

# Rt Hon Sadiq Khan MP: Resolution Letter

---

## Letter to Ms Alexandra Wilson from the Commissioner, 10 March 2010

I have now concluded my consideration of the complaint you sent me on 22 June against the Rt Hon Sadiq Khan MP in respect of his expenditure on greeting cards in 2005-06.

In essence, your complaint was that Mr Khan claimed against his Incidental Expenditure Provision for greeting cards in 2005-06, contrary to the rules of the House.

I have consulted Mr Khan and the House authorities about this matter. I am sorry it has taken so long to be concluded. This is because of pressures on the House authorities and because one of my letters had to be resent.

The position is as follows. Mr Khan made claims in November 2005 for Eid and Diwali cards, and in December 2005 for 1,500 18th birthday cards. His claim for the 18th birthday cards, at a cost of £1051.34, was initially refused by the House authorities, but was paid in January 2006 on presentation of a fresh invoice, although the company sending the invoice did not identify it as being for greeting cards. There is no evidence of how many Eid and Diwali cards were printed but the cost was £889.59.

The House authorities informed me that Mr Khan made a further claim in January 2006 for the printing of A5 folded cards, although it is not clear from the invoice whether these were for greeting cards and, at this remove, it is not possible to say with any certainty that they were for this purpose. The cost of the 2,000 unspecified cards was £609.83. Mr Khan's evidence is that they were unlikely to have been Christmas cards since he is sponsored by local businesses for the cost of these cards.

The House authorities have told me that they have reviewed Mr Khan's claims after this period and have confirmed the assurance which Mr Khan has given me that he has made no further claims for greetings cards after 2005-06.

Mr Khan has readily accepted that he was in breach of the rules of the House in the claims he made for the 18th birthday and Eid and Diwali cards. This was because the rules make clear that parliamentary funding, in this case the Incidental Expenses Provision, may not be used for the cost of greetings messages and cards. Given the passage of time, Mr Khan is not able to recall how these mistakes occurred. He has pointed out that he was a new Member of Parliament at the time and that all of his staff were new. He has said that it is possible that neither he nor his staff checked the relevant rules or consulted the House authorities. Mr Khan has accepted responsibility for these errors, and has apologised. He has repaid the full amount for the 18th birthday cards, and for the Eid and Diwali cards. He has also decided, in view of the uncertainty, that he should repay the claim for the unspecified cards he claimed for in January 2006. The total cost of his repayment is therefore £2550.76.

I consider that Mr Khan has made a reasonable response to this matter. I therefore regard it as closed. I will report the outcome to the Committee on Standards and Privileges.

I am copying this letter to Rt Hon Sadiq Khan MP.

*10 March 2010*

# Rt Hon Sadiq Khan MP: Written evidence

---

## 1. Letter to the Commissioner from Ms Alexandra Wilson, 22 June 2009

I am writing to complain about and to ask you to investigate the expenses of my local MP, Sadiq Khan. Sadiq Khan MP spent £1051 on 18th birthday cards and this can be found on page 102 of his Incidental Expenses Provision 2005-06 submission.<sup>1</sup> He also spent £888.59 on Eid and Diwali cards and this can be found on page 125 of his Incidental Expenses Provision 2005-06 submission.<sup>2</sup>

According to The Green Book for MPs Parliamentary Salaries, Allowances and Pensions, dated April 2005, this is expressly forbidden. Page 17 of the document clearly states “Expenditure not allowable: Wreaths, greetings messages and cards etc”.

As a young person who has lived in Sadiq Khan’s constituency for many years, I am shocked that he could have committed such a flagrant breach of the rules. How he could possibly spend such a large amount of money on items clearly stated as un-claimable is beyond me. I had hoped my local MP would not have been involved in the expenses scandal, considering that as a London MP he cannot claim for a second home. However, this evidence suggests that he has not been making an honest use of funds. I propose that there be an investigation into Sadiq Khan’s expenses to make it clear if he has broken Parliamentary rules in this regard.

*22 June 2009*

---

<sup>1</sup> See WE 2

<sup>2</sup> See WE 3

2. Rt Hon Sadiq Khan MP: Claim form of 9 December 2005



**Incidental Expenses Provision/Staffing Allowance**  
**Direct payment of suppliers**

G2

Page 1 of 2

**When to use this form**

Use this form to ask us to pay your suppliers for goods and services incurred on your Parliamentary duties.

**About filling in this form**

For details of costs you can claim for see *Green Book* section 5.13.1.  
 If you have any doubt about whether you can claim for a cost, please call 020 7219 1340.

**Your details**

Name  
in CAPITAL LETTERS

SADIQ KHAN

Constituency

TOOTING

Office use only

Coec

SuppRes ID

**Claim details**

Please ensure

- your claim totals more than £100 – this will enable us to process your claim more promptly
- any claims for petty cash do not exceed £250 per month
- you attach all supplier invoices.

You must specify

the Incidental Expenses Provision for costs that include office and surgery accommodation, equipment and supplies, communication and travel.

You can specify

the Incidental Expenses Provision or the Staffing Allowance for costs that include work commissioned or bought in services.

