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Summary

I investigated an allegation that the Member had broken the rules on the use of House-provided stationery and postage-paid envelopes by sending constituents a mailing which was party-political in tone and content.

- 5 In response to the allegation, the Member said she had used a letter template supplied by the Parliamentary Research Service (PRS), but that she had altered the initial template to include additional content.

10 [Due to the dissolution of Parliament on 6 November 2019 my investigation was paused until after the results of the General Election. Although Ms Pidcock was not returned as a Member, she continued to cooperate fully when I restarted my inquiry]

15 I decided that, although her original intention was to raise awareness around changes to rules for over 75's TV licenses, in altering the initial template the letter sent out in September 2019 was no longer written solely in support of the Member's parliamentary functions. As a result, I found Ms Pidcock had acted in breach of the rules on stationery and had breached paragraph 16 of the Code of Conduct for Members.

The former Member acknowledged and apologised for her inadvertent breach of the rules. She has undertaken to refund the House authorities (£3,835.32) for the misused stationery and postage.

- 20 I consider that to be an appropriate outcome and concluded the inquiry using the rectification procedure available to me under Standing Order no 150.

Ms Laura Pidcock MP: Resolution letter

Letter from the Commissioner to the complainant, 2 July 2020

5 I wrote to you on 2 October 2019, to tell you I had begun an inquiry into your allegation that Ms Laura Pidcock MP had acted in breach of the rules of conduct. I am writing to you now to tell you the outcome of my inquiry.

10 I found that Ms Pidcock's mailing, sent to constituents on the 4 September 2019, breached paragraph 16 of the Code of Conduct for Members. Although her original intention was to raise awareness around changes to rules for over 75's TV licenses, alterations made by Ms Pidcock to a letter template, provided by the Parliamentary Research Service (PRS), resulted in her mailing becoming party-political in tone and content, and no longer neutral or objective.

15 Although Ms Pidcock is no longer an MP she cooperated fully with my inquiry. She accepted and apologised for her breach of the rules; and has committed to repay the House for the stationery and the postage she used. I consider that to be an appropriate outcome and have concluded the matter using the rectification procedure available to me under Standing Order no 150.

I will notify the Committee on Standards of the outcome in due course and the evidence pack will be posted on my webpages in the next few days.

This matter is now closed.

Written evidence

1. Letter from the complainant to the Commissioner, 26 September 2019

I have been approached on behalf of a number of constituents within North West Durham regarding the conduct of their MP, Laura Pidcock. Some constituents have
5 been sent an unsolicited letter on parliamentary headed paper, in a pre-paid parliamentary envelope, the content of which appears to consist of political campaigning. The letter relates to the government's handling of TV licensing for over 75s and features emotive language reflective of the political campaigning that it is.

An original of such letter, and the pre-paid envelope is included. The recipient of this
10 particular letter wishes to remain anonymous, so I request that this investigation only proceeds if you can guarantee that Laura Pidcock will not find out the name or address of the original recipient of the enclosed letter, as they and their family are concerned if she were to find out.

As a political campaigner, I completely understand the desire of the MP for North
15 West Durham to campaign on this issue, inform residents and work to oppose the measure. However, this campaign activity is not something that should be funded by the taxpayer.

I refer to the *"Rules for the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the Crowned Portcullis"*. While members are
20 permitted to contact residents unsolicited about a specific issue, they are not permitted to do so *"in a way that can be construed as campaign expenditure within the scope of the Political Parties, Elections and Referendums Act 2000"*. Additionally, the use of party political references is only permitted when a member is *responding* to a specific issue from a constituent *"When a Member is replying to correspondence,*
25 *party-political references are allowed in House-provided stationery or in correspondence sent in pre-paid envelopes, subject to the restrictions in paragraph 3 above"*.

I believe that by using taxpayer resources in this way, the member for North West Durham not only brings parliament into disrepute, given the public concern at MPs
30 and their expenses since the expenses scandal from 2009 but also according to the rules *"confer an undue advantage on a political organisation"*.

