

# Mr Bill Rammell MP: Resolution Letter

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## Letter to Mr Daniel Brett from the Commissioner, 14 April 2008

I have now completed my inquiries into your complaint against Mr Bill Rammell MP about the work of his Parliamentary research officer, [name], which my predecessor received from you on 6 December last year. I e-mailed you on 29 January following your e-mail to me, to let you know that I was pursuing the matter.

I have now received a full response from Mr Bill Rammell and advice from the Department of Resources in the House of Commons. I am satisfied from these responses that there was no breach of the rules in respect of the time [his research officer] spent on work in support of the Harlow Labour Party, but she should not have used Parliamentary e-mail facilities, including identifying herself as Mr Rammell's researcher, in undertaking this work. To have done so was a breach of the rules. I have not found any breach of the rules in respect of Mr Rammell's advertisement for a Parliamentary Communications and Community Engagement Manager.

It is open to a member of staff working for a Member of Parliament and paid for from Parliamentary resources to undertake in their own time other activities, including activities of a party political nature. [This employee's.] work on behalf of the Harlow Labour Party was either undertaken out of her normal contracted hours (as some of the e-mails attached to your letter show) or she was taking time off in lieu of the additional hours she spent supporting Mr Rammell in the evenings and at weekends in the course of his Parliamentary duties. Such time off in lieu is a normal and accepted part of the terms for staff employed by Members on Parliamentary business.

Mr Rammell has, however, accepted that it was not appropriate for [his researcher] to use the Parliamentary e-mail facilities for the e-mails she sent in support of the Harlow Labour Party. It was all the more unfortunate as these e-mails carried the automatic signature identifying [his researcher]'s position in Mr Rammell's office. Mr Rammell has taken action to rectify the position. He has instructed his staff that no Parliamentary facilities—and particularly no e-mail accounts—should be used for any activity that either was linked or could be construed as being linked to direct political campaigning. He has also instructed his staff to remove from their Parliamentary e-mail contact databases any mailing lists of Labour party members in twinned constituencies. And he has briefed all his staff on their responsibilities under the Code of Conduct for Members and its associated rules. Taken together, these actions are intended to ensure that there is no recurrence of the circumstances which led to your complaint.

I have also considered the draft advertisement for Mr Rammell's Parliamentary Communications and Community Engagement Manager. Taking account of the normal procedures of the House, I am satisfied that there is nothing in the content of the advertisement which breaches the House's Code of Conduct. It is a fair reflection of the duties and qualities which can provide appropriate support for a Member in undertaking their parliamentary business.

I have, therefore, upheld your complaint only in respect of the use by Mr Rammell's researcher of parliamentary facilities for party political purposes, which was a breach of the rules. Mr Rammell has accepted that this was inappropriate and I am satisfied that Mr Rammell has taken appropriate action to ensure there is no recurrence. On that basis, I regard this matter as closed. I shall notify the outcome to the House of Commons Committee on Standards and Privileges.

I am copying this letter to Mr Bill Rammell and to the Department of Resources. Thank you for raising your concerns with me.

*14 April 2008*

# Mr Bill Rammell MP: Written Evidence

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## 1. Letter to the Commissioner from Mr Daniel Brett, received on 6 December 2007

I am writing to lodge a complaint against Bill Rammell MP regarding the use of parliamentary facilities for party political campaigning.

Ahead of two local council by-elections in Harlow, Mr Rammell's constituency, held on 25 October, I received e-mails from his parliamentary office, signed by his parliamentary researcher [name], which detailed instructions on campaigning for the Labour party candidates. I have enclosed these e-mails, including the full headers to confirm that they are authentic and were sent from Mr Rammell's office in the House of Commons. I do not know why I received these e-mails as I have never been a constituent of Mr Rammell or a member of the Harlow Constituency Labour Party. It is clear that the intended recipients are Labour supporters in Harlow and in neighbouring constituencies. I believe that [his researcher]'s use of her MP's parliamentary facilities to carry out her role as Harlow CLP's campaign manager is an inappropriate use of public funds and could breach the Code of Conduct. If parliamentary researchers are allowed to engage in party political organisation on behalf of their MPs' local parties, then it would constitute a public subsidy to political parties.