Date of claim

9 / 12 / 05

Allowance year

05 / 06 / /

**Incidental Expenses Provision claims**


Item	Suppliers	Amount
Item 1	EARLWIELD LIBRARY	£ 138 : 00 p
Item 2	PUBLIC IMPACT	£ 829 : 31 p
Item 3	PUBLIC IMPACT	£ 1051 : 34 p
Item 4	ADDISON LEE	£ 46 : 13 p
Item 5	BANNER	£ 10 : 13 p
Total		£ 2074 : 91 p

885.57

Claim details continue on page 2

## 3. Rt Hon Sadiq Khan MP: Claim form of 11 November 2005

6



Incidental Expenses Provision/Staffing Allowance

**Direct payment of suppliers**

15 NOV 2005

**RECEIVED**

G2

Page 1 of 2

**When to use this form**  Use this form to ask us to pay your suppliers for goods and services incurred on your Parliamentary duties.

**About filing in this form**  For details of costs you can claim for, see *Green Book* section 5.13.1.  
 If you have any doubt about whether you can claim for a cost, please call 020 7219 1340.

**Your details**

Name in CAPITAL LETTERS: SADIQ KHAN

Constituency: TOOTING

**Claim details**

*Please ensure*  your claim totals more than £100 – this will enable us to process your claim more promptly  
 any claims for petty cash do not exceed £250 per month  
 you attach all supplier invoices.

*You must specify*  the Incidental Expenses Provision for costs that include office and surgery accommodation, equipment and supplies, communication and travel.

*You can specify*  the Incidental Expenses Provision or the Staffing Allowance for costs that include work commissioned or bought in services.

Date of claim: 11 / 11 / 05

Allowance year: 05 / 06

**Incidental Expenses Provision claims**

Suppliers	Amount
1 <u>BANNER</u>	£ 15 : 46 p
2 <u>ADDISON LEE</u>	£ 119 : 31 p
3 <u>UNIPRINT</u>	£ 888 : 59 p
4 <u>JUPITER ASSOC.</u>	£ 1260 : 00 p
5 <u>NEWSAGENT</u>	£ 167 : 75 p
<b>Total</b>	<b>£2451 : 11 p</b>

Claim details continued on page 2

## 4. Letter to Rt Hon Sadiq Khan MP from the Commissioner, 24 June 2009

I would welcome your help on a complaint I have received from Ms Alexandra Wilson about your apparent expenditure on greetings cards from parliamentary allowances in 2005-06.

I attach a copy of the complainant's letter of 22 June. In essence, her complaint is that you claimed for greetings cards against your Incidental Expenditure Provision in 2005-06, contrary to the rules of the House.

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

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

The relevant rules in respect of this complaint would appear to be the edition of the Green Book published in April 2005. In the introduction to that edition, Mr Speaker Martin wrote:

*“Members themselves are responsible for ensuring that their use of allowances is above reproach. They should seek advice in cases of doubt and read the Green Book with care. In cases of doubt or difficulty about any aspect of the allowances or how they can be used, please contact the Department of Finance and Administration. The Members Estimate Committee, which I chair, has recently restated the Department’s authority to interpret and enforce these rules.”*

The rules for claims against the Incidental Expenses Provision are set out in Section 5 of the Green Book. The scope of the allowance is given in paragraph 5.1.1 as follows:

*“The incidental expenses provision (IEP) is available to meet costs incurred on Members’ Parliamentary duties. It cannot be used to meet personal costs, or the costs of party political activities or campaigning. The paragraphs which follow outline the main areas of expenditure which we recognise as incurred in supporting these duties, but it is each Member’s responsibility to ensure that all expenditure funded by the IEP is wholly, exclusively and necessarily incurred on Parliamentary duties.”*

The allowable expenditure is summarised in paragraph 5.3.1 as follows:

*“The IEP may be used to meet the following expenses:*

- ❖ Accommodation for office or surgery use—or for occasional meetings*
- ❖ Equipment and supplies for the office or surgery*
- ❖ Work commissioned and other services*
- ❖ Certain travel and communications.*

*In addition, you may transfer money from the IEP to the staffing allowance to meet staffing costs.”*

Paragraph 5.3.2 provides:

*“Section 5.13. lists examples of allowable and non-allowable expenditure under these headings. Even if an item is listed in the category of allowable expenditure, it is only allowable if the spend is wholly, exclusively and necessarily incurred on Parliamentary duties. For further guidance please contact the help numbers above.”*

Paragraph 5.13.4 gives examples of allowable expenditure for communications as follows:

*“❖ Postage*

*...*

*❖ Printing and sending newsletters, establishing and maintaining websites, provided that these meet Departmental standards and do not amount to political campaigning...”*

The same paragraph gives examples of expenditure which is not allowable as follows:

*“❖ Communications or travel on personal or party political matters*

*...*

*❖ Wreaths, greetings messages and cards etc...”*

The Green Book also refers Members, via a footnote to the relevant part of paragraph 5.13.4, to the factsheet Guidance for Members on publications funded by the Incidental Expenses Provision. The factsheet, as updated on 1 October 2004, states under the heading Publications which are not allowable:

*“The allowances must not be used the fund the following:*

- *Birthday or greetings cards or messages ...”*

And the Rules which follow include the following:

***“Rules***

*1. The purpose of the publication must be to inform constituents about your work as a Member and/or to provide contact details. The allowances must not be used to fund party political activity or campaigning.*

*2. Newsletters and publications must be sent, or made available, to all constituents...”*

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 claim against your Incidental Expenses Provision for 2005-06 for 18th birthday cards and Eid and Diwali cards;
2. why you decided to claim for the costs of these cards against the Incidental Expenses Provision;
3. the number of cards you had printed, how they were used and to whom they were sent or given. For example, were all recipients your constituents and, for the Eid and Diwali cards, was there any targeting of your constituents?
4. whether you have made similar claims against parliamentary expenses at any time in the past seven years;
5. whether you consulted the House authorities about this expenditure at any time and, if so, what was their response.