Looking specifically at the contents of the letter, the final paragraph on the first page clearly crosses the line between legitimate correspondence and party political campaigning, with an intent to confer an undue political advantage on herself and
35 the Labour Party. *"This Tory Government has overseen the scrapping of free TV licences for the over-75s, despite their manifesto commitment to maintain free TV licences for over 75's and has delivered yet another welfare cut to some of the most vulnerable in our society. This is a betrayal of older citizens, who deserve dignity in retirement and reward for their hard work"*. This is very emotive language, and in particular the use of the words, 'Tory', 'betrayal', references to 'despite their
40

manifesto commitment', 'yet another welfare cut' and 'the most vulnerable in our society' emphasise this as campaign literature, designed to confer an undue political advantage.

5 I would be grateful if you could investigate this issue to see if parliamentary stationery, postage, and resources have been misused in this way, and act to ensure that they are not, and the impact of such misuse does not unfairly benefit the member for North West Durham, nor the Labour Party.

10 If you do investigate this complaint, I also believe you need to ask the member for North West Durham how she decided to whom to send these letters to. Was this based off a particular geographic area, or based on older people who may be affected? If it was older people being targeted directly, how was this data collected in the first place? Was this data transferred from Labour Party databases or information in a canvassing database which would also be considered a breach of data protection regulations? The mis-use of data is a serious concern of the public
15 given events and technological advances over recent years, so I believe it is essential to ensure no such regulation has been breached as part of this activity.

26 September 2019

Enclosure: Letter from Ms Laura Pidcock MP to constituents, 4 September 2019

20 **TV Licences for over 75's**

Earlier this year, the BBC announced that free TV licences for over 75's will come to an end in June 2020. This will result in up to 3.7 million older people losing their free TV licence.

25 Unfortunately, in 2015 — as part of the BBC's Charter renewal — the cost of these licences was shifted to the BBC from 2020, without the funding to sustain the policy. Of course, the Government is blaming the BBC, but public broadcasters should never be responsible for social policy. I opposed this outsourcing of social policy from the start. It was sleight of hand by the Government.

30 Therefore, from 1st June 2020, there will be a new scheme, where anyone aged 75 or over who receives Pension Credit, will still be eligible for a free licence which the BBC will pay for. Households where there is no one aged 75 or over that receives Pension Credit, will need to buy a licence if one is needed.

I would therefore urge you to check your entitlement to Pension Credit by:

- Checking online to see if you qualify on the following web address <https://www.gov.uk/oension-credit/eligibilitv>
- Calling the Pension Service helpline on 0800 731 0469
- Contacting my office on [number redacted] or by emailing [address redacted]

5

Unfortunately, if you do not receive Pension Credit and don't qualify for the benefit, you will have to pay for your TV licence from 1st June 2020. You will, however, stay licensed for free until 31st May 2020. TV Licensing will write to you in good time before the new scheme comes into force to explain how you can pay for your next licence.

10

This Tory Government has overseen the scrapping of free TV licences for the over-75s, despite their manifesto commitment to maintain free TV licences for over 75's and has delivered yet another welfare cut to some of the most vulnerable in our society. This is a betrayal of older citizens, who deserve dignity in retirement and reward for their hard work.

15

I can therefore assure you I will be pressing the Government to overturn this decision and to honour its commitment to protect free TV licences for the over-75s.

4 September 2019

2. Letter from the Commissioner to Ms Laura Pidcock MP, 2 October 2019

I would welcome your help with an allegation I have received from [name redacted] about your compliance with paragraph 16 of the House of Commons Code of Conduct for Members. I enclose a copy of the complainant's letter for your information.

20

I am writing to you now to seek your assistance with my inquiry.

25 My inquiry

My inquiry will focus on whether your use of House-provided stationery and postage-paid envelopes, for a mailing sent out on 4 September 2019, breached paragraph 16 of the House of Commons' Code of Conduct for Members. (A copy of your mailing is also enclosed.)

30 The Code of Conduct

Paragraph 16 of the Code states:

5 *Members are personally responsible and accountable for ensuring that their use of any expenses, allowances, facilities and services provided from the public purse is in accordance with the rules laid down on these matters. Members shall ensure that their use of public resources is always in support of their parliamentary duties. It should not confer any undue personal or financial benefit on themselves or anyone else, or confer undue advantage on a political organisation.*

10 Further to this, the **Rules on the use of stationery and postage-paid envelopes provided by the House of Commons, and for the use of the crowned portcullis** state the following.

