

Mr Keith Simpson MP: Resolution Letter

Letter to Mr Patrick Moore from the Commissioner, 26 February 2009

I have now concluded my consideration of the complaint you sent me on 21 January against Mr Keith Simpson MP in respect of the inclusion of his parliamentary funded contact card with a party political survey.

In essence, your complaint was that Mr Simpson had included a contact and surgery card funded from parliamentary allowances in the same envelope as a party political survey without separate cover.

I have consulted Mr Simpson and the House authorities about this matter.

Mr Simpson has readily accepted that his parliamentary funded contact card should not have been included in the dispatch with a party political communication without it being put in a separate cover. It was a mistake made by a volunteer in his constituency office. Mr Simpson has accepted responsibility for this mistake and has taken action to prevent a recurrence. He has agreed also to pay the cost of the contact cards¹ which were sent out with this dispatch. The survey and the postage, including the freepost return envelope, were all paid for by the Broadland Conservative Association. Mr Simpson has apologised for what I accept was an honest mistake. I consider that Mr Simpson has taken the necessary action to rectify the situation and I therefore regard the matter as now closed. I shall report the outcome to the Committee on Standards and Privileges.

I am copying this letter to Mr Keith Simpson MP

26 February 2009

¹ £50.

Mr Keith Simpson MP: Written Evidence

1. Letter to the Commissioner from Mr Patrick Moore, 21 January 2009

I am writing to draw your attention to a breach of the rules which regulate the use of the MPs Communications Allowance by Keith Simpson the member for Mid Norfolk.

I enclose a copy of Mr Simpson's mailing to residents in the Buxton ward of Broadland District Council. The mailing consisted of a survey paid for by the local Conservative Association, a freepost return envelope and a full colour DL card with details of Mr Simpson's surgeries. It appears from the imprint on the colour card that this was printed using money from Mr Simpson's Communications Allowance. To have included this item in the same envelope seems to be a clear violation of the rules as set out in Appendix 2 paragraph 11 of 'The Communications Allowance and the Use of House Stationery' 2007.

I hope that during the course of any investigation into this matter, which I am sure is an honest mistake, you will be able to make sure that the mailing in question was not posted using resources made available to Mr Simpson in his work as an MP.

21 January 2009

Enclosures to letter from Mr Patrick Moore



**Your Member of Parliament
for Mid Norfolk**

www.keithsimpson.com

If you need help or advice, contact your Member of Parliament, Keith Simpson



Contact Keith Simpson
House of Commons, London SW1A 0AA

Email: [redacted]
Or [redacted]
Tel: [redacted]



Surgeries are held regularly. To book an appointment, please call [redacted]

Printed on Freecycle paper by Keith Simpson MP, The Old Guildy Church Farm, Oldbridge, Norwich NR9 5DZ. Printed by 4-Print, 1-28 Mileway Avenue, West Molesey, Surrey KT8 2DZ and paid for by Keith Simpson MP for the IEP.

Conservatives

Have your say....

Are your name and address correct? If not please cross through the errors and fill in the correct information in block capitals. Thank you
Mrs M.M. Plumstead



GF3/451

Gordon Brown denied you a General Election, but you can still make a difference. Help us win when he has the courage to call the Election. Join the Party that will give Britain the changes it needs. Only the Conservatives have the new ideas and policies for the future.



CHANGE

What ONE thing would you wish the Conservatives to change after they win the next General Election?

.....
.....
.....
.....
.....

Name of person completing survey.....

GENERAL ISSUES

Please tick the FIVE issues that you or your family are most concerned about:

- Law & Order Taxes The NHS
- Unemployment Housing Education
- The Environment Global Warming
- Energy Costs Inflation Defence Issues
- Foreign Policy Europe

LAW AND ORDER

Have any of your family been a victim of crime in the past five years?

- Yes. No.

How safe do you feel in your neighbourhood?

- Very safe. Quite safe.
- A little unsafe. Too concerned to go out after dark.

Are there enough Police on your streets?

- Yes. No.

Do you have a problem with anti-social behaviour in your area?

- Yes. No.

If 'Yes' where and what type is it?

.....
.....
.....

NATIONAL HEALTH SERVICE

Do you feel that you get value for money from the services provided by your Local Health Service?

- Yes. No.

Do you get all the health services you require after normal hours?