I would welcome any other comments you may wish to make to help me with this inquiry.

I attach a note which sets out the procedure I follow. I have written to the complainant to let them know that I have accepted their complaint and am writing to you about it. If it were possible, I would be grateful for a response within the next three weeks. If there is any difficulty about this, or you would like to speak about any other matter in relation to this complaint, please contact me at the House.

I would be grateful for your help on this matter.

*24 June 2009*

## **5. Letter to the Commissioner from Rt Hon Sadiq Khan MP, 13 July 2009**

Thank you for your letter, dated 24th June 2009. You have invited me to comment on the complaint made by Ms Wilson.

I was elected to Parliament in May 2005. As a new Member of Parliament (having only been elected a few months prior to submitting the invoice) I thought to engage with some of my constituents by sending them a card at an important time to them. Having submitted the invoice to the Validation Team of the Department of Finance & Administration (as the Department of Resources was then called) I received a letter from one of their Validation Officers informing me that such invoices were NOT permissible and would not be paid. As the Validation Officer's letter was redacted from the published documents Ms Wilson may have assumed that

the submission had been approved. Accordingly, you will note from perusing the documentation over the subsequent years that no further attempts were made by me to claim for these types of cards.

Please find enclosed p.141 from Incidental Expenses Provisions which is the unredacted correspondence from [...], Validation Officer from the Department of Finance & Administration.<sup>3</sup>

Please do not hesitate to contact me should you have any further questions or queries. I would be happy also to meet with you should you wish to discuss this matter.

*13 July 2009*

## **6. Letter to Rt Hon Sadiq Khan MP from a Validation Officer, Department of Finance and Administration, 12 December 2005**

Thank you for your IEP claim dated 09/12/05, a copy of which is attached for ease of reference.<sup>4</sup>

Regulations require the Department of Finance & Administration to disallow costs relating to “Public Impact” as it does not fall within the remit of this allowance. Please refer to the Green book on page 17. Section 5.13.4 explains Expenditure not allowable includes Birthday cards.

The remainder of your claim totalling £1,023.57 was validated on 12/12/05.

If you have any questions about this matter please do not hesitate to contact this office.

*12 December 2005*

## **7. Letter to the Director of Operations, Department of Resources, from the Commissioner, 15 July 2009**

I would welcome your advice and comments on a complaint I have received against Rt Hon Sadiq Khan MP in relation to his apparent claims for expenditure on greetings cards from parliamentary allowances in 2005-06.

In essence, the complaint is that Mr Khan claimed for birthday, Eid and Diwali cards against his Incidental Expenditure Provision in 2005-06, contrary to the rules of the House.

I attach [relevant material]

Mr Khan has provided me with evidence that the £1,051.34 claim for birthday cards was refused by the Validation Officer on 12 December 2005. As this claim was included as part of a wider IEP claim dated 9 December 2005, I would be grateful if you could confirm that the claim for birthday cards was refused, and that the IEP claim was recalculated accordingly.

The £888.59 claim for Eid and Diwali was included as part of a wider IEP claim dated 11 November 2005.<sup>5</sup> I would be grateful if you could confirm whether or not the claim for Eid and Diwali cards was refused, and if it was, whether the IEP claim was recalculated accordingly. If it was not recalculated, could you confirm whether or not Mr Khan repaid the sum at a later date.

If it were possible to let me have your response within the next three weeks, I should be most grateful.

---

<sup>3</sup> WE6

<sup>4</sup> WE2

<sup>5</sup> WE5



15 July 2009

## 8. Letter to the Commissioner from the Assistant Director of Operations/Head of Policy, Department of Resources, 17 August 2009

You wrote to [Director of Operations] on 15 July asking for my advice on the complaint against Rt Hon Sadiq Khan. I am responding on his behalf.

The complaint is that Mr Khan claimed for birthday, Eid and Diwali cards against his Incidental Expenses Provision in 2005-06, contrary to the rules of the House.

Although the Communications Allowance had not been introduced at that point (it was brought into effect on 1 April 2007), many of the items which Members may claim from that allowance were previously allowable from the IEP. At the same time, many of the items that were not allowable from the CA were also not allowable from the IEP. Information on what was and was not allowable was contained in a DFA factsheet, Guidance for Members on publications funded from the IEP (January 2003 but still in place as of December 2005) and this stipulates that “birthday or greetings cards or messages” were not allowable. A copy of the factsheet is enclosed<sup>6</sup>.

As you note, information on the rules relating to publications funded from the IEP was included in brief in the 2005 Green Book, which is very clear in stating that greetings messages and cards are not allowable expenditure (see page 17, para 5.13.4).

