

# Mr Parmjit Dhanda MP: Resolution Letter

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## Letter to Councillor Mark Hawthorne from the Commissioner, 30 November 2009

I have now concluded my consideration of the complaint you sent me in your letter of 16 September 2009 against Mr Parmjit Dhanda in respect of the circular letter he sent to some of his constituents.

In essence, the complaint which I inquired into was that Mr Dhanda had used pre-paid House of Commons envelopes to send unsolicited correspondence to some of his constituents and may have claimed from Parliamentary allowances for the paper.

I have consulted Mr Dhanda and the House Authorities about this matter.

Mr Dhanda has readily accepted that he should not have used House of Commons stationery and prepaid envelopes drawn from his stationery allowance for this dispatch. This is because House of Commons provided stationery should not be used to write to constituents on issues on which they have not previously contacted the Member. The mistake was due to an error in Mr Dhanda's office, which drew the stationery from his parliamentary provided supplies rather than from stationery funded from his provision for Communications Expenditure, which is available for such proactive communications.

I have considered whether the content of Mr Dhanda's letter was such to make it eligible for funding from his Communications Expenditure. I have concluded that it was. It is within the rules for the Member to give his own opinion on a matter which is clearly of concern to his constituents and to include with his letter a petition in the form that Mr Dhanda had drafted it. In that case, Mr Dhanda should, however, have included at the bottom of his letter a funding imprint to make it clear that his letter was funded from his Communications Expenditure.

Mr Dhanda has, therefore, accepted that he was in breach of the rules of the House in respect of House stationery in using his provided stationery allowance for this dispatch and that it should instead have been funded from his Communications Expenditure. The letter should also have included a funding imprint. Mr Dhanda has apologised. He has also taken action within his office to prevent any recurrence. He has arranged for the cost of the dispatch, which was sent out to some 2,000 households<sup>1</sup>, to be met from his Communications Expenditure.

I consider that Mr Dhanda has taken the necessary action in response to this matter and that this represents a satisfactory resolution of the complaint. I therefore regard the matter as closed. I will report the outcome to the Committee on Standards and Privileges.

I am copying this letter to Mr Parmjit Dhanda MP.

*30 November 2009*

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<sup>1</sup> £754.

# Mr Parmjit Dhanda MP: Written evidence

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## 1. Letter to the Commissioner from Councillor Mark Hawthorne, 16 September 2009

I would like to draw to your attention what I believe to be a breach of the guidelines on the use of House of Commons stationery by the MP for Gloucester, Parmjit Dhanda. I enclose two example letters, one sent to [a constituent] and the other to an employee of BBC Radio Gloucestershire, who wished to remain anonymous.

The letter in question is deeply misleading and contains a range of factual inaccuracies. It was described in the editorial of a local newspaper as being “scaremongering”. It makes inaccurate claims about the plans of local councils for waste disposal, contains elementary factual errors (for example getting the amount of recycling carried out in Gloucestershire wrong), and promotes the signing of an inaccurate petition.

Had this misinformation been published in the form of Labour party leaflets, or indeed by Labour party funded letters, I would have criticised the MP for being misleading and no doubt that would have been the end of the matter. However, in this case, Mr Dhanda has used public money to send his letter, in the form of House of Commons postage paid envelopes. He has also used the seal of the House of Commons to give his misleading information legitimacy.

Neither [the constituent], nor the Radio Gloucestershire employee, have contacted Parmjit Dhanda about this issue. The text of the letter makes it very clear that it is unsolicited by its recipients. For example, beginning by stating that the recipient “may by now have... noticed”, rather than making any reference to any prior contact.

Reading The Communications Allowance and the use of House stationery, I note, in Appendix 4 that “14. Pre-paid envelopes must not be used...for correspondence with constituents on issues on which you have not previously contacted them”. I would also note that, in addition to the misuse of pre-paid envelopes, the use of House stationery for this unsolicited communication would only be appropriate, according to the same guidelines, if it had been purchased from the supplier (Appendix 4, Para. 9).