Before contacting you, I have taken advice from a number of sources and there is consensus that there is enough prima facie evidence of a breach of the rules for your office to launch an investigation. I was also concerned that, since these e-mails are marked confidential, I would be breaking the law by disclosing the e-mails from Mr Rammell's office. However, I am now convinced there is sufficient public interest to send you the e-mails.<sup>1</sup>

In the context of these e-mails, Mr Rammell has also advertised for a vacancy in his office for a Parliamentary Communications and Community Engagement Manager,<sup>2</sup> which would involve work that contravenes the Code of Conduct and which I feel should be reviewed.

*Received 6 December 2007*

## 2. E-mail to Mr Daniel Brett from [Mr Rammell's employee], 4 September 2007

Harriet Harman—our new Deputy Party Leader—will be in Harlow tomorrow afternoon to help with our local campaigning.

2 longstanding Labour Councillors in Harlow have sadly died in the last 10 days so it's been a difficult fortnight for the local party and we now face the prospect of two by-elections in the coming weeks. It is of course imperative that we win these - both for the future leadership of Harlow Council and in the context of the wider general election campaign.

As a member of one of Harlow's "twinned" constituencies for the general election (whenever it may be!) Bill Rammell and Harriet would be really grateful if you could therefore make it over to Harlow tomorrow to join them on the doors for an important voter contact session.

She will be out on the doors with Bill tomorrow afternoon—Wednesday 5th September—starting at 3:10pm. We'll be meeting outside the NW Essex Adult Community College on [address]

A map link is below.

...

I know it's a bit short notice (unfortunately it's usually the way with ministerial visits!) but I hope you can make it.

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<sup>1</sup> WE 2 to WE 6

<sup>2</sup> WE 7

We'd really appreciate a great turnout from our twinned CLPs—it's a great opportunity to talk to residents, raise some issues, show her how we campaign in Harlow, get some positive press coverage etc .

Please let myself [phone number] or our constituency organiser [name] [phone number] know if you can attend.

*4 September 2007*

### **3. E-mail to Mr Daniel Brett from [Mr Rammell's staff member], 5 October 2007**

I don't know whether the PM will call a General Election next week but if he does we have to be ready. So we've been making preparations for a flying start!

THIS WEEKEND—FROM SATURDAY AFTERNOON—we will have a variety of jobs that we need assistance with

- a) leaflet delivery;
- b) labelling and envelope stuffing;
- c) data inputting on the computer;
- d) looking up telephone numbers
- e) putting sticky corners on posters;
- f) printing and photocopying;
- g) phoning etc

If you can help please let us know either by return e-mail or by phone to the office on [phone number] or to one of the campaign team (mobile contact's are below).

Then, whatever day Gordon may call it (if he calls it!) we will be leafleting our “flying start” material that afternoon /evening—so please do come across to help.

THROUGHOUT THE CAMPAIGN—we will of course have lots of work to do every day:

- a) Leaflet delivery
- b) Doorstep contact work
- c) Telephone contact work
- d) Data inputting on the computer
- e) Helping with the printer and folding machine (they are easy to use but training will be provided!)
- f) We will also need office /admin support—we'll have a rota of people who can help man the phones so let us know if you can help with that (given the attention that will focus on Harlow I'm expecting an enormous number of calls so this will be an essential job!)
- g) Anyone who can help out managing the candidates diary / draft basic correspondence would also be a real help!

#### CONTACTS

Should the campaign be called, key contacts will be:

[...]-campaign organiser-[phone numbers] or [e-mail address]

[...]—volunteer co-ordinator—[phone number]  
[e-mail address] [...] is also the PPC for [...]—so CLP twinning is in action!

[...]— campaign manager—[telephone number/ e-mail address]

#### DONATIONS

A number of members in our twinned CLPs have asked how they might make a donation to our “Make Harlow Count” campaign. We would be most grateful for any financial support that you can provide. Donations can be sent to [name] (Make Harlow Count), Treasurer, Harlow Labour Party [address].