I turn therefore to the claims made by Mr Khan. Given the background noted above, it is clear that the items themselves are not allowable under the rules.

Mr Khan notes in his response that his claim for 18th birthday cards £1051.34 made in November 2005 was refused. I can confirm that this was the case. The refusal was contained in a letter from a Validation Officer dated 12 December.<sup>7</sup> However, Mr Khan re-submitted the claim in February 2006 on receipt of a final demand. The description on this second invoice was ‘goods/services’ and not, as was the case with the original invoice, “18th birthday cards”. As a result, the validation process for the second invoice approved the claim which was then paid. This was not repaid by Mr Khan.

The claim relating to Eid and Diwali cards was paid on 24 November 2005. This was for £888.59. There is no record of any correspondence between the Department and Mr Khan about this item, and neither has Mr Khan repaid any money relating to it.

I can therefore confirm that Mr Khan claimed for 18th birthday cards as well as Diwali and Eid cards in November 2005. The cost of the 18th birthday cards was not paid initially but a re-submitted invoice was subsequently paid; and the claim for Eid and Diwali cards was also paid.

I hope this is helpful.

---

<sup>6</sup> Not included in the evidence.

<sup>7</sup> WE6



17 August 2009

## 9. Letter to the office of the Commissioner from Rt Hon Sadiq Khan MP, 28 August 2009

Thank you for your letter, dated 18th August 2009<sup>8</sup>, which enclosed a letter from the Assistant Director of Operations (dated 17th August 2009).

The contents of the enclosed letter came as a surprise to me.

Due to the passage of time, and staff turnover, I had used the unredacted receipts & correspondence as an 'aide-memoire' to refresh my memory and provide explanations in all correspondence.

I enclose copies of p144 and p177, from the 2005-2006 financial year, for your convenience.<sup>9</sup>

As you will see, 'not paid' is clearly written p177. It is dated 17/11.

I had therefore assumed that neither of the invoices had been paid from the 2005-2006 Incidental Expenses Provision.

The letter from [...], Assistant Director of Operations, clearly contradicts my previous understanding.

In mitigation, I would like to point out that I have not submitted claims for birthday, Eid or Diwali cards in subsequent years. Further, I have today sent the Assistant Director of Operations cheques for the invoices which were erroneously paid. I have enclosed a copy of my letter to him, which is self-explanatory.<sup>10</sup>

Please do not hesitate to contact me should you wish to discuss the above.

28 August 2009

## 10. Letter to the Assistant Director of Operations, Department of Resources, from Rt Hon Sadiq Khan MP, 28 August 2009

I have received a copy of your letter to Mr John Lyon, dated 17<sup>th</sup> August 2009.

Your letter confirms that my previous understanding—that neither invoice (for birthday and Eid and Diwali cards) had been paid from the 2005-2006 Incidental Expenses provision—is incorrect.

Almost four years on from the submission of these invoices, I had relied upon p141 and p177 of the unredacted receipts and correspondence to refresh my memory. I had inferred from these pages that neither invoice had been honoured from the Incidental Expenses Provision.

I can see from your letter that this is not the case.

I am enclosing two cheques—£1051.34 (for birthday cards) and £888.59 (for the Eid and Diwali cards)—as a repayment for these, which were incurred in my first year as an MP.

I would be grateful if you would acknowledge receipt of this payment.

---

<sup>8</sup> With this letter, which is not included in the evidence, the Commissioner forwarded the letter of 17 August 2009 from the Assistant Director of Operations.

<sup>9</sup> Mr Khan forwarded an unredacted invoice for the Eid cards [not included in the evidence] and an unredacted copy of the Validation Officer's letter [WE6].

<sup>10</sup> WE10

28 August 2009

### **11. Letter to Rt Hon Sadiq Khan MP from the Commissioner, 3 September 2009**

Thank you for your letter of 28 August responding to the letter of 17 August from the Assistant Director of Operations about this complaint in respect of your Incidental Expenses Provision claims for birthday, Eid and Diwali cards.

I think it is agreed that you were in breach of the rules at the time in making these claims for greeting cards. Together the cost was £1,939.93, which you have repaid.

I need now to consider how to resolve this complaint. In particular, I need to consider whether it is necessary for me to submit a memorandum to the Committee on Standards and Privileges, or to seek to rectify the matter without recourse to the Committee. I am able to consider rectification where the Member accepts that he or she has breached the rules, where the mistake was relatively minor and clearly not intentional, and where action has been taken to repay any sums involved and to avoid any repetition. The Committee also looks to Members to apologise for the error.

Before coming to a view on whether rectification might be possible in this case, despite the size of the sum involved, I would like to have a better idea about how the mistake came about. I would need this information whichever option I decided on. It would be very helpful, therefore, to have a bit more information than you were able to give me in your letter of 13 July about how the original mistake occurred. In particular, it would be helpful to know why you thought that this expenditure was eligible and whether you or your staff had checked the Green Book or checked with the House authorities before incurring the expense. It would also be helpful to know how it came about that you resubmitted the claim for the birthday cards in February 2006, despite having received a letter of 12 December 2005 refusing the claim; and why the claim referred to 'goods/services' and not birthday cards. If you could let me have a copy of the claim you submitted in February 2006, that would be most helpful, as would an explanation of your understanding of the Assistant Director's reference to the claim being resubmitted 'on receipt of the final demand'.