- Yes. No.

If not, what would you like to be done differently?

.....
.....

We are very fortunate living in Broadland which is a lovely area of Norfolk with a marvellous quality of life. But I know that there is so much more that can be done in the future.



Many of you have told me about your concerns over local healthcare, the dualling of the A47, the level of crime and the need for flood protection. All too often the Labour government has failed to provide Norfolk with the resources we need and we have lost out to other areas of the country over funding, infrastructure and services.

You have provided me with local issues that I have raised in Parliament and with ministers. Broadland needs an articulate voice in Westminster and I have tried to be just that.

Keith Simpson MP

UXTON WARD

Buxton are there sufficient:

- | | | |
|-----------------------------|------------------------------|-----------------------------|
| Adequate leisure facilities | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Health Care facilities? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Facilities for Teenagers? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Pre-school opportunities? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Facilities for the Elderly? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Do you have problems with:

- | | | |
|--------------------|------------------------------|-----------------------------|
| Speeding Traffic? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 'Rat Run' Traffic? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If 'Yes' where

**Gordon Brown is
going to borrow
£BILLIONS to cover
up his mistakes**

**He has had his
BOOM
now we are all going
to go BUST**

TYPE OF GOVERNMENT

Are you content with the type of Local Government we currently have, County Council and a District Council, or would you prefer some type of Unitary Council?

I am content I would prefer some sort of a Unitary Council **VOTING AND POLITICS**Do you normally vote in elections? Yes No

Voting patterns help us understand whether or not we are getting things right, so if there was a general election tomorrow, who do you think you would vote for:

- Conservatives Labour Liberal Democrats UKIP Other

Thinking back to the last general election which Party did you support?

- Conservative Labour Liberal Democrats UKIP Other

Can you help your local Conservatives make the Hevingham area a better place to live?

If you are a Conservative supporter, a little help would make a big difference! Would you please consider helping locally by:

- Standing as a Conservative Candidate for the local elections?
 Displaying a poster at election times?
 Delivering a few leaflets locally during campaigns?
 Contacting electors by canvassing on the doorstep?
 Contacting electors by canvassing on the telephone?
 Joining the Conservatives Party?

It costs just £25 a year to be a Conservative Party member. This entitles you to be consulted on Party policies, to help select candidates for elections, both local and national and not least join in some excellent social events. You will be made very welcome.

If you do not wish to join us, would you like to register just as a supporter? Yes

To keep you up to date with local issues please let us know your email address:

This survey is expensive to produce. It would be wonderful if you could enclose a donation to help with its costs. Thank you.

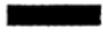
To contact your local Conservative Team:

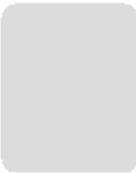
Email: [REDACTED]

Phone: [REDACTED]

Broadland Conservatives, [REDACTED]

www.broadlandconservatives.com www.keithsimpson.com www.conservatives.com

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Freepost Plus
Broadland Conservative Association


2. Letter to Mr Keith Simpson MP from the Commissioner, 28 January 2009

I would welcome your help on a complaint I have received from Mr Patrick Moore about your inclusion of a contact card funded from Parliamentary allowances in the same envelope as what the complainant considers is a party political survey.

I enclose a copy of the complainant's letter of 21 January, together with the contact card, survey and envelope in which he said it was received. In essence, the complaint is that you have included a contact and surgery card funded from Parliamentary allowances in the same envelope as a party political survey without separate cover.

Paragraph 14 of the Code of Conduct for Members of the Parliament provides 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.”

The rules in relation to the use of the Communications Allowance (which has been the source of funding for proactive communications to constituents since April 2007) are set out in a booklet published in 2007, and called “The Communications Allowance and the use of House stationery.” Appendix 1 to that booklet provides a new Section 6 to the Green Book. Paragraph 6.1.1 provides as follows:

“Scope and purpose of the allowance

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 to the same publication provides further rules and guidance on producing publications from the Communications Allowance. Paragraph 4 sets out the sort of things that may be funded from the allowance including: ‘contact and surgery details.’