“Principles

15 *2. These rules are not expected to cover every eventuality; Members should therefore always behave with probity and integrity when using House-provided stationery and postage. Members should regard themselves as personally responsible and accountable for the use of House-provided stationery and postage. They must not exploit the system for personal financial advantage, nor (by breaching the rules in paragraph 3 below) to confer an undue advantage on a political organisation.”*

20 **Paragraph 3** of these rules lists circumstances when House-provided stationery should not be used. It says that “House-provided stationery and pre-paid envelopes are provided only for the performance of a Member’s parliamentary functions”. The rules clearly exclude using stationery or postage “in connection with work for or at the behest of a political party...”

25 **Paragraph 6** of these rules states, “*When a Member is replying to correspondence, party political references are allowed in House-provided stationery or in correspondence sent in pre-paid envelopes, subject to the restrictions in paragraph 3 above.*” [my emphasis].

Use of the crowned Portcullis

30 **Paragraph 9** relates specifically to the use of the crowned portcullis. It begins with the following explanation:

35 *The principal emblem of the House is the crowned portcullis. It is a royal badge and its use by the House has been formally authorised by licence granted by Her Majesty the Queen. It should not be used where its authentication of a connection with the House is inappropriate, or where there is a risk that its use might wrongly be regarded or represented as having the authority of the House...*

Next steps

I would welcome your comments on the allegation that your letter amounts to a breach of paragraph 16 of the Code of Conduct for Members. In particular I would appreciate your answers to the following questions:

- 5 1. Were you aware of the Rules regarding the use of House-provided stationery and postage and particularly paragraph 6?
2. When you sent out the mailing on the 4 September 2019, were you in each case **replying** to correspondence you had previously received?
 - a) If so, please provide evidence that demonstrates this mailing was a reply, as a result of previous contact from recipients?
 - 10 b) Please also let me know how many letters were distributed as part of this mailing.
3. Did you take advice from the House authorities before using House-provided stationery for the purpose of sending out this communication?
 - 15 a) If you did, please describe the advice given and provide copies of any correspondence you exchanged with House officials on the matter.
4. Do you believe that the letter could reasonably be construed as being "*in connection with work for or at the behest of a political party...*" and/or for purposes other than "*in support of your parliamentary duties.*"
 - a) If not, please explain your reasons for that belief.
- 20 5. Have you distributed any similar letters using House-provided stationery and/or postage pre-paid envelopes since the start of the 2017 Parliament?
 - a) If yes, please provide copies of each letter, and the details of each mailshot (number of letters and whether sent first or second-class).

25 It would be helpful to receive any supporting evidence you have at the same time as receiving your response to these questions. Any other points you may wish to make to help me with this inquiry would be most welcome.

Important information

30 As you will be aware, my inquiries are conducted in private. Following the decision taken by the House on 19 July 2018, I will not publish the fact that I am conducting an inquiry into an alleged breach of the Code of Conduct. My office will not comment on any aspect of the inquiry to third parties. They will answer direct factual questions about the processes I follow and the standards system more generally but will neither confirm nor deny that I have begun an inquiry.

Procedure

I enclose a copy of the *Commissioner's Information Note*, which sets out the procedure for inquiries. Please note that this has not yet been updated to reflect the changes flowing from the decision of 19 July 2018.

- 5 This letter and any subsequent correspondence between us in connection with this inquiry is protected by parliamentary privilege. It should be kept confidential until the outcome of my inquiry is published. All the relevant evidence, including our correspondence, will be published when I have concluded my work.

- 10 While I do not, at this stage, know whether it will be necessary to interview you about this matter, it would be open to you to be accompanied at any such interview. I am, of course, very happy to meet with you at any stage if you would find that helpful.

I should say now, as a matter of courtesy, that I may seek the advice of the House authorities and others as part of this inquiry.

15 Action

I would be grateful to have your response to this letter as soon as possible and no later than 17 October 2019.

2 October 2019

3. Letter from Ms Laura Pidcock MP to the Commissioner, 17 October 2019

- 20 Thank you for your letter of 2nd October 2019 and the questions enclosed. My response to these questions is as follows:

Were you aware of the Rules regarding the use of House-provided stationery and postage and particularly paragraph 6?

