

# Mrs Linda Riordan MP: Resolution Letter

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## Letter to Mr Edward Wood from the Commissioner, 9 July 2009

I have now concluded my consideration of the complaint you sent me on 9 April about the use by Mrs Linda Riordan MP of House of Commons stationery and prepaid envelopes for the letters you and your wife received on 11 December 2008 about Government action to help pensioners.

In essence, your complaint was that Mrs Riordan had used House of Commons prepaid envelopes and perhaps House of Commons-funded stationery for circular letters to her constituents, contrary to the rules of the House.

I have consulted Mrs Riordan and the House of Commons authorities about this matter.

Mrs Riordan has readily accepted that she should not have used pre-paid House of Commons envelopes and House of Commons note paper from her stationery account for these letters. This is because House of Commons stationery and pre-paid envelopes may not be used to send letters to people who have not previously contacted the Member, as you had not. Because of the content of the letter and its general references to Government policy for pensioners, it would not have been possible to have funded this communication from the Member's Communications Allowance. Mrs Riordan has apologised for this breach. She has agreed to pay the full cost of this dispatch which, between November 2008 and January 2009, amounted to some 185 letters<sup>1</sup>. She has taken action with her staff to prevent a recurrence and will in future seek advice from the House authorities about the use of pre-paid envelopes.

I consider this a satisfactory resolution of this matter and now regard it as closed. I am reporting the outcome to the Committee on Standards and Privileges.

I am copying this letter to Mrs Linda Riordan MP.

*9 July 2009*

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<sup>1</sup> £74. This amount was repaid to the Department of Resources on 5 October

# Mrs Linda Riordan MP: Written evidence

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## 1. Letter to the Commissioner from Mr Edward Wood, 9 April 2009

I have been advised that I should bring a certain matter to your attention and I append details below.

Shortly before Christmas my wife and I were surprised to receive the enclosed letters from our MP, Linda Riordan.

The letters were individually addressed, Dear Edward and Dear [wife], despite the fact that we have never met her and we certainly had not consulted her though we are both of pensionable age.

**Each was in a separate envelope one of which is also enclosed with this letter.**

To my mind this constitutes blatant electioneering and should not be on House of Commons stationery and postage.

*9 April 2009*

## Letters from Linda Riordan MP addressed to Mr and Mrs Wood



Mr Edward Wood

Linda Riordan MP – Member of Parliament for Halifax

Date: 11<sup>th</sup> December 2008

Dear Edward,

**Real help for pensioners in tough times**

I'm writing about the 2008 pre-budget report announced by the Chancellor in the House of Commons at the beginning of this month.

I am pleased to see that the Government has taken action to help pensioners at this challenging time. As you know the economy has experienced an unprecedented global shock and Governments everywhere are right to act in support of people. The package of support that this Government is giving provides for additional payments, rises in state pension and pension credit, and Winter Fuel Allowances.

**The Chancellors statement included action to:**

- Make a payment in the New Year of £60 for every pensioner (i.e. £120 for a couple). This will benefit 12.5m pensioners.
- From April 09 - the state pension will rise (in line with prices) by £4.55 from £90.70 a week to £95.25.
- From April 09 - the pension credit will rise by £5.95 from £124.05 a week to £130 (for single pensioners) the biggest rise since 2003 - benefiting 3.3 million pensioners.
- Winter fuel payments - households with someone over 60 will receive £250 this winter, households with someone over 80 will receive £400.

The Government is committed to tackling pensioner poverty. As part of this support and to help the poorest pensioners, the Government introduced Pension Credits in 2003. As a result of changes to the tax and benefit system since 1997, pensioner households will be £1,500 better off on average in 2008-09, and the poorest third of pensioner households will be on average £2,100 a year better off.

Please call this office on [redacted] if you would like to talk about any of these benefits that you are entitled to, or any other issues.

**This Government is here for you – I am here for Halifax.**

Wishing you a very Merry Christmas and Happy New Year!

Yours sincerely,



Linda Riordan MP  
Halifax

Please Reply to: House of Commons, London, SW1A 0AA

Telephone: [redacted] Fax: [redacted]

Linda Riordan MP – Member of Parliament for Halifax



Date: 11<sup>th</sup> December 2008

Dear [redacted]

**Real help for pensioners in tough times**

I'm writing about the 2008 pre-budget report announced by the Chancellor in the House of Commons at the beginning of this month.

I am pleased to see that the Government has taken action to help pensioners at this challenging time. As you know the economy has experienced an unprecedented global shock and Governments everywhere are right to act in support of people. The package of support that this Government is giving provides for additional payments, rises in state pension and pension credit, and Winter Fuel Allowances.