I recognise that many will see this breach of the rules as minor, although it is unclear just how many letters Mr Dhanda might have sent in this manner. However, it represents both a misuse of taxpayer funded resources and, in my view, an attempt to use those resources to pass on misinformation. Mr Dhanda has been very vocal locally about his wish to “clean up Parliament”, so I would hope he will appreciate this opportunity to explain his actions.

*16 September 2009*

## 2. Letter from Mr Parmjit Dhanda MP to [a constituent], 19 August 2009

You may by now, through the pages of the local newspaper or elsewhere, have noticed that the Council (both the City and the County) have discussed the possibility of the location of an incinerator at the Railway Triangle.

Obviously this isn't that far from your home and I'm conscious that you may have some concerns about this issue. There are some merits to incineration; it can produce electricity as a by-product which enables councils to raise revenue.

However, I have serious concerns about the location of such a waste facility near the centre of our city and so close to your home. Similar units are typically 10 storeys high, they have a large flume which does emit vapour and they have to burn twenty four hours a day when they are started.

My concerns are this, that neither the County or City Council have looked in to the alternatives or looked closely enough at the consequences of choosing a form of technology which is still developing, and something that the City would be stuck with for 40 years on behalf of the whole County. I understand none of the more remote parts of the County which are away from dense populations are being considered by councillors as possible sites.

The County Council has bid successfully for £70m from the government to build an incinerator capable of burning 175,000 tonnes of waste each year. Yet ministers inform me that the Council did not bid for money for any other alternatives to incineration to help manage Gloucestershire's waste. Furthermore, it is anticipated that by the year 2020 Gloucestershire will be producing around 100,000 tonnes of waste, which mean that a further 75,000 tonnes

would need to be imported from elsewhere in the country to keep the facility operating. Hence the Council would be importing waste to Gloucester to burn it for profit.

I've done a lot of research in to this topic on your behalf and I've come to the conclusion after considerable work with Gloucestershire Friends of the Earth that large scale incinerators would be bad for the County and one at the Railway Triangle would be particular bad for the City Centre. If you agree with me I hope you will consider signing the enclosed petition and returning it to me — I hope to send it to councillors urging them to rule out incineration as an option. Alternatively you can sign the petition on-line at [\[email address\]](#)

Amongst the alternatives I hope the council will pursue are:

- Raising the levels of recycling from 36% to 80% by the year 2020. It can be done as we have already seen on the continent and in parts of Wales
- Investing more in technology like 'anaerobic digestion' and 'in-vessel composting', which are better for the environment than incineration
- Using more localised centres of waste management so communities have greater ownership of their waste, and allowing us to dispose of non-biodegradable items through smaller scale facilities
- A single coherent plan across the 6 council districts rather than piecemeal local solutions (at the moment some areas can recycle food waste and bottle tops, other areas in the County can't.)

I hope you find this letter useful and informative. This is a complex debate so I'd be very happy to meet with you or provide more information for you on this important issue if you wish.

**Petition:** The County Council is proposing large scale incinerators to be built in and around Gloucester capable of burning 175,000 tonnes of waste, much of which would be imported from around the country.

I call upon my City and County council to rule out incineration from the County's waste plan. Other options have not been given sufficient consideration and I urge my local councillors to oppose incineration and to consider other more environmentally friendly options instead.

Name (please print).....

Address .....

### 3. Letter to Mr Parmjit Dhanda MP from the Commissioner,, 23 September 2009

I would welcome your help on a complaint I have received from Councillor Mark Hawthorne about your use of House of Commons stationery and pre-paid envelopes to send a letter and petition about the possible location of an incinerator in Gloucester to some of your constituents.

I enclose a copy of the complainant's letter of 16 September with enclosures, including a copy of your letter to a constituent dated 19 August and a copy of a second class pre-paid House of Commons envelope in which the

complainant said it was sent. In essence, the complaint is that you have used pre-paid House of Commons envelopes to send unsolicited correspondence to some of your constituents and may have claimed from Parliamentary allowances for the paper.