Once I receive your response, I will be consulting the Department of Resources further, including asking them about why the claim for the Eid and Diwali cards was marked as not paid, when it appears to have been paid and it would appear clearly to be contrary to the rules in relation to the IEP.

If you could let me have a response by 24 September, that would be most helpful.

3 September 2009

### **12. Letter to the Commissioner from Rt Hon Sadiq Khan MP, 15 September 2009**

Thank you for your letter dated 3rd September 2009.

As I set out in my first letter to you, dated 13 July 2009, I would be happy to meet with you to discuss any questions you have. In the meantime I hope this letter can assist you with the queries raised in your most recent letter.

I am afraid I have no independent recollection of the submission of the claims against the Incidental Expenses Provision in 2005, and have been relying on the unredacted bundle of documents given to me for the respective financial years to provide explanations to your investigation of the complaint.

As I am sure you will appreciate, Members of Parliament do rely on their staff to help collate and administer many aspects of their working life—and this includes the submissions made to the Department of Finance and Administration (now called the Department of Resources). Whilst I accept that the responsibility for checking submitted invoices this falls on me, and not my staff or House authorities, I can envisage the possibility that I would have simply signed-off the various submissions without going through each invoice individually (I will clearly be much more thorough with any claim submitted from now on).

The two claims are dated 29th October 2005 (five months after I was elected) and 28th November 2005 (six months after I was elected).

In addition to being a new Member of Parliament, all of my staff were new in 2005/06. I have discussed this matter with my current members of staff and they also have no recollection of the claims.

It is perfectly possible that neither I nor my staff checked the Green Book, the DFA Factsheet (guidance for Members on publication funded from the IEP, January 2003 but still in place as of December 2005) or checked with the House authorities before incurring the expense.

I am afraid I cannot explain how the 18th birthday card claim was resubmitted in February 2006. I am enclosing (as requested) a copy of the claim submitted in February 2006.<sup>11</sup>

I am afraid that I am unclear of the Assistant Director's reference to the claim being resubmitted "*on receipt of the Final Demand*".

You will note that in no future years have any claims been made for these materials. I have avoided any repetition in any future claims.

I accept responsibility and apologise for these errors. It is for this reason that as soon as I became aware the two claims had been paid from the IEP that I returned the said amounts.

I would hope that this matter can be resolved without recourse to the Committee, but would be happy to answer any future questions you may have.


---

<sup>11</sup> WE 13

15 September 2009

## 13. Rt Hon Sadiq Khan MP: Claim form of 14 February 2006

15



Incidental Expenses Provision/Staffing Allowance

**Direct payment of suppliers**

G2

Page 1 of 2

**When to use this form**  Use this form to ask us to pay your suppliers for goods and services incurred on your Parliamentary duties.

**About filling in this form**  For details of costs you can claim for, see *Green Book* section 5.13.1.  
 If you have any doubt about whether you can claim for a cost, please call 020 7219 1340.

**Your details**

Name in CAPITAL LETTERS: Sadiq Khan

Constituency: Tooting

Office use only

Cost: [Redacted]

Supp/Res ID: [Redacted]

**Claim details**

*Please ensure*  your claim totals more than £100 – this will enable us to process your claim more promptly  
 any claims for petty cash do not exceed £250 per month  
 you attach all supplier invoices.

*You must specify*  the Incidental Expenses Provision for costs that include office and surgery accommodation, equipment and supplies, communication and travel.

*You can specify*  the Incidental Expenses Provision or the Staffing Allowance for costs that include work commissioned or bought in services.

Date of claim: 14 / 2 / 06

Allowance year: 05 / 06

Incidental Expenses Provision claims		Office use only		
Suppliers	Amount	Alloc or Alc code	Supplier ID	Exp/ Cat 5
m1 BT	£ 117 : 72 p	[Redacted]	[Redacted]	[Redacted]
m2 BT	£ 117 : 72 p	[Redacted]	[Redacted]	[Redacted]
m3 BT	£ 117 : 72 p	[Redacted]	[Redacted]	[Redacted]
m4 Dell	£ 232 : 65 p	[Redacted]	[Redacted]	[Redacted]
m5 Public Impact	£ 1051 : 34 p	[Redacted]	[Redacted]	[Redacted]
<b>Total</b>		<b>£ 1636 : 81 p</b>		

## 14. Letter to the Director of Operations, Department of Resources, from the Commissioner, 24 September 2009

I am writing to invite any comments you wish to make on the response I have received from Rt Hon Sadiq Khan MP to the Department's letter of 17 August advising on this complaint about Mr Khan's claims for greeting cards in 2005-06.

I attach [relevant correspondence]

I would welcome any further comments you may wish to make on Mr Khan's letters of 28 August or 15 September. In particular, it would be helpful if you could help me on why the invoice of 1 November 2005 for the Eid cards was marked "not paid", apparently by the Department, when the invoice was in fact approved for payment.

As you will see, I have asked Mr Khan to let me have unredacted copies of his claims for 11 November 2005 and 9 December 2005, and for confirmation that Item 2 in the invoice for 9 December 2005 to the company which also supplied the birthday cards, was an unrelated item which was appropriate for IEP funding. It would be helpful if you could also confirm that for me.