#### BY-ELECTIONS—THURSDAY 25TH OCTOBER

Regardless of whether we have a General Election we will have 2 critical By-Elections on Thursday 25th October (and yes, they will still take place even if there is a general election!!)—so please put this date in your diary as well.

#### DIRECTIONS TO THE CAMPAIGN HQ

The office at [address] (map is attached below) will be open all weekend—but for security reasons the main access door to the building will be locked on Sat afternoon and on Sunday— so please be sure to phone ahead and warn us you're coming or bring your mobile with you and call us when you arrive!

The office is ... in Harlow town centre. It's ext to the Post Office (in the top right hand quadrant of the attached map)

The nearest car parking is the public car park on Post Office Road.

[location references]

I genuinely don't know whether there will be a General Election—I have no “insider” info! It will be a very difficult decision for the PM alone.

But if he does go for it, we want to be ready for a flying start in Harlow—so any help you can offer us would be great and much appreciated!

*5 October 2007*

#### **4. E-mail to Mr Daniel Brett from [Mr Rammell's staff member], 6 October 2007**

Just a quick line to thank everyone from our twinned CLPs who came across to Harlow today to help with our preparations for a general election.

We now know it's not going to happen but the work is not wasted—we have got a lot of leafletting done—all of which contributes to the overall effort—and we've got a much clearer idea today of our strengths and weaknesses for any campaign in the future.

We cannot afford to let the momentum go—we now face 2 critically important by-elections on Thursday 25th October. Without doubt the Tories will now be throwing everything at these—and there will be huge outside / media interest in them. We have to win!

So we must keep going over the next couple of weeks—on Monday there will be leafletting available from the office—finishing off the last of the direct mail and the by-election ward leaflets. If anyone can help on Monday / Tuesday please contact [name] in the Harlow office on [phone number].

And if you can help in the run up to the by-elections, and particularly on the day, we would be most grateful.

6 October 2007

## 5. E-mail to Mr Daniel Brett from [Mr Rammell's staff member], 19 October 2007

As you know Harlow has 2 important by-elections next Thursday, 25th October. Consequently we are organising a big push in this the final weekend of our campaign.

We will have teams out on the doorstep talking with Labour voters in the main estates around the ward and leafleting some of the smaller estates.

Our aim, by knocking on the doors of all pro-Labour households in our voter pool is to build a sense of urgency into the campaign and ram home the message that this by-election is not just about electing a councillor but is also a referendum on whether local people want to SAVE THE SQUARE—a well known local music venue enjoyed by hundreds of young people and threatened with closure by the Tories running the County Council!

We'd be grateful for any support you can offer—the campaign sessions & locations are listed below.

Please contact our Constituency Organiser, [name], who is organising the weekend's campaigning and let him know whether you're able to attend and if so which sessions— that way he'll know to look out for you!

[the organiser] can best be reached on [phone numbers]

THIS SATURDAY—we are in TODDBROOK ward

12 noon—meet at COPPICE HATCH SHOPS on TENDRING ROAD and do doorstepping/leafleting from 12 to 2pm

At 2pm the teams will take a lunch break in a nearby public house!

At 3pm we will reconvene once again at COPPICE HATCH SHOPS to do another few hours until 5/5:30pm ish!

Map link to Coppice Hatch shops, Tendring Road:

[\[internet address\]](#)

ON SUNDAY—we're focusing on LITTLE PARNDON AND HARE ST 11 am—meet at COLT HATCH SHOPS ON HOBTOE ROAD

At 1pm—we'll break for lunch in another nearby pub!

At 2pm we'll reconvene outside the HARE public house on Hare Street springs before calling it a day at around 4pm ish.

Map link to Colt Hatch shops:

[\[internet address\]](#)

Map link to Hare public house, Hare St Springs

[\[internet address\]](#)

We'd be grateful for any help you can offer us.

We will also have leaflets to deliver throughout next week and will of course need help on polling day. We will be circulating the contact details / arrangements for polling day at the start of next week.