Paragraph 14 of the Code of Conduct for members 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 communications expenditure and the use of House stationery and postage are set out in the Green Book for July 2009. The rules in relation to communications expenditure are set out in Section 2.5.

Section 2.5.1 sets out the purpose of the allowance as follows:

*“Communications Expenditure is designed to help Members communicate proactively with their constituents about their work in furtherance of their parliamentary duties.”*

The allowance may be used to meet expenses for:

- *“Regular reports and constituency newsletters; questionnaires, surveys and petitions...”*

Paragraph 2.5.3.1 states as an example of appropriate expenditure:

- *“Freepost facilities”*

The more detailed guidance on the use of what was then called the Communications Allowance and use of House stationery was published in April 2006. Appendix Two sets out the rules and guidance on producing newsletters and other publications from the allowance.

Paragraph 7 sets out the following principle:

*“No party political or campaigning material is allowable in any part of a publication funded, wholly or in part, from the allowance.”*

And paragraph 18 provides as follows:

*“Your publication must include a short notice explaining that costs are to be met from the allowances, and giving the source of any other funding.”*

The rules in relation to House stationery and postage are set out in Section 2.6 of the July 2009 Green Book.

Paragraph 2.6.3.1 makes the following provision in respect of pre-paid envelopes:

*“Pre paid envelopes are designed to enable you to reply to letters or other contacts you receive, and to write to individuals and organisations in pursuit of your parliamentary duties. They should not be used to send mail to people on issues on which they have not previously contacted you. You can use stationery and pre paid envelopes to respond to contacts you have received through any medium...”*

and it also identifies circumstances where pre-paid envelopes must not be used including:

- *for questionnaires and surveys...*

and:

- *for correspondence you instigate with constituents on issues on which they have not previously contacted you*

Paragraph 2.6.3.2 sets out provisions in relation to the use of House stationery. It includes the following paragraph:

*House stationery, however it is acquired, should not be used for the following purposes:*

- *communications of a commercial nature*
- *in connection with fund raising for the benefit of a political party, advocating membership of a political party, or supporting the return of any person to public office*
- *for correspondence of All-Party Groups which include persons who are not Members of either House*

*If you wish to use House of Commons stationery to write to people on issues on which they have not previously contacted you, you must purchase it from the suppliers, not as part of your cash-limited entitlement. Alternatively, you may photocopy stationery which includes the crowned portcullis and the words "House of Commons". Any such use must also comply with the three requirements set out earlier in this section.*

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. The circumstances in which you came to write your letter and petition to some of your constituents;
2. Which constituents were targeted for your letter and how many such letters you sent out;
3. The source of your notepaper for the letter and the source of its funding;
4. If the letter was funded from allowances, on what grounds you consider its content to qualify for such funding, and why it did not include a notice identifying the funding source;
5. The distribution arrangements including how many second class (or first class) House of Commons pre-paid franked envelopes you used for this dispatch;
6. Who funded the freepost facilities for the return of your petition;
7. Whether you at any time consulted the Department of Resources about any aspect of your letter or its dispatch.

Any other comments you may wish to make to help me with inquiry would, of course, 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. I would be very grateful if it were possible to let me have a response to this letter within the next three weeks. If you would like a word about any of this, please contact me at the House. I would be most grateful for your help on this matter.

23 September 2009

#### 4. Letter to the Commissioner from Mr Parmjit Dhanda MP, 9 October 2009

I'm grateful for your letter of September 23rd 2009 referring to a complaint from Conservative Councillor Mark Hawthorne.

The mailing to which you refer was a proactive mailing to approximately 2,000 of my constituents. They reside in the Elmbridge, Kingsholm and Barnwood wards of my constituency. They all live near a town centre site known as the 'Railway Triangle' in Gloucester.