I would like if possible to bring this inquiry to a conclusion shortly, so if you could let me have a response within the next two weeks, that would be most helpful. Thank you again.

*24 September 2009*

### **15. Letter to Rt Hon Sadiq Khan MP from the Commissioner, 24 September 2009**

Thank you for your letter of 15 September, which I received on 23 September, about this complaint in respect of your claims for greeting cards.

I am very grateful for your explanation and do appreciate the difficulties of recalling events like this from some years ago.

It was helpful to see the unredacted versions of your IEP claim for February 2006. You refer to being unclear about the Assistant Director's reference to the claim being resubmitted on receipt of the final demand. I assume that reference is to the remittance advice from the company dated 31 January 2006, which makes it clear that the sum was overdue and which gives the details as goods/services, rather than birthday cards.

I am now writing to the Department of Resources to show them your letter and ask them if they can explain why the invoice for the Eid cards in November 2005 was marked "not paid". Meanwhile, it would be very helpful if you could let me have the unredacted versions of the IEP claims you submitted on 11 November 2005 and on 9 December 2005. In particular, I note from the published redacted version that there was a bill from the same supplying company for £829.31 in the claim form for 9 December 2005 which appears to have been paid. It would be helpful if you would confirm that the bill did not relate to greeting cards or similar claims which are not eligible for payment from the IEP.

Once I have the further information from you, and a response from the Department of Resources, I would hope, subject to these responses, to be able to come to a conclusion and to resolution of this inquiry.

If, therefore, you could respond within the next two weeks, that would be most helpful.

*24 September 2009*

### **16. Letter to the Commissioner, from Rt Hon Sadiq Khan MP, 8 October 2009**

Thank you for your letter dated 24th September 2009.

I apologise for the delay in responding which was caused by my being away from Parliament during the Conference season.

I am enclosing unredacted versions of the Incidental Expenses Provision claim submitted on 11th November 2005 and 9th December 2005.<sup>12</sup>

It is unclear from the invoice dated 9th December 2005 what the specific claim refers to. My staff have contacted the company to see if they can shed some light on this invoice, unfortunately they have been unable to be more specific.

I have been reminded that in previous years I have produced printed materials advertising my advice surgeries, which we then distributed to my constituents. This invoice might refer to this, and they are of course eligible to be paid from the Parliamentary allowances (Communications Allowance now, then from the Incidental Expenses Provision).

Please do not hesitate to contact me should you have any further enquiries.

*8 October 2009*

## **17. Letter to the Commissioner from the Director of Operations, Department of Resources, 25 November 2009**

Thank you for your letters of 24 September and 12 October<sup>13</sup> about the above complaint. I am very sorry for the delay in replying. I have reviewed the additional correspondence between you and the Rt Hon Sadiq Khan and offer the following observations as set out below.

I can confirm that the [company] invoice for £829.31 dated 28 November 2005 refers to the cost of printing and delivering 20,000 DL colour 2006 surgery leaflets.<sup>14</sup> This supports Mr Khan's recollection in his letter of 8 October that the claim relates to printed materials advertising his advice surgeries. This was allowable expenditure against the IEP allowance. It was unrelated to the Eid Greetings Cards order shown on the same claim form.

This invoice shows a note handwritten by Departmental staff thus: "NOT ON PUBLICATION SPREADSHEET." This internal notation indicates that the MP had not consulted the Department in advance of the purchase of the leaflets and therefore the text had not been agreed. At that time it was, as you know, entirely voluntary whether Members submitted material for review.

A second invoice for £1,051.34 also dated 28 November is for printing 1500 overprinted 18th birthday cards.<sup>15</sup> The hard copy that we hold of this is a photocopy and not an original invoice. As noted in [the Assistant Director's ] letter of 17 August 2009, the claim was initially refused on 12 December 2005. However, a second claim was re-submitted by Mr Khan in February 2006 on his receipt of a final demand letter from [company].<sup>16</sup> This second claim was attached to a statement of account and not a copy invoice, which may explain why the description differs from the original invoice. As a result of the different description, the claim was approved and paid.

Mr Khan has since agreed that this claim should not have been submitted and allowed under the rules and he repaid the amount by cheque to the House on 28 August 2009.

A claim for £888.59 relating to Eid and Diwali cards was also paid on 24 November 2005. This should not have been authorised for payment by the Department. Mr Khan now agrees that the claim also was not allowable and has sent a cheque to repay this amount.

<sup>12</sup> See WE 3 and, WE 2. The unredacted claims are not included in the evidence.

<sup>13</sup> With this letter, which is not included in the evidence, the Commissioner forwarded Mr Khan's letter of 8 October 2008.

<sup>14</sup> Part of the claim at WE3

<sup>15</sup> Part of the claim at WE2

<sup>16</sup> The claim is at WE13

Your letter raised the question of why the handwritten note “NOT PAID @ 17/11” appeared on the invoice for £888.59. “UNPAID” is also written on the final reminder notice from [company] dated 31 January 2006. These annotations would have been made by the staff in this Department. “UNPAID @” would indicate that the invoice number quoted had not been registered on the House financial payments system as a direct payment to the supplier. This internal notation confirmed that this was not a duplicate claim and could therefore be paid as a reimbursement to the Member. In other words, it was a simple internal check. It did not mean rejection of the claim by the Department.