Paragraph 11 deals with distribution as follows:

*“Parliamentary newsletters and other publications may be included in the same mail drop as any political material but it must be placed in a separate envelope or cover. **The Communications Allowance should not be used to meet the cost of distributing any non parliamentary material.**”*

I would welcome your comments on this complaint in the light of this summary of the rules. In particular, it would be helpful to know:

1. whether you accept that the political material was not placed in an envelope or cover separate from your contact card as required under the rules;
2. how many surveys were sent out with your contact card without such separate envelope or cover;

and to have:

3. confirmation that Parliamentary funding was not used for the cost of the envelopes and postage in which these were dispatched;
4. an explanation of the circumstances of this distribution.

Any other comments you may wish to make would also be very welcome.

I enclose a note which sets out the procedure I follow. I have written to the complainant to let him know that I have accepted his complaint and am writing to you about it. It would be very helpful if you could let me have a response to this, if possible by 18 February. If there is difficulty about this, or you would otherwise like a word, please get in touch with me at the House.

I would welcome your help on this matter.

28 January 2009

3. Letter to the Commissioner from Mr Keith Simpson MP, 2 February 2009

You wrote to me on the 28 January 2009 saying that your office had received a complaint from Mr Patrick Moore, the Liberal Democrat Campaign organiser in Broadland, about the inclusion of my contact card funded from Parliamentary allowances in the same envelope as what the complainant considered was a party political survey.

You accepted this complaint and asked me to reply to a series of questions relating to this issue.

I phoned you on Thursday 29 January having had an initial conversation with my Association Chairman [...]. As I said to you it appeared the inclusion of my contact cards was an honest mistake.

On Friday 30 January I met my Chairman to establish the facts and the chain of events. He has written a formal letter to me, which I attach, outlining what happened.²

Although I had no knowledge that my contact cards had been sent out within an envelope containing a party political survey I accept that it is my responsibility to make sure that this does not happen. This matter has now been addressed to prevent a recurrence.

These contact cards were from old stock and were used in the past when I wanted to inform my constituents of my Parliamentary contact details. As my chairman has explained a total of 787 surveys were sent out with my contact cards without a separate envelope.

I am sorry for this oversight and I note that in his letter the complainant indicated that what had occurred was an honest mistake which indeed it was.

2 February 2009

4. Letter to Mr Keith Simpson MP from Chairman of Broadland Conservative Association, 30 January 2009

The Parliamentary Commissioner for Standards wrote to you on the 28th January 2009 concerning a complaint from Mr. Patrick Moore, the Liberal Democrat Campaign Organiser for Broadland. He alleged that one of your contact cards funded from Parliamentary allowances was included in the same envelope as what the complainant considered was a party political survey.

The survey was part of a mailing to residents in the Buxton ward of Broadland District Council. The survey and the postage including the freepost return envelope were all paid for by Broadland Conservative Association. One of our volunteers working in the office decided to include one of your MP contact cards with details of your contact numbers for assistance and surgery details without realising that it was funded by your Parliamentary allowance and should have been placed in a separate envelope. This was an honest mistake. We will ensure that in future all volunteers are aware of the regulations concerning your Parliamentary allowances.

A total of 787 surveys were sent out with your contact card without a separate envelope.

30 January 2009

5. Letter to the Director of Operations, Department of Resources, from the Commissioner, 3 February 2009

I would welcome your advice on a complaint I have received against Mr Keith Simpson MP about the inclusion of a parliamentary funded contact card with a party political survey.

In essence, the complaint is that Mr Simpson included a contact and surgery card funded from parliamentary allowances in the same envelope as a party political survey, without separate cover.

I attach [relevant material].

² WE 4

As you will see, Mr Simpson accepts that his contact card should not have been included in the same envelope as the survey without a separate cover. 787 surveys with his contact card were sent out without a separate envelope. His party paid for the postage and the Freepost service used.

I would be very grateful for your comments and advice on this matter, in particular on how the Department would normally expect such a mistake to be rectified.

Mr Simpson has responded very promptly to the complaint and it would be most helpful if it were possible for you to let me have a reply within the next week so that I can resolve it as soon as possible after the recess.

3 February 2009

6. Letter to the Commissioner from the director of Operations, Department of Resources, 19 February 2010

Thank you for your letter of 3 February concerning the complaint against Mr Keith Simpson MP.

The complaint is that Mr Simpson distributed a contact surgery card, paid for from his parliamentary allowances, in an envelope which contained a party political survey. Mr Simpson has acknowledged that this was the case and that it happened, without his knowledge, because of an error by a Party volunteer. He has taken full responsibility for the mistake.