Cllr Hawthorne's complaint is rather odd, because he has taken exception to me proactively informing residents that the site is being actively considered for a waste processing plant, and Ministers have confirmed (as indeed have the Local Authority) that they have bid for PFI credits to build a giant incinerator (capable of burning 170,000 tonnes of waste).

I won't bore you with the details of the Gloucestershire Waste Plan, or the behaviour of some in local government, but I can assure you that the content of my letter is correct. Cllr Hawthorne was only elected in May of this year and may not have recalled that Council officials had in fact briefed him in August that the Railway Triangle was one of the 13 sites that were to be considered for the waste plant.

I note Cllr Hawthorne's letter to you was sent on the 16th September and yet on the 22nd of September the local authority came clean publicly in a press release to confirm what I have proactively informed my constituents of is indeed the case—the Railway Triangle is under consideration for the waste plant and incineration is one of the options for it (indeed the only option for which the authority has bid to government for funding). I'm happy to provide you copies of the Council's own press release and news coverage of this but I know you have many more pressing matters in your tray, but please feel free to get in touch for more information if you need it.

To answer your detailed points, I did instruct my staff to send a proactive mailing to the 2,000 households mentioned above, but due to an administrative error the mailing was sent from a parliamentary stock of paper and 2nd class franked envelopes, rather than from the Communications Allowance stock.

I am grateful for you pointing this matter out and I have resolved the matter directly with the fees office who have invoiced the 2,000 envelopes and paper from my Communications Allowance—please find enclosed the invoice.<sup>2</sup>

As you rightly suggest in your letter the mailing should have stated that it had been funded from the appropriate parliamentary allowance, a step I have always taken in any newsletters and proactive letters in the past and I will take steps with my staff to ensure such an administrative error does not occur again.

The Freepost facility is funded by me personally and the content of the letter itself is very similar to previous texts in newsletters and annual reports which have been cleared by the Department of Resources in the past. I have enclosed a couple of pieces of literature that refer to this issue that have been cleared for your information.

I believe that answers all of the questions in your letter which have arisen from Cllr Hawthorne's complaint, but please do get back to me if you require any further information.

9 October 2009

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<sup>2</sup> WE 5

5. Invoice from the Department of Resources to Mr Parmjit Dhanda MP,  
7 October 2009



**INVOICE**



House of Commons  
London SW1A 0AA

7 OCT 2009

Page 1 of 1

Parmjit Dhanda MP  
HOUSE OF COMMONS  
LONDON  
SW1A 0AA

Invoice No	
Account No	
Date	
VAT Reg No	

Customer Ref FAC/DHANDA  
Order Number 60178 Invoice issued by: Facilities - Finance

Description	Amount
Member's Stationery 8 packets of HOC paper @ £8.40 per pack	67.20
Member's Stationery 8 boxes of prepaid envelopes @ £8.29 per pack	66.32
Postage Postage on 2,000 envelopes @ 30p each	600.00
As per conversation Mr Dhanda and [OFFICIAL] also email sent on 28th Sep.	

Total excl. VAT 733.52  
Total VAT 20.03

**Total Amount in GBP 753.55**

6. Letter to Mr Parmjit Dhanda MP from the Commissioner, 14 October  
2009

Thank you for your letter of 9 October responding to mine of 23 September about this complaint in respect of your use of House of Commons original stationery and pre-paid envelopes to send a circular letter and petition to some of your constituents.

I was most grateful for this response. I am passing your letter to the Department of Resources and inviting their comments and any further information they may have on this matter.

In the meantime, it would be very helpful to me to have some indication of how the pre-paid envelopes and original stationery came to be used for this circulation. You referred to it as an administrative error. Could you give me a little more detail about how the mistake occurred? And it would be helpful to know what action you are taking or have taken in order to prevent a recurrence.

It would be helpful to have a response on these two points within the next two weeks. Subject to that, and once I hear from the Department of Resources, I will be back in touch.