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Please call this office or [redacted] if you would like to talk about any of these benefits that you are entitled to, or any other issues.

**This Government is here for you – I am here for Halifax.**

Wishing you a very Merry Christmas and Happy New Year!

Yours sincerely,

[redacted signature]

Linda Riordan MP  
Halifax

Please Reply to: House of Commons, London, SW1A 0AA  
Telephone: [redacted] Fax: [redacted]

## 2. Letter to Mrs Linda Riordan MP from the Commissioner, 16 April 2009

I am sorry to have to write to you again about a complaint I have received about your use of House of Commons provided envelopes and perhaps stationery for a circular letter to your constituents.

I attach a copy of the complainant's letter of 9 April together with two copies of what seems to be a circular letter of 11 December 2008 and one of the two first class pre-paid House of Commons envelopes in which the complainant notes that the letters were sent.

In essence, the complaint is that you have used House of Commons pre-paid envelopes and perhaps House of Commons funded stationery for circular letters to your constituents, contrary to the rules of the House.

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 the use of House stationery which were in force at the time these letters were dispatched are included in a booklet on the Communications Allowance and the use of House stationery published in April 2007. Paragraph 1.4 includes the following provision:

*"... Neither the Communications Allowance nor House stationery, including pre paid envelopes, can be used for personal benefit or for party political activities or campaigning."*

The provisions for House of Commons stationery and pre-paid envelopes are set out in Appendix Four to that booklet.

Paragraph 6 of that Appendix provides as follows:

*"In the course of a financial year, a Member is entitled to be provided free of charge with original House stationery to a value of up to £7, 000. This includes the cost of both the stationery itself and the cost of postage on pre-paid envelopes. Members may also purchase original House stationery (but not pre-paid envelopes) using their Incidental Expenses Provision."*

Paragraph 9 provides:

*"If you wish to use original House of Commons stationery to send to people on issues on which they have not previously contacted you, you must purchase it from the suppliers. Alternatively, you may photocopy stationery which includes the crowned portcullis and the words "House of Commons". Such mail must comply with the rules set out in paragraph 7 and may not be sent using pre paid envelopes."*

Paragraph 14 provides:

*"14. Pre paid envelopes must not be used:*

*...*

*h) for correspondence with constituents on issues on which they have not previously contacted you or on which they have only contacted you at your own instigation."*

The rules for the use of the Communications Allowance are set out in Appendix One of the April 2007 publication. Paragraph 6.14.1 gives examples of expenditure allowable under the Communications Allowance, including:

*"...*

*Regular Reports or Newsletters*

Targeted correspondence relating to issues of importance locally, including

—Contact with local groupings

—Circulars

—Questionnaires or surveys

—Petitions

Contact and surgery details, including advertisements

..."

Paragraph 6.12.4 of the booklet says:

*"... You must not use your CA funded publications or websites:*

*for the purpose of advancing perspectives or arguments with the intention of promoting the interests of any political party or organization you support, or damaging the interests of any other such party or organization".*

Appendix Two, among other things, deals with the distribution and content of material funded by the Communications Allowance as follows:

*"10. Parliamentary newsletters and other publications can be distributed to all constituents or a targeted local grouping, for example local head teachers, or residents affected by a development scheme.*

*12. The cost of envelopes and postage or freepost facilities can be met from your Communications Allowance.*

*13. You must not use House of Commons pre-paid envelopes for the distribution of these publications.*

...

*18. 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."*

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:

the source of the notepaper used for this dispatch. Was it from your House of Commons funded provided stationery allowance, from your Incidental Expenses Provision, from your Communications Allowance, or was it funded by yourself?

how many circular letters you sent out in this dispatch and how many used first class or second class pre-paid envelopes;

if you used parliamentary resources for your notepaper, whether and why you considered the content of the letters as in accordance with the relevant rules of the House;

whether you accept that pre-paid House of Commons envelopes should not have been used for this dispatch, and if so, how they came to be used taking particular account of the statement in your letter to me of 10 September 2008 that a more rigorous approach would be taken in the future to ensure there was no repeat;

how many other circular letters, in addition to the two which were the subject of the previous complaint, you have sent in the last twelve months using House of Commons paper and pre-paid envelopes.

Any other points you may wish to make to help me in the consideration of this complaint would, of course, be very welcome.

I enclose a note which sets out the procedure I follow in considering complaints. I have written to the complainant to let them know that I have accepted their complaint and am writing to you about it. It would be very helpful to have a response to this letter within the next three weeks. If there is any difficulty about this, or you would like to have a word about the complaint, please contact me at the House.

I would welcome your help on this matter.