19 October 2007

## 6. E-mail to Mr Daniel Brett from [Mr Rammell's staff member], 22 October 2007

Harlow has 2 District Council by-elections this Thursday, 25th October.

We'd be grateful for any help that members from our twinned constituencies can offer. These are Labour seats and we MUST hold on to them in the face of a lot of Tory pressure. We have a good local issue that we are hammering the Tories on but we need to drive the turnout on the day and given the inclement weather this obviously presents us with quite a challenge. So any help that members can offer would be great.

IF YOU CAN LEAFLET / KNOCK UP We have 2 Committee Rooms on the day:

Toddbrook Ward—the Committee Room is at [address]

The contact is [name] [phone number]

A map link to the location is below:

[internet address]

**Little Parndon Ward—the Committee room is the Labour Social Club [address]. (NOTE: the entrance and a small car park area is found at the back of the small row of shops)**

The contact is [name] [phone number] or [...]—[telephone number]

A map link to the location is below:

[internet address]

If you are coming please let us know in advance (and before Thursday if at all possible) when you are likely to arrive so we can ensure we have work set aside for you and someone from Harlow is available to accompany you/your team. It will also help us plan the distribution of volunteers across the wards.

We advise that if you are coming on the day and it's AFTER 4:30pm please head to the Toddbrook Committee Room at [...].

IF YOU CAN DO TELEPHONE KNOCK UP / CAR LIFTS / HELP ANSWER THE PHONE HOTLINE!

Our office will be the base of operations for car calls / telephoning voters all day. We will need help in there and have a rota of phones we need to fill. If you haven't done phoning before it's very easy—there will be people doing it who can show you the ropes & there will be scripts etc to help you.

If you don't like leafleting or knocking-up this is a great way to help out. Please let us know—ring [name] phone number] or [...] on [phone number]

The office is [address]

A map link is below. Also attached is a PDF of Harlow town centre where the office building is clearly marked next door to the Post Office (No 5 on the map) at the back of Market Square - the nearest car park is the public car park on Post Office Road. A map link is below.

[Internet address]

If you have any questions / concerns in advance, please don't hesitate to contact [name] [phone number] or [...] [phone number].

22 October 2007

## 7. Advertisement on w4mp.org.uk website, posted 31 October 2007

**Parliamentary Communications** Reference: 8874

**& Community Engagement**

**Manager**

**Working for**

**Salary**

Bill Rammell MP (Harlow)

In line with parliamentary guidelines (£23-27K) dependent on experience + 10% pension contribution

**Details**

Bill Rammell is seeking a highly motivated, well organised, Parliamentary Communications and Community Engagement Manager to assist him with his work in serving the needs of constituents in Harlow. This is an excellent opportunity for anyone interested in developing skills and experience in strategic communications and community engagement, working for an MP in a marginal seat who is an active constituency representative as well as a Government Minister.

Harlow is a New Town constituency facing significant challenges in the coming years particularly around housing and community regeneration. It is also the focus of considerable party political interest and activity as Bill Rammell has a majority of just 97 over the Conservatives and the Council is jointly run by Labour and the Lib Dems. The time between now and the General Election thus promises to be an exciting and challenging time for the MP and his staff.

Location: Westminster and Fridays in Harlow. Some out-of-hours work will be required.

### **Duties**

1. Strategic communications—Lead on the design and drafting of all strategic communications including the website, direct mail / constituency newsletters etc
2. Press liaison—Lead a proactive press strategy, acting as the liaison officer for the MP for all print press, radio and TV, assisting with the drafting of press columns / articles as required
3. Research & speech writing—Provide detailed research and briefing materials for constituency and parliamentary work as required and assist with the drafting of speech materials as necessary
4. Community engagement / stakeholder liaison—Operate as the primary point of contact for community stakeholders (local government, health,

education, voluntary and business sector representatives etc) providing proactive support to enable the MP to address issues of concern in Harlow in a timely fashion

5. Office, staff and budget management—Line manage all staff and volunteers in the Westminster and Harlow offices, co-ordinating work across the offices to ensure that the MP's agreed priorities and targets are met, and the work is carried out within budget