Whilst reviewing Mr Khan’s claims, I have noted a further matter which I would draw to your attention. I enclose an invoice and claim form for your information. The invoice is dated 13 December 2005 and is for £609.83.<sup>17</sup> The description on this later order “2000 4pp A5 cards ptd 4 col process 1side black inside on 300gsm silk coated scored 1 position” is very similar to the earlier one except that it does not contain the word “Eid”. This December claim was paid. It is possible that that this invoice may also have been for greetings cards.

A review of claims after this period supports Mr Khan's comment that he has made no further claims for Greetings Cards since 2005-06.

I hope this is of assistance. I apologise once again for the delay in replying.

*25 November 2009*

## **18. Letter to Rt Hon Sadiq Khan MP from the Commissioner, 1 December 2009**

I have now heard back from the Department of Resources with their advice about this complaint in respect of your claims for greetings cards in 2005-06.

I would like to repeat the apology which the Director of Operations has given about the delay in the reply. I am sorry that this has occurred, particularly as the Department has identified difficulties with a further invoice apparently for greetings cards.

I attach a copy of the letter of 25 November from the Department of Resources. As you will see, the Department have explained the various notations on the relevant invoices and have confirmed both that you should not have claimed for the 1500 over printed 18th birthday cards on the invoice of 28 November 2005, and that you have repaid the amount claimed (£1051.34); and that you should not have claimed for the greetings cards invoice which was paid, on 24 November 2005. I understand you have repaid this amount to the Department (£889.59).

You will see, however, that the Department appear to have identified a further order for 2,000 greetings cards. Your invoice was dated 13 December 2005 and the Department paid the invoice for £609.83.<sup>18</sup> The Department say the description is very similar to the order for cards which was paid on 24 November 2005 (the Eid and Diwali cards) and that it is possible that this invoice may have been for greetings cards.

I would be very grateful if you could help me on identifying what this additional invoice was for and in particular, whether it was for greetings cards. If so, I would be grateful to know whether you consider that the invoice should not have been raised and what action you propose to take.

I apologise again for the delay in dealing with this matter. I hope it might be possible for you to let me have a reply within the next three weeks and, subject to your reply, I still hope it will be possible to move towards a resolution in this matter.

*1 December 2009*




---

<sup>17</sup> The claim is at WE 19

<sup>18</sup> WE19



## 19. Rt Hon Sadiq Khan MP: Claim form of 1 January 2006

	<b>Incidental Expenses Provision/Staffing Allowance</b> <b>Direct payment of suppliers</b>	<b>C2</b>
	Page 1 of 2	
<b>When to use this form</b>	<input type="checkbox"/> Use this form to ask us to pay your suppliers for goods and services incurred on your Parliamentary duties.	
<b>About filling in this form</b>	<input type="checkbox"/> For details of costs you can claim for, see <i>Green Book</i> section 5.13.1. <input type="checkbox"/> If you have any doubt about whether you can claim for a cost, please call 020 7219 1340.	
<b>Your details</b>		
Name in CAPITAL LETTERS	<u>SADIQ KHAN</u>	
Constituency	<u>TOTTING</u>	
Office use only		
Costc		
Supp/Res ID		
<b>Claim details</b>		
<b>Please ensure</b>	<input type="checkbox"/> your claim totals more than £100 – this will enable us to process your claim more promptly <input type="checkbox"/> any claims for petty cash do not exceed £250 per month <input type="checkbox"/> you attach all supplier invoices.	
<b>You must specify</b>	<input type="checkbox"/> the Incidental Expenses Provision for costs that include office and surgery accommodation, equipment and supplies, communication and travel.	
<b>You can specify</b>	<input type="checkbox"/> the Incidental Expenses Provision or the Staffing Allowance for costs that include work commissioned or bought in services.	
Date of claim	<u>11 / 1 / 06</u>	
Allowance year	<u>05 / 06</u>	
<b>Incidental Expenses Provision claims</b>		
Suppliers	Amount	
1 <u>LITHOTEK</u>	<u>£ 493 : 50 p</u>	
2 <u>DANNER</u>	<u>£ 14 : 51 p</u>	
3 <u>REFRESHMENT DEPT</u>	<u>£ 44 : 65 p</u>	
4 <u>EARSHFELD LIBRARY</u>	<u>£ 300 : 00 p</u>	
5 <u>UNIPRINT</u>	<u>£ 609 : 83 p</u>	
Total	<u>£ 1462 : 49 p</u>	
Claim details continued on page 2		

## **20. Letter to the Commissioner from Rt Hon Sadiq Khan MP, 1 February 2010**

I have today had sight of your letter dated 1st December 2009, which has been emailed from [member of staff] in your office to [member of staff] in my office this morning.

I am not really sure what happened to the original letter. As you will be aware we were chasing your office late last year asking when I would have a response to my letter to you dated 8 October 2008.

Dealing with the further points you raise; I agree that if the invoice was for greeting cards it should not have been raised. I obtain sponsorship from local businesses for the cost of my Christmas Cards and so do not believe these are for this. I am afraid that after the passage of more than 4 years I simply can't be more specific about what the invoice relates to. The printers listed on the invoice no longer exist and we have contacted the successor company who have also been unable to shed any further light on this.

