough Constituency, which I hope to represent.

Of course, your hopes and concerns have nothing to do with Parliamentary boundaries - but as the person the local Labour Party have chosen to stand as candidate at the next General Election, I'd like to know your views on a number of key issues.

I want to be able to make a difference, and be the voice of people in the new constituency as I have endeavoured to be since first elected to Parliament. Please help by filling in and returning this Freepost questionnaire - so we can listen, learn and work alongside each other to bring about change for the better and make a difference for the future.

Yours sincerely

1. Which of these problems most concerns you at the moment? Please list in order of priority - 1 being the most important

- Rising food prices
- Rising petrol and diesel prices
- Rising gas and electric prices

2. Do you think that enough is being done to help young families in your area to find housing? Yes No
If you have small children, are you having difficulty with:

- Childcare Yes No
- Nursery provision Yes No

3. Do you feel that crime levels in your area are higher or lower than they were 10 years ago?

Have you had personal experience of anti-social behaviour? Yes No

Have you had personal experience of other criminality? Yes No

4. Are you happy with local health services? Yes No

Thank you for taking the time to help.

Photocopy to 'Send to David Blunkett MP by Post' Freepost, Avenue Road, Manor Street, Sheffield S2 1JL. The cost of printing this document is paid for by David Blunkett's constituency office.

Your details Please complete this survey card and return it to David Blunkett.
No stamp is needed

Name: _____

Address: _____

Home phone number: _____ Postcode: _____

Email: _____

I normally vote: _____ at elections. Next time:
 I will do so again, or I will vote: _____ instead

Are there any other issues you would like to raise? Please let me know:

The Labour Party may use the information you provide to contact you on the Labour site and our mailing lists. We will not pass your details to any other organisation or individual. Please tick this box if you do not want to be contacted.

No stamp needed

David Blunkett

Sheffield

Your details Please complete this survey card and return it to David Blunkett.
No stamp is needed

Name: _____

Address: _____

Home phone number: _____

Postcode: _____

Email: _____

I normally vote: _____ at elections. Next time:
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Are there any other issues you would like to raise? Please let me know:

The Labour Party may use these details to contact you in the future. We will not supply these details to any external organisation or individual. Please tick this box if you do not want to be contacted

No stamp needed

David Blunkett
Sheffield Labour Party
FREEPOST SF1446
Sheffield S2 1ZZ

3. Letter to Rt Hon David Blunkett MP from the Commissioner, 7 January 2009

I would welcome your help with a complaint that I have received from Mr Tony Kennick of [address] about a survey card apparently funded from the House of Commons Communications Allowance.

I attach a copy of the complainant's letter of 20 December 2008 together with a copy of the survey card which he enclosed. In essence, the complaint is that you have used the Communications Allowance to communicate to people who are not your constituents and for party political or campaigning purposes, contrary to the rules of the House.

The Code of Conduct for Members of Parliament provides in paragraph 14 as follows:

Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the House on the use of such expenses, allowances, facilities and services.

Rules in respect of the use of the Communications Allowance were set out in a booklet published in April 2007. Appendix 1 to that booklet sets out a new section 6 of the Green Book dealing with the Communications Allowance. Paragraph 6.1.1 of the new section provides as follows:

The Communications Allowance (CA) is available to meet the cost of Members engaging proactively with their constituents through a variety of media. It can be used for the production of unsolicited communications within the parameters set out in this Section.

The CA may only be used to help Members inform their constituents about what they have been doing and to consult them on issues of importance to them locally. It cannot be used to meet personal costs or the costs of party political activities or campaigning. The main areas of expenditure available from the CA are outlined below.

It is each Member's responsibility to ensure that all expenditure funded by the CA is wholly, exclusively and necessarily incurred on their Parliamentary duties.

Appendix 2 sets out more detail rules and guidance on the use of the Communication Allowance. Paragraph 6 and 7 of that appendix includes the following principles:

6. *The purpose of the publication must be to inform constituents about your work as a Member, consult with constituents or local groups, or provide information about how to contact you.*
7. *No party political or campaigning material is allowable in any part of a publication funded, wholly or in part, from the allowance.*

Paragraph 14 includes among the material likely to be allowable:

- *Surveys*
- *Surveys/Questionnaires—relating to matters importance locally or for use by the Member locally*

Paragraph 15 provides that the Communications Allowance must not be used:

- *To advance prospective or arguments with the intension of promoting the interests of any person, political party or organisation you support, or damaging the interests of any other such person, party or organization ...*
- *For surveys or questionnaires linked to party political or national campaigning.*

6 November 2007, Mr Speaker made the following statement in the House:

“As Members, we are aware that the boundary commissioner is looking constantly at constituency boundaries. All Members have a duty to look after the constituents who elected them. Those boundaries do not change until the next election, so we must obey the convention by not involving ourselves with another Members' constituency until that time.”