#### **Person Specification**

##### Knowledge

- Understanding / practical knowledge of the workings of Government / Parliament;
- General awareness of current affairs and proven grasp of political issues;
- Demonstrable commitment to and
- knowledge of the Labour Party's values, principles and policies;
- Broad knowledge of the media

##### Skills

- Excellent written and verbal communication skills;
- Logical, analytical thinking and ability to grasp complex issues quickly;
- Excellent interpersonal skills;
- Entrepreneurial, creative and willing to take the initiative in identifying opportunities and solving problems;
- Organisational and event management skills:
- Leadership: to organise and motivate staff/volunteers;
- Ability to prioritise work, deal with a variable workload and adapt to sudden pressures;
- Ability to work as part of a team but also to work independently on own initiative and with limited supervision;
- Handling confidential information and treating it appropriately;
- Excellent IT and administrative skills

#### **Closes**

5 pm on Wednesday 14 November 2007  
(Interview date: Saturday 24 november—TBC)

#### **Contact**

In writing with CV and covering letter/statement, setting out why you are interested in the post and

how you meet the Person Specification—send too  
 Bill Rammell MP, House of Commons,  
 Westminster, London, SW1A 0AA or by e-mail to  
 [...]

Website

[...]

Additional notes

31 October 2007

## 8. Letter to Mr Bill Rammell MP, from the Commissioner 11 December 2007

I enclose a letter of complaint I recently received from Mr Brett, who lives in a constituency near your own. You will see that Mr Brett complains that you have misused the facilities of your Parliamentary office (specifically the services of your Parliamentary research officer, [name], and Parliamentary e-mail facilities) to promote campaigning by the Labour Party in your constituency.

In support of his complaint, Mr Brett has enclosed copies of a series of e-mails he says he and others received from [your research officer] in the run-up to two local council by-elections in Harlow.<sup>3</sup> You will see that all the e-mails (copies of which I enclose) appear to have been originated by [that employee] and sent out from her Parliamentary e-mail address to local Labour Party supporters in ‘twinned’ constituencies, seeking their help in planned campaigning activity in Harlow. [The research officer] is identified in an e-mail dated 5 October 2007 as the party “campaign manager” in Harlow but signs all the e-mails in her capacity as “Researcher/Political Officer, Office of Bill Rammell MP”, giving as one of her contact telephone numbers the number assigned to her in your Westminster Parliamentary office and as the other the number of your constituency office.

Mr Brett also expresses concerns, in the context of these e-mails, about the content of the job of Parliamentary Communications and Community Engagement Manager you recently advertised, which he feels could involve work of a party political rather than a Parliamentary nature.<sup>4</sup>

As you know, paragraph 14 of the Code of Conduct approved by the House provides:

*“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.”*

It is a fundamental principle that resources or facilities provided by the House may not be used for party political and campaigning, but only for a Parliamentary purpose. Detailed rules relating to allowances contained in the Green Book circulated to all Members, spell this out. For example, the introduction to the Book by the House’s Director of Finance says:

*“It is your responsibility [as a Member] to satisfy yourself when you submit a claim, or authorise payments from your staffing allowance, that any expenditure claimed from the allowances has been wholly, exclusively and necessarily incurred for the purpose of performing your Parliamentary duties.”*

Section 6 of the Green Book on the Staffing Allowance makes clear that it cannot be spent on “staff who are employed on party political duties or non-Parliamentary duties”.

In accordance with the procedures set out in the enclosed note, I should be grateful if you would let me have your response to Mr Brett’s complaint. It would be helpful if this included an explanation as to why [your research officer] apparently sent out the e-mails in question from your Parliamentary office and in what capacity she was acting at the time. I note that while some of the e-mails were apparently sent out well outside normal office hours, others (such as that of 4 September) appear to have been despatched during normal office working time.

<sup>3</sup> WE 2 to WE 6

<sup>4</sup> WE 7

With the Christmas recess fast approaching, I appreciate that it may take you a little time to respond to this letter. I shall be stepping down as Commissioner at the end of this month. My successor is Mr John Lyon CB. It may therefore be that final consideration of the complaint will fall to Mr Lyon rather than to me. If you want a word with him or with me about the complaint, please do not hesitate to ring one or other of us on the number above.