*14 October 2009*

## **7. Letter to the Director of Operations, Department of Resources, from the Commissioner, 14 October 2009**

I would welcome your help on a complaint I have received against Mr Parmjit Dhanda MP about his use of original House stationery and pre-paid envelopes to send a circular petition letter to some of his constituents.

I attach [relevant correspondence]

In essence, the complaint is that Mr Dhanda used pre-paid House of Commons envelopes to send unsolicited correspondence to some of his constituents and may have claimed from his parliamentary allowances for the paper.

I would welcome your help on this complaint. In particular, it would be helpful to know whether Mr Dhanda consulted the Department of Resources about the content of his letter, which it appears he intended to fund from his Communications Expenditure; whether in your view the content of his letter would permit him to do so; whether he was permitted to use the notepaper he did use for this communication if it was to be funded from the Communications Expenditure; any other comments you may have on the use of that notepaper and pre-paid envelopes for this dispatch; and confirmation of the sequence of events described by Mr Dhanda which appears to have resulted in the Fees Office invoicing the costs of this communication from his Communications Expenditure. It would also be helpful to see a copy of the email of 28 September referred to on the invoice and any other relevant documents.

Any other points you may wish to give me to help in this inquiry would be most welcome.

I hope it would be possible to let me have a response to this letter within the next three weeks. I am most grateful for your help.

*14 October 2009*

## **8. Letter to the Commissioner from Mr Parmjit Dhanda MP, 16 October 2009**

I am grateful for your helpful and prompt letter of the 14th October 2009 and I am very happy to answer your two follow up questions.

Firstly, I asked my staff to send the pro-active mailing assuming that they would order stationery through the Communications Allowance. Unfortunately one of my staff, who wasn't aware of the appropriate process, thought it better to use up an existing stock of envelopes and paper.

To answer your second question I have taken steps to make sure that this will not happen again by ensuring my staff have read all the appropriate guidance on pro-active mailings. Furthermore my staff are now keeping the Communication Allowance stock of stationery on a separate shelf in the store room—away from the Parliamentary stationery and franked envelopes. In addition there are measures now in place to ensure that all future mailings will be checked by the Office Manager before it is sent out.

I hope this reassures you and answers your questions, but feel free to contact me again should you need to do so.

16 October 2009

## 9. Letter to the Commissioner from the Director of Operations, Department of Resources, 17 November 2009

Thank you for your letters of 14 and 28 October about the complaint against Mr Parmjit Dhanda MP.

Mr Dhanda used pre-paid envelopes to send unsolicited correspondence to some of his constituents. You specifically asked whether Mr Dhanda had consulted the Department about his letter of 19 August 2009 and whether the content would allow it to be funded from the Communications Expenditure.

Mr Dhanda's letter makes critical reference to the actions of both the local City and County Council. However, my judgement is that the siting of a waste facility in any constituency is likely to be of legitimate interest to a Member of Parliament and it was reasonable for Mr Dhanda to write to constituents explaining his concerns and the actions he was undertaking as their elected representative. Had we seen the letter prior to distribution we would have asked Mr Dhanda to include a funding statement on the document, but we would not feel the omission of this statement sufficient to refuse payment from the Communications Expenditure. This apart, the letter would, in my opinion, be an acceptable use of the allowance.

I can confirm that Mr Dhanda did not consult the Department about the content of this letter. The Green Book rules require the Department to give prior approval for communications which cost in excess of £1000 (Green Book, paragraph 2.5.4.1) As set out below, this does not apply in this case.

Mr Dhanda has confirmed that the letter was not solicited and as such should not have been produced or distributed using House of Commons funded stationery or pre-paid envelopes, but instead funded from the Communications Expenditure Mr Dhanda was advised by [name], Finance Manager in the Department of Facilities, about the cost of 2,000 sheets of paper and second class pre-paid envelopes on 28 September 2009 and an invoice for the stationery was raised by him on 7 October for a total of £753.55. This was processed by the Department of Resources who paid the full cost from Mr Dhanda's Communications Expenditure on 26 October. This was done as an interim measure pending the outcome of your investigation. I enclose a copy of the e-mail to Mr Dhanda from [the Finance Manager] as you requested in your letter of 14 October.