I would welcome your comments on this complaint taking account of the Rules in the respect of the use of the Communications Allowance. In particular, it would be helpful to know:

- i. Why you decided, if you did so decide, to use the Communication Allowance for this postcard survey outside your constituency;
- ii. The number of postcards funded from the Communication Allowance which you distributed;
- iii. What costs were met from the Communications Allowance and the sum involved, including whether Parliamentary Allowances were used for the delivery of these postcards and for the cost of the free post facility;
- iv. Whether you consulted the House authorities about the funding of this postcard survey in advance and, if so, what response you received.

Any other comments or help you can give me with this complaint would, of course, be very welcome.

I enclose a note which sets out the procedures I follow in considering complaints. I have written to the complainant to let them know that I have accepted their complaint and am asking you about it. I hope you might be able to let me have a response to this matter in the next four weeks. If there is any difficulty about this, or anything that you would like to ask about it, please contact me at the House.

I am grateful for your help on this matter.

7 January 2009

4. Letter to the Commissioner from Rt Hon David Blunkett MP, 13 January 2009

Thank you for your query of 7 January arising from an approach made by Mr Tony Kennick of [...].

I am very happy for you to send this reply or any other relevant material to Mr Kennick, who has raised a perfectly valid query. In fact, were the situation to be that which would naturally appear to Mr Kennick to have been the case, then there would have been a perfectly legitimate complaint against me for the misuse of parliamentary resources.

I am pleased to tell you that this is not the case. Dealing with the pro forma questions that you quite rightly raise with me, I will clarify the situation.

No, it was not intended that I should use the Communications Allowance for this particular survey. This was never my intention and had it been the case, I would of course not have had it delivered in an area not yet inside my constituency boundaries, nor would I have used the Labour Party's freepost (I could legitimately have used my own office); nor would I have mentioned the Labour Party.

Therefore, no expenditure from the Communications Allowance was ever sought from the Finance and Administration Department and no such funding was used, either for the delivery of this survey card, or any other purpose relating to it.

As this was, as identified by Mr Kennick, a Labour Party survey, I did not need to, nor did I seek to, get the clearance from the Finance and Administration Department which I have already undertaken to do in advance of the mandatory arrangements which are in effect from April.

The mistake, although simple, is therefore clearly that of the printer (and of course myself and those working on my behalf), for not having checked the final small print wording before the card was delivered. This is our mistake and this should not have happened. In fact, the printer that I have used (and which politicians of all three major parties have used) has always been scrupulous to the point where they have clearly sought to be transparent about the source of funding. In this case, however, they have used a pro forma which was clearly in error. This mistake arose from the fact that they used a pro forma for previous, legitimate leaflets, which had been promptly paid for via the Communications Allowance; hence their mistake in making reference to a source of funding which was neither appropriate nor used.

For the absence of doubt, I am enclosing confirmation of this from the printer—including the worksheet— and I'm also very happy for you to approach the Finance and Administration Department, to whom I will copy this note, for confirmation that no such funding has ever been sought nor paid (the sum involved being £355).¹

I hope that this clarifies the issue, but I am very clear that such a misunderstanding must not occur in the future, not least in terms of avoiding suspicion where suspicion should not lie. I have been painfully aware of the rules, not least in monitoring, as all political parties do, surveys undertaken by our political opponents (for instance in relation to the National Health Service) and the source of funding and proper details of the printer/publisher—not least when those issuing such surveys are located in the same offices as the Member of Parliament.

I would be more than happy to speak to you about these matters if you felt it would be of help. In the meantime, as indicated earlier, I am very happy for you to let the complainant have a copy of this response— with the further reassurance that any parliamentary activity arising out of the survey (as opposed to the appropriate usage by the political party) will be through the sitting Member and, therefore, will not involve a misuse of my resources.

13 January 2009

5. E-mail to the office of the Rt Hon David Blunkett MP from printing company, 8 January 2009

Firstly, our apologies, for we should never have left the note about payment on David's survey card. These cards—we printed 6000—were based on a 'non-political' model we had produced earlier in the neighbouring Hillsborough constituency. We changed the return address and one other reference, at which point we should have removed the note. So, once again, our apologies.

To avoid any misunderstanding at the time, the job sheet was endorsed '*Inv to DB personally. (Not Fees Office)*' and the Fees Office should be able to confirm that no invoice was sent to them for this work. In fact, the bill was settled by the local Labour Party, as indeed had always been the intention. The job was collected and payment settled by [...] a local Party activist, who was our contact.

A scanned copy of our Job Sheet is attached. I hope this will remove any lingering doubts that might remain over this matter.

8 January 2009

6. Letter to Rt Hon David Blunkett MP from the Commissioner, 19 January 2009

Thank you very much for your letter of 13 January about Mr Kennick's complaint in respect of the survey card you sent to people outside your constituency.

I am most grateful to you for having set out the position so fully. On the basis of this, I do not need to make further enquiries. I have dismissed the complaint. I attach a copy of my letter to Mr Kennick to let him know of this decision.

Thank you for your help on this matter.

19 January 2009

¹ The letter is included at WE 5