I am copying this letter and enclosures to the Director of Operations in the House's Department of Finance and Administration, whom either Mr Lyon or I will consult when we have your reply to this letter. A copy also goes to the Assistant Serjeant at Arms.

*11 December 2007*

## **9. Letter to the Commissioner from Mr Bill Rammell MP, received 19 February 2008**

I write in response to your letter of 11th December regarding the above complaint in respect of the use of my parliamentary office and e-mail facilities and specifically the services of my researcher, [name].

Please accept my apologies for the delay in responding—this was caused by a combination of the holiday break, staff changes after Christmas, and the need to investigate the detail of the complaint in order to provide you with as full a response as possible.

[Name of employee] has been employed by me as my senior member of staff since February 2001. She has been employed to lead for me on constituency and parliamentary matters and her hours are the standard 35 hours set out in the parliamentary contract. She is a Labour Party member in the neighbouring constituency of Hertford & Stortford where she has lived for many years and prior to her employment by me. That constituency party has been twinned, along with other neighbouring seats, to my own Harlow constituency party for the purposes of campaigning over the last few years. As a result, in her own private time, [this employee] invests time in my constituency—and would be doing so even were she not in my employment. Therefore in her own time [she has assisted Harlow Labour Party in a campaign management capacity.

It has always been clear that that role should be out of office hours and in her own time—and I believe the timing of the e-mails included with the complaint broadly bear this out. As you yourself acknowledge in your letter most of the e-mails provided were sent at a time which would reasonably be recognised as outside normal office hours under the terms of her parliamentary contract.

With regard to the e-mail sent on Friday 5th October [my employee] had actually taken a day of her own annual leave in order to concentrate on preparations for a possible general election announcement over that weekend period and the e-mails sent on these days were therefore done in her own time. Had the general election been called [my research officer] would have been my campaign manager and as in 2005 would have taken annual leave and any time off in lieu owing to her in accordance with the guidance produced by the Fees Office in advance of a general election.

On occasion, in view of the hours worked by [my employee] over and above her contract particularly assisting me at meetings in the constituency in the evenings and at weekends, she would be provided with time off in lieu as there is insufficient capacity in my staffing budget to provide out of hours / anti-social hours payments. For example, in the late August-early September period she accompanied me to at least five meetings with constituents regarding problems at Harlow College and services at Princess Alexandra Hospital which were held variously on a Friday evening or Saturday morning—all of which were out of normal office hours and in addition to her normal 35 hour working week under the terms of her contract. [My research officer] has chosen on occasion spend some of her time off in lieu meeting her own political responsibilities in Harlow with respect to supporting the local party as a member of a twinned constituency.

I do not believe therefore that there has been a misuse of her services.

However, having reviewed the content of the e-mails and discussed them directly with [my employee] I accept that it was not appropriate for her to have used her parliamentary e-mail facility to send such e-mails out. In addition to the inappropriate use of that e-mail account I appreciate that it has caused unnecessary confusion with regard to her role and the proper parameters with respect to her employment.

For clarity, each e-mail sent out from her account carries an automatic “signature” detailing her role/contact details in respect of her formal employment—namely that she is my Researcher/Political Officer and can be contacted via either of my offices in Westminster or Harlow. You will see however, that on most of the e-mails she has sent out she provides within the body of the e-mail text her own personal mobile number as her primary point of contact. Additionally, in her e-mail of 5th October she clearly directs the recipients to contact [ phone number] which is that of Harlow Labour Party not my constituency office. This does, I believe, demonstrate that there was no attempt to misuse parliamentary facilities with respect to the phones / office—however, I accept that the parliamentary e-mail account should not have been used.