You will, I am sure, have seen the number of invoices that are submitted each month from MP's offices including mine. Accordingly, I hope you will appreciate I am not able to recollect exactly what this particular invoice referred to.

As you will be aware from my previous representations, where I have made errors I have accepted responsibility for these, repaid the said amounts to the Department of Resources/House authorities and apologised.

I would hope this matter can be resolved without recourse to the Committee, but would be happy to answer any further questions you may have.

*1 February 2010*

## **21. Letter to Rt Hon Sadiq Khan MP from the Commissioner, 4 February 2010**

Thank you very much for your letter of 1 February responding to mine of 1 December about this complaint.

I am sorry that my letter of 1 December appears not to have reached you and that we did not pick this up sooner. I understand that your office has not been in touch with mine since they contacted us in November.

I was grateful for your response. I need now to consider how best to resolve this complaint. You referred to the rectification procedure. As you know, under the Standing Orders of the House I am able to rectify a complaint where the Member has accepted that he was in breach of the rules of the House, it was at the less serious end of the spectrum and the Member has taken appropriate action, including making any necessary financial repayments. The Committee on Standards and Privileges also expects the Member to have apologised.

Having carefully considered all the evidence I have received on this matter, I am minded to resolve the complaint through the rectification procedure. You have already accepted that you were in breach of the rules of the House in respect of your claims for 18<sup>th</sup> birthday cards and for the Eid and Diwali cards. You have repaid the sums involved £1051.34 and £889.59. You have apologised. And you have confirmed that you have made no similar claims in subsequent years.

I need, however, to resolve the outstanding issue of your claim for A5 cards made in January 2006 with an invoice raised in December 2005. I recognise that you cannot identify whether or not this invoice was for greeting cards. I note also the implication that you believe it is unlikely that these were for Christmas cards since you receive local business sponsorship for those cards. Nevertheless, while the evidence is less clear than

for the other two claims, I think there must be a reasonable possibility that these were for some form of greetings card, given the description in the printers invoice. I suggest, therefore, that you may wish to consider offering to pay the sum involved (£609.83) so that the matter can be resolved without this remaining uncertainty.

If you agree I have it in mind to write to the complainant on the lines of the attached extract. If you agree to this course of action, I would welcome confirmation that you are content with the factual accuracy of this draft, and confirmation that you have repaid the additional sum of £609.83. I would then write to the complainant and report the outcome to the Committee on Standards and Privileges.

If you do not agree to this course of action then I would have to consider further the resolution of this matter in the light of your comments. I look forward to hearing from you in the next few days.

*4 February 2010*

## **22. Letter to the Commissioner from Rt Hon Sadiq Khan MP, 19 February 2010**

Thank you for your most recent letter.

I note that you are minded to resolve this matter through the rectification procedure.

I further note that you suggest that I may wish to consider offering the sum of £609.83 for the invoice dated 13th December 2005.

If the above mentioned invoice was for greeting cards it should not have been raised. As you will be aware, where I have made errors I have accepted responsibility for these, repaid the said amount and apologised. There is no evidence that the invoice dated 13th December 2005 was for some form of greeting card. However, bearing in mind the facts that both I and my staff were relatively new and as it is now clear that we have made errors (as I have recognised) during my first few months as a Member of Parliament, I cannot rule out the possibility that this invoice was also wrongly submitted by me and wrongly approved by the Authorities. To avoid any misperceptions, and to allay both our minds, I have decided to repay £609.83 and have sent a cheque to [...], Assistant Director of Operations/Head of Policy (copy of letter and cheque enclosed).<sup>19</sup>

[process matters]

*19 February 2010*

## **23. Letter to Rt Hon Sadiq Khan from the Commissioner, 23 February 2010**

Thank you for your letter of 19 February responding to mine of 4 February about the resolution of this complaint in respect of your claims for greetings cards in 2005–06.

I was grateful to see this letter and to have confirmation that you are content for me to resolve this through the rectification procedure.

I have carefully considered the suggestions you have made on the draft of the resolution letter which I sent you. I have concluded, however, that I do need to identify the January 2006 claim for the printing of cards. I consider that this is relevant to a complaint the essence of which was that you claimed against your Incidental Expenses Provision for greetings cards in 2005–06. The third claim was, in my view, clearly relevant to the

---

<sup>19</sup> Not included in the evidence

complaint. Its inclusion will also enable me to include the statement from the Department of Resources to which you refer, which, of course, would not be possible to give if the third claim was not disclosed.

[process matters]

I should add that the Committee on Standards and Privileges has agreed to my proposal that my resolution letters, together in due course with the evidence on which they are based, should in future be published on my website. This will, however, require the approval of the House before it can be implemented.

Could you let me know within the next week—or ideally earlier—whether you are content for me to close this complaint on this basis? If so, I will write straight away to the complainant and report the outcome to the Committee on Standards and Privileges at its next meeting.

Thank you again for your help with this.

*23 February 2010*

## **24. Letter to the Commissioner from Rt Hon Sadiq Khan MP, 5 March 2010**

Thank you for your most recent letter, dated 23 February 2010.

I note the contents of your letter.

As requested, I am able to confirm that I am content for you to close the complaint.

*5 March 2010*