*16 April 2009*

*7 May 2009*

### **3. Letter to the Commissioner from Mrs Linda Riordan MP, 19 May 2009**

I am writing to you following a complaint made to your Office regarding the use of my House of Commons stationery.

I have now fully investigated the complaint with my staff and volunteers and come to the following conclusion.

There seems to have been some confusion regarding which stationery budget this mailing should have been taken from. This led to what I now know to be the incorrect use of House of Commons stationery. Having fully read your letter which explained the Code of Conduct it is now clear that I should have used the Communications Allowance with this particular mailing.

I apologise for this mistake and I take full responsibility for it. I have sat down with my staff and explained, in detail, the Code of Conduct and the correct use of House of Commons stationery.

I can confirm to you that approximately 185 letters were sent to senior citizens between November of 2008 and January of 2009. No other individuals were sent correspondence on the same issue.

I again apologise for what was a genuine mistake.

*19 May 2009*

### **4. Letter to the Director of Operations, Department of Resources, from the Commissioner, 27 May 2009**

I would welcome your help on a complaint I have received against Mrs. Linda Riordan MP about her use of House of Commons-provided envelopes and stationery for a circular letter to her constituents.

I enclose [relevant material]

I would welcome your advice on this complaint. As you will see, Mrs. Riordan has not identified the source of the note paper used. I am writing to her about this, but in order to avoid delay, I think it is right to assume that the note paper as well as the pre-paid envelopes were drawn from Mrs. Riordan's provided stationery account.

It would, therefore, be helpful to have your confirmation that Mrs. Riordan is right in concluding that use of provided stationery and pre-paid envelopes for this dispatch was a breach of the rules of the House, and to have your advice on whether you consider that the content of Mrs. Riordan's letter would have been eligible for funding

under the Communications Allowance. Could you finally give me an estimate of what would be the cost of 185 letters sent presumably in first-class prepaid House of Commons envelopes?

I should say that a similar complaint was made against Mrs. Riordan in July 2008 in respect of her use of House of Commons pre-paid envelopes and stationery to invite constituents to a party political event and to include with her invitation party political material. I attach a copy of her letter of 10 September<sup>2</sup> explaining the error and a copy of my letter of 17 December<sup>3</sup> which I sent to the complainant rectifying the complaint. I am writing to Mrs. Riordan to ask her to let me know if she has sent further unsolicited letters on other matters in the last 12 months using provided stationery and pre-paid envelopes.

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

Thank you for your help with this.

*27 May 2009*

## **5. Letter to Mrs Linda Riordan MP, from the Commissioner, 27 May 2009**

Thank you for your letter of 19 May responding to my letter of 16 April about this complaint.

I am sorry that your letter arrived a little later than you had anticipated when you wrote to me on 7 May. I am grateful for your assessment and for your helpful response. I note, however, that you have not specifically answered my questions about the source of the note paper used for this dispatch, or why you considered the content of the letter was in accordance with the relevant rules of the House. To avoid delay, I hope I am right in assuming that the note paper was funded from your provided stationery allowance; the 185 letters you sent out were sent in first-class House of Commons pre-paid envelopes; and that you consider that the content was in accordance with the rules for the Communications Allowance and did not, in your view, promote the work of your party. On that basis, I am consulting the Department of Resources about this complaint and your response.

There is one further matter on which I would welcome clarification. You say that no individuals other than the 185 you referred to were sent letters on the same issue. I do need to know, however, whether letters on any other issue were sent using your provided stationery or pre-paid envelopes in the last 12 months to anyone who had not previously contacted you. In other words, has your office used this stationery to send out unsolicited letters on other matters in the last 12 months in addition to those which are the subject of the complaint and which were the subject of the last complaint against you? It would be very helpful if you could let me know within the next two weeks so I can make progress with this complaint.

Thank you again for your help.

*27 May 2009*

## **6. Letter to the Commissioner from Linda Riordan MP, 16 June 2009**

Many thanks for your further letter of 27 May. In answer to your further points:

The note paper was indeed funded from my provided stationery allowance. The letters were also sent out in House of Commons pre-paid first class envelopes.

I do feel the content was in accordance with the Communications Allowance and, as stated in my previous letter, did not mention the Labour Party in the content. In that sense I do not feel it promoted the work of the party.

I can also confirm that no other letters have been sent in the last 12 months to anyone who had not previously contacted me.

I hope this information answers all of your queries.

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<sup>2</sup> See complaints rectified 2008-09

<sup>3</sup> Ibid..

16 June 2009

## **7. Letter to the Commissioner from the Director of Operations, Department of Resources, 16 June 2009**

Thank you for your letter of 27 May 2009 concerning the use of House stationery and pre-paid envelopes by Mrs Riordan to distribute a letter to pensioners in her constituency.