Having discussed the complaint with my staff I have taken the following action:

1. reviewed the Code of Conduct and Green Book requirements with my staff to ensure that everyone is aware of their responsibilities
2. instructed my staff that no parliamentary facilities—and particularly no e-mail account—should be used for the purposes of any activity that is or could be even construed as being linked to direct political campaigning
3. instructed my staff to remove any mailing lists held on their parliamentary e-mail contact databases for Labour Party members in twinned constituencies which were used by [...] for the purpose of sending out the e-mails referred to in this complaint

With regard to the advert for the post of Parliamentary Communications & Constituency Engagement Manager I do not believe that the terms set out contravene the rules and guidance of the House. In fact the post advertised is [...]’s job as she informed me in October 2007 that she would be leaving my office in January 2008. I posted the advert on 31st October after consulting the House guidance on employment of new staff, particularly in relation to salary guidance and job descriptions.

I do not believe that the duties set out are contrary to what would reasonably be expected of any senior member of staff in any MP’s office. Drafting strategic communications—funded by the Communications Allowance—is entirely appropriate; providing a press liaison function for me on constituency and parliamentary matters does not, I believe, contravene the rules and guidance; research and speech writing are essential functions of any MP’s senior staff member; and performing a “gatekeeper” style function for local stakeholders in the constituency is also a legitimate and appropriate use of staff time. The member of staff newly employed to this post has signed the normal parliamentary full-time contract and a job description in keeping with the advert has been submitted to and accepted by the Parliamentary Fees Office.

I hope that this provides you with the information and reassurance you require. If you have any further questions or wish to discuss it directly please do not hesitate to contact me on [telephone number].

*Received 19 February 2008*

## **10. Letter to the Director of Operations, Department of Resources from the Commissioner, 21 February 2008**

I would welcome your views on a complaint against Mr Bill Rammell MP in respect of the use of his Parliamentary office e-mail facilities and his researcher for Party political purposes.

[The former Commissioner] copied to you his letter of 11 December to Mr Rammell with the complaint and supporting material. I attach a further copy of that letter and annexes. I received on 19 February the attached letter from Mr Rammell. As you will see, he does not accept that there has been a misuse of his research assistant’s services paid for from his Parliamentary allowances, but accepts inappropriate use of her Parliamentary e-mail account and has taken certain action with his staff. He does not accept there is any issue in respect of the content of his advertisement for the post of Parliamentary Communications & Constituency Engagement Manager.

I would be grateful for your views on whether you agree with each of Mr Rammell’s conclusions, and for your views on the actions which he has taken.

Once I have received your response, I shall consider whether this is a matter which I need to put to the Committee on Standards and Privileges.

I am copying this letter to the Facilities Department since [the former Commissioner's] letter was copied to the Assistant Serjeant at Arms, in case there were any points affecting her responsibilities which she wished to make.

21 February 2008

## 11. Letter to the Commissioner from the Acting Director of Operations, Department of Resources, 25 March 2008

You wrote to [the Director of Operations] on 21 February about this case. As you know, I have taken over from [him].

The complaint against Mr Rammell relates to the use of Parliamentary e-mail facilities by one of his staff ([name]), and the use of her time for party political purposes. Mr Rammell has sent a response to your letter in which he responds in detail to your questions. You asked me whether I agreed with each of Mr Rammell's comments and I shall therefore take these in order.

The complainant (Mr Brett) records that he received e-mails from Mr Rammell's parliamentary office, signed by [this employee], on matters of a party political nature. The e-mails have been included with the complaint and it is clear that the e-mails relate to party matters; for example, the e-mail dated 4 September 2007 says "*it's been a difficult fortnight for the local party*"; that dated 5 October 2007 sets out a plan for dealing with the possible forthcoming election in terms of leaflet delivery etc.

Mr Rammell notes that [his research officer], about whom the complaint has been made, often works in his constituency on Labour Party matters. According to him, she generally did such work outside her contracted hours, and indeed the timing of the e-mails would tend to back up this interpretation. Nonetheless, she should not be using parliamentary facilities for party political matters, a view shared by Mr Rammell who has taken action to ensure it does not happen again. Given that he has dealt with the matter, I do not believe there is any further action required.