The rule relating to the distribution of publications paid for from the Communications Allowance under separate cover from any political material (paragraph 11, page 21, The Communications Allowance and use of House stationery) is designed, to ensure a) that there is no confusion for constituents about who is contacting them and in what capacity; and b) that public funds are not subsidising the distribution of party political material.

Mr Simpson has clearly breached the rule concerning the delivery in 'a separate envelope or cover'. However, he has not used public funds to distribute the communications referred to.

We have no record of a claim in 2007/08 or 2008/09 that would indicate the contact cards were paid for in either of these financial years. Mr Simpson has said that the cards were from an old stock and the funding statement on the cards says that they were paid for from the IEP. This would suggest that they were produced prior to the introduction of the Communications Allowance in April 2007. Our records show that an invoice for printed material dated 26 February 2007 for £555.78 was paid from Mr Simpson's IEP for printed material.

It appears that this was for some 8,000 copies. Assuming that we have identified the correct invoice and accepting Mr Simpson's evidence of 787 surveys being distributed incorrectly, this suggests that a repayment of some £50 would be appropriate.

In conclusion, it is clear that this mistake arose from a single administrative error and that Mr Simpson has taken speedy action to avoid such an error occurring in the future. Subject to Mr Simpson repaying the cost of the contact cards and subject to your finalisation of this case the Department would consider the matter satisfactorily resolved.

19 February 2009

7. Letter to Mr Keith Simpson MP from the Commissioner, 24 February 2009

I have now heard from the Department of Resources about this complaint in respect of the parliamentary funded contact card circulated with your party survey.

I enclose a copy of a letter from the Director of Operations of 19 February. As you will see, the Director concludes that you have clearly breached the rule requiring delivery of Parliamentary-funded material in a separate envelope or cover. But he has noted that you have not used public funds to distribute the communication. In his view, it was clear this was a mistake arising from a single administrative error and that you have taken speedy action to avoid a recurrence. Subject to you repaying the cost of the contact cards, which he estimates to be £50.00, the Department would consider the matter satisfactorily resolved.

I need now to consider how best to resolve this matter. If you were to agree, it would be open to me to resolve this through the rectification procedure. That procedure allows me to resolve a complaint informally where the matter is comparatively minor, where the breach was inadvertent and where the Member has accepted responsibility for the breach and has taken appropriate action to rectify it. The Committee on Standards and Privileges also expects Members to apologise (as you have done). In such a case, I write to the complainant and report the outcome briefly to the Committee. I do not, however, prepare a full memorandum on the complaint, and the Committee does not publish a report on the matter.

Subject to your agreement, I am minded to follow the rectification procedure in this case. If so, I would write to the complainant to let them know that you had readily accepted that your parliamentary funded contact card should not have been included in the dispatch with a party political communication without it being put in a separate cover. I would say it was a mistake made by a volunteer in your Constituency office and that you had accepted responsibility for the mistake and have taken action to prevent a recurrence. I would note also that you had agreed to pay the cost of the contact cards which were sent out with this dispatch. I would note that the survey and the postage, including the free post return envelope, were all paid for by the Broadland Conservative Association. I would note that you have apologised for what I would accept was an honest mistake. I would conclude that you had taken the necessary action to rectify the situation and that I therefore regarded the matter as now closed and that I would report the outcome to the Committee of Standards and Privileges.

I will be grateful to know as soon as convenient whether you are content for me to resolve the complaint on this basis. If so, I would write to the complainant on the lines of the preceding paragraph. I would also ask you to contact the Department of Resources as soon as possible to pay the £50.00 which they estimate as the cost of the contact cards you used for this dispatch.

I look forward to hearing from you.

23 February 2009

8. Letter to the Commissioner from Keith Simpson MP, 25 February 2010

Thank you for your letter of 24 February 2009 in which you outlined the best way forward of resolving this matter. I would like to take up your offer to resolve this through the rectification procedure. I think that this issue has been very fairly considered and a decision reached expeditiously.

I have written to [the Director of Operations in the Department of Resources] at the House of Commons and sent him a cheque for £50 to cover the cost of the contact cards that were used as part of a postal communication.

I would like to thank you for the prompt and fair way in which you handled this issue.

25 February 2009