- 25 In short, I was not clear on certain, specific aspects of the rules. I was of course aware that you cannot use stationery and pre-paid envelopes provided by the House of Commons in order to 'electioneer' So, for example, to use phrases such as "vote Labour" or "vote Laura Pidcock" would be an inappropriate use of the stationery

- 30 The primary function of the TV licence letter (Appendix B) was to alert people to the changes that have been made by the Government. It was designed to let people know that support from my office was available should they need it – whether that is help with a benefits check to ensure they are getting what they are entitled to, or to help people with pension credits should they be entitled to them (which would in turn allow them to claim a free TV licence). I am of the view that this is legitimate, indeed necessary, part of my role as an elected representative.

The impetus for the letter was my office receiving communication and complaints from constituents (37 in total). I was acutely aware that the demographic that I was addressing (those over 75 or those about to be over 75) are less likely to receive my regular updates via social media accounts or likely to email me in the first place.
5 Therefore, I thought a letter would be the best way to communicate with this group. To publish this communication on social media, knowing that my most vulnerable constituents would not see the advice and offer of support would not have achieved the purpose of informing them of the changes by which they were directly affected.

10 Because of the volume of correspondence that we receive, my office subscribes to the Parliamentary Research Service (PRS) as a very helpful way of saving time on correspondence. The letter in question was based on a template provided by PRS. PRS states the following on their website:

15 IPSA requires that pooled research services, such as PRS, produce materials that are "neutral and objective in tone, and serve the needs of the MP as a representative of their constituency, rather than as a member of their political party. PRS does this by providing a template letter with views written from the MP's personal perspective. More information about IPSA compliance can be found in the PRS Style Guide which is available to download from this
20 website.

25 PRS materials can be used for any parliamentary duties. Letters, Background Briefings and One Pagers may all be useful for answering constituent queries not specifically related to campaign texts, research for questions, debates and constituent meetings in parliament, and for general briefing on issues. The Parliamentary Bulletin and Brexit Bulletin can both be used, for example, as the raw materials for correspondence with constituents."

30 The main changes that we made to the PRS template document was to supply specific information and advice about how to check if you qualify for pension credit. Attached to this letter, I have supplied the PRS template response and our changes to it (in bold, Appendix A)¹.

When you sent out the mailing on 4th September 2019, were you in each case replying to the correspondence you had previously received?

35 *If so, please provide evidence that demonstrated this evidence was a reply, as a result of previous correspondence from recipients?*

I had correspondence from 37 constituents on this issue, via my email account (emails can be provided on request). I know, however, that there would be more than these constituents affected, but because of their age, they would be less likely

¹ See enclosure below

to interact by email or social media and we therefore decided that a letter would be appropriate. The mail out was not a direct response to those constituents who had emailed or written to our office but a response to the concerns of those and other constituents on a widely felt issue for this particular age group.

5 *Please also let me know how many letters were distributed as part of the mailing.*

5393

Did you take advice from the House authorities before using House provided stationery for the purpose of sending out this communication?

10 Unfortunately, no, as I have only recently been made aware of this service. Following the receipt of this complaint, however, we were prompted to seek advice on a letter we were going to send out on another matter. Upon receiving that advice from the House authorities, we stopped that letter being distributed after very helpful guidance. We will seek advice on all letters we want to send out that are not in direct reply to a constituent in the future. We of course regret that we did not know about
15 the service the House provides before now.

Do you believe that the letter could reasonably be constructed as being “in connection with work for or at the behest of a political party...” and/or for purposes other than in support of your parliamentary duties?”

If not, please explain your reason for that belief

20 Notwithstanding the detail of Paragraph 6 (of which I was unaware) in respect of replying directly to correspondence, I believed that there was sufficient contact with my office on the issue to warrant writing to my constituents in connection with my parliamentary duties. I had 37 people email me, 4 people call into the office and, from what my constituency team can recollect, 20 people phoned our office. The
25 primary function of the letter was not political advantage, but to explain to people who I represent, that my office was there to help them should they be worried about this issue or feel like we could help them apply for pension credits. I accept there was criticism of government policy, but there was no reference to my own party, or indeed any other’s policy on these matters was made as a comparison.