He also comments on the use of [his research officer's] time. Members' staff often undertake political duties but we would not allow those to be undertaken during their contracted working hours, although we would allow it during periods of annual leave. Indeed, House guidance on the work Members' staff may do during an election period notes that:

*.. "you must ensure that no claim is made against the allowance for staff time which is used for campaigning or political activity ... If you, exceptionally, intend to allow your staff to undertake political activity or campaigning during working time, you must notify the Department of Finance and Administration in advance of the change in working hours or record the time used in this way and reimburse your staffing allowance and repay pension contributions accordingly ... In these circumstances, you must also include details of the reimbursement payments you make to the House as actual expenditure within your individual candidate's election expenditure return. Alternatively you may:*

- allow your staff to take paid annual holiday as set out in the employment contract. In this case you must ensure there are proper records of holiday accrued and taken, in case of challenge; or*
- allow your staff to take unpaid leave. Again, you must notify the Department of Finance and Administration in advance so that pay adjustments can be made. In these circumstances pension contributions and childcare vouchers will not be paid from central funds."*

Mr Rammell in his letter notes that any time spent by [his research officer] on party matters was outside her contracted hours. Apart from the timings of the e-mails, we have no specific evidence to back up this claim. Nonetheless, Mr Rammell was [name of employee]'s employer and he is clearly satisfied that her party work did not interfere with her parliamentary work for him, and I therefore have no reason to contradict that view.

You also asked about the advertisement for the post of Parliamentary Communications and Constituency Engagement Manager and the complainant's view that the work of the successful applicant could break the Code of Conduct. In terms of our contracts the job requirements are no different from many such jobs, and although Members must employ their staff on standard contracts and within standard pay scales, they nonetheless often use different job titles for new staff. I would not therefore query Mr Rammell's use of this job title in the advertisement.

The complainant may be referring to the advertisement's requirement for someone with commitment to Labour Party values. The standard pay scales and guidance themselves are overseen by the Advisory Panel on Members' Allowances, chaired by Rt Hon John Spellar MP. The Department has previously discussed the content of job advertisements with the Panel, and specifically whether they should be allowed to include a requirement for the employee to have political views. The Panel's view at its meeting was that job advertisements should be able to stipulate that the applicant should be sympathetic to the policies of a particular political party. While Mr Rammell's advert is slightly stronger than this, in that it asks for "*demonstrable commitment to and knowledge of the Labour party's values, principles and policies*", this is not an unusual requirement for a politician.

Therefore, in accordance with the Panel's discussion, I do not believe that anything in the advertisement is unacceptable. Given that the member of staff employed as a result of the advertisement has a normal standard contract, and her job description makes no reference to any political duties, I have no reason to disagree with Mr Rammell's comments.

25 March 2008

## **12. Letter to the Acting Director of Operations, Department of Resources from the Commissioner, 27 March 2008**

Thank you for your letter of 25 March following mine to [the Director] of 21 February about the complaint against Mr Bill Rammell in respect of his researcher's use of Parliamentary facilities.

Could I ask you for a little further advice about the use of time off in lieu? As you will have seen from Mr Rammell's letter, which I received on 19 February, he had an arrangement whereby he would give [name], his researcher, time off in lieu (to undertake political activity). This option is not specifically covered in the House guidance on the work Members' staff may do during the election period which you extracted for me.

Could you let me know whether time off in lieu is acceptable; whether it is available only in an election period or at any other time; and whether there is any particular guidance or procedures for its use?

27 March 2008

## **13. Letter to the Commissioner from the Acting Director of Operations, Department of Resources, 9 April 2008**

Thank you for your letter of 27 March 2008 in which you ask about Mr Rammell's policy of allowing [his employee] to take time off in lieu to undertake political activities.

The Contract of Employment provided by this Department for Members to use when employing their staff states that, "*If you are asked to work additional hours, time off in lieu will normally be granted. If this is not feasible, overtime will be paid.*" Therefore, provided that the additional hours have been worked in undertaking parliamentary business it is perfectly acceptable for time off in lieu to be given. This is not restricted to election periods and there are no particular limitations on its use. We do not currently issue guidance on this point.

I hope this clarifies the situation.

9 April 2008