As you have already identified, and Mrs Riordan has acknowledged, the use of House of Commons stationery and pre-paid envelopes was inappropriate for this piece of proactive communication and was, therefore, a breach of House rules.

Whilst Mrs Riordan suggests that the publication should more appropriately have been funded from the Communications Allowance, having reviewed the content of the letter in the normal fashion, I would respectfully disagree.

The letter was not submitted to this Department for review.

Whilst there is no objection to Members informing constituents of benefits being introduced and how they can claim them, phrases like, "The Government is committed to tackling pensioner poverty"; "...the Government introduced Pension Credits in 2003"; "...changes to tax and benefit systems since 1997"; and, "This Government is here for you" all point to a document that goes beyond the merely informative and promotes the actions of the Government over a period of years, nor does it describe the actions or views of Mrs Riordan as the constituency Member of Parliament.

Under these circumstances, and subject to your views, I would find it difficult to agree that the letter and its delivery could be funded from the Communications Allowance.

I understand that the cost of 185 such letters, assuming first class stationery, would have been £74.30

I hope this covers the matters raised.

16 June 2009

## **8. Letter to Mrs Linda Riordan MP from the Commissioner, 23 June 2009**

Thank you very much for your letter of 16 June confirming my understanding of your position as set out in your letter of 19 May and stating that no other letters had been sent in the last 12 months to anyone who had not previously contacted you.

I have now received the enclosed letter of 16 June from the Department of Resources with their advice, based on the understandings which your letter of 16 June has confirmed. As you will see, the Department concludes that the use of House of Commons stationery and pre-paid envelopes was not appropriate for the proactive communication which you sent, and was, therefore, a breach of the rules.

The Department has also considered whether the content of your letter would have made its dispatch eligible for funding from the Communications Allowance. The Department concludes that it could not have been funded from that Allowance. The Department considers that your references to the actions of the Government were contrary to the rules in respect of the Communications Allowance. Paragraph 15 of Appendix 2 to the rules published in April 2007 provides that the Allowance must not be used to advance perspectives or arguments with the intention of promoting a political party or organisation which the Member supports.

I need now to consider how best to proceed to the resolution of this complaint. I need first to know whether you accept the Department's conclusion that this communication could not have been funded from the Communications Allowance. (You have already accepted that you should not have used pre-paid House of Commons envelopes and provided stationery.) If so, then I would need to consider whether this was a matter which I could resolve through the rectification procedure. While I have already, with your agreement, used this procedure on one previous occasion last December, I would be prepared to consider the rectification procedure for this complaint, given the size of the dispatch and your statement that you have not sent any other letters in the last 12 months to anyone who has not previously contacted you (except, presumably, the letters which were the

subject of the previous complaint). To enable me to consider that procedure, you would need to accept that you should not have used pre-paid House of Commons envelopes and stationery for this dispatch because it was unsolicited mail and that the content ruled out the use of the Communications Allowance; you would need to pay the full cost involved (which the Department estimates at £74.30); I would need to take account of the action you have taken with your staff to avoid a recurrence, and I would need to be able to convey to the Committee your apologies for the breach. Because this is not the first occasion when your office has breached the rules on pre-paid envelopes, it might be helpful if you were to agree to approach the Department of Resources for advice on any further action you could take to ensure that your future use of pre-paid envelopes is within the rules.

If I were to adopt that procedure, then I would write to the complainant to let them know the outcome, I would report the outcome briefly to the Committee on Standards and Privileges and would then regard the matter as closed. If, however, you still consider that your letter could have been funded from your Communications Allowance, then I would need to consider preparing a formal memorandum to the Committee with my conclusions. That memorandum would be published along with the Committee's report on the outcome of this complaint.

If you would like a word about any of this, please contact me at the House. Otherwise, I hope that you might be able to let me have a response within the next two weeks so that I can bring this complaint to a conclusion. Thank you again for your help.

*23 June 2009*

## **9. Letter to the Commissioner from Mrs Linda Riordan, 8 July 2009**

Thank you for your letter of 23 June.

I have read your letter, and the copy of the letter from the Department of Resources, carefully. I am writing to confirm that I will accept the rectification process

I can also confirm that I am willing to accept that pre-paid House of Commons envelopes and stationery should not have been used for this dispatch. I am also willing to meet the full cost involved of £74.30.

I have reiterated the rules regarding the use of House of Commons Stationery to my staff. I will also ensure that the Department of Resources are approached in the future to seek their advice on the use of pre-paid envelopes..

Could you pass on my sincere apologies to the Committee on Standards for this rules breach and I very much hope that draws a line under the issue.

*8 July 2009*