Finally, I consider the actions taken by Mr Dhanda to avoid the future inadvertent use of House stationery, outlined in his letter of 16 October, to be acceptable. I would also remind him of the need for prior approval of newsletters as set out above.

I hope this covers fully the points you have raised.

17 November 2009

## 10. E-mail to Mr Parmjit Dhanda MP from Finance Manager, Department of Resources, 28 September 2009

Dear Mr Dhanda,

Further to our earlier conversation regarding the cost of 2,000 sheets of paper and 2,000 2nd class window envelopes will cost:

Paper 8 packets @ £8.40 per packet = £67.20 VAT on 8 packets @ 15% = £10.08

Envelopes 8 boxes @ £8.29 per box = £66.32 VAT on 8 boxes @ 15% = £ 9.95

Postage on 2,000 envelopes @ 30p = £600.00 Total cost £753.55

Unfortunately in our discussion I was quoting on 4 packets rather than 8 packets of 250 therefore the cost is higher than I originally worked out on the phone.

I hope this is okay and will forward an invoice in the next couple of days.

28 September 2009

## 11. Letter to Mr Parmjit Dhanda MP from the Commissioner, 18 November 2009

I have now heard back from the Department of Resources with their advice on this complaint about your use of your provided stationery allowance to send a circular letter to some of your constituents.

I attach copies of my letters of 14 and 28 October to the Department of Resources, and a copy of their response of 17 November.

As you will see, the Department notes that you consider that your letter should not have been distributed using House of Commons stationery or prepaid envelopes, but instead should have been funded from the Communications Expenditure. The Department agree that the content of your letter would have been eligible for such funding, although it should have carried the necessary imprint. I see that they have met your request to meet the full cost of this dispatch (£753.55) from your Communications Expenditure.

Subject to any comments you may have, I am minded to accept the Department of Resources' advice.

I need now to consider how best to resolve this complaint. Given that there has been a breach of the rules in your use of your provided stationery allowance, I have the choice of resolving the matter myself with your agreement, or preparing a formal Memorandum for the Committee on Standards and Privileges.

Given the nature and size of this complaint and the sums involved, I am minded to resolve the matter myself, if you so agree, using the rectification procedure provided in the standing orders. In order to do that, it is necessary for you to accept (as you have done) that you were in breach of the rules in using your House of Commons provided stationery and envelopes for this dispatch; that the letter could have been sent using your Communications Expenditure and that you have now charged that account for the full cost of this dispatch; you would need to accept that the letter should have had the funding imprint; and I would note that you have taken action with your office to prevent a recurrence. In circumstances like these, the Committee would also expect the Member to have apologised for the breaches of the rules.

If you are content to proceed on this basis, then I would write to the complainant to let him know how the matter has been resolved and to close the complaint.

If you are content to proceed on this basis, then I would write to the complainant to let him know how the matter has been resolved and to close the complaint. I attach an extract from a draft of the letter I could send the complainant, which I enclose so that you can confirm that you are content with its accuracy and confirm the apology.<sup>3</sup>

I would, therefore, welcome your view on whether you would wish me to resolve the complaint through this rectification procedure; and, if so, whether you are content with the accuracy of the attached draft.

I look forward to hearing from you.

18 November 2009

## 12. Letter to the Commissioner from Mr Parmjit Dhanda MP, 27 November 2009

Thank you for your letter of 18 November regarding the above matter.

I am grateful for your understanding in this matter, and confirm I am content for you to proceed as outlined in your letter, using the rectification procedure provided in the standing orders.

[comments on factual accuracy of draft]

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<sup>3</sup> Not included in the evidence

*27 November 2009*