30 The section of the text directly relating to the Government was taken from the PRS template which we believed, at the time, could be used in letters to constituents. I believe it to be my duty as a Member of Parliament to identify issues which already have, or will, affect my constituents and to, subsequently, inform them that my office is there to support them, in the same way that I know and have heard of other MPs,
35 for example, writing to their constituents alerting them to surgeries.

Have you distributed any similar letters using House provided stationery and/or postage pre-paid envelopes since the start of 2017 Parliament? If yes,

please provide copies of each letter, and the details of each mailshot (number of letters and whether they were sent first or second class)

5 Yes. We have written and sent two other letters to constituents which were not a direct reply to an enquiry but in which were prompted by communication from constituents on a range of issues, and which led us to write to constituents in order to meet with them, collectively, in the form of a public meeting – where the agenda was set by the constituents, rather than by me. The letters are attached.

10 The first letter (Appendix C) ² (5205 sent, 4000 2nd class, 1205 1st class) was in relation to the state pension age rise for women born in the 1950's. I wanted to know, directly from the women who were affected in my constituency, what issues they were experiencing, so that I could better represent them and work towards the practical changes they wanted, not just those that I assumed they wanted. I have always wanted to seek out the silent voices as an MP. I wanted to try not only listen to those who are comfortable with contacting their MP but to make contact with
15 those who had never thought about speaking to their MP.

18 constituents did contact me about the state pension age since I was elected and I thought I should try to get these women together to see what issues were affecting them, so that I could represent their experiences in Parliament. This was the reason I invited these women to a series of meetings. There were 3 meetings in total. I was
20 certainly not aware of any rule that prevented me from inviting my constituents to a meeting or sharing my social media details. The reason I include my social media account details is because it is an almost 'live' account of what I am doing as their elected representative and I want people to know what I am doing whilst in office. This is a principle of direct representation and not merely party politics, I think. It is
25 only after seeking the House authority's advice because of this complaint that we are aware and will no longer do this is any communication.

The second set of letters (10,529 sent, 2nd class, Appendix D,E,F)³ were simply inviting constituents to a series of public meetings. These meetings were supposed to be a creative alternative to surgeries, an opportunity to allow constituents to
30 come and let me know what they think on a variety of matters, irrespective of who they voted for. It is my duty, as an elected representative, to be as accessible as possible and open up the space for people to come and tell me what they think. To me, this format had a similar purpose to surgeries, but as a collective discussion. And again, at the time of writing the letters, I was not aware I was not allowed to write
35 to constituents and encourage them to meet with me.

Further comments

I take my obligations under the rules very seriously. My intention is always to make sure that constituents know how to get in touch with me and know that I am

² Not reproduced here as not relevant to the investigation

³ Not reproduced here as not relevant to the investigation

available to them. I want to build confidence that elected representatives are there to serve them and that I see it as my duty to facilitate spaces to enable that. I did not know that I was not allowed to write to constituents unless they had contacted me directly, or that it was not permitted to invite them to a meeting.

- 5 I simply sought to mitigate the effect of policy on this group of my constituents, and if I have inadvertently breached any rule, I sincerely apologise. Should you take the view that there has been a breach, it was unintentional and based on a misapprehension of what is and what is not permitted. I have since taken steps to ensure that this does not happen again, and I would welcome any guidance for future
10 action to strengthen the steps that have now been put in place.

17 October 2019

Enclosure; Appendix A - PRS template letter TV Licenses for over 75's

[Laura Pidcock's changes indicated in bold text]

Dear XXX

- 15 [Thank you for contacting me about free TV licences for people over the age of 75]

[I share your concern following the BBC's announcement that these TV licences will be means-tested, from June 2020, by linking them to Pension Credit. As a result, up to 3.7 million older people - 1.6 million of whom live completely alone - are set to lose their free TV licenses.]

- 20 **Earlier this year, the BBC announced that free TV licences for over 75's will come to an end in June 2020. This will result in up to 3.7 million older people losing their free TV licence.**

- 25 Unfortunately, in 2015 — **as part of the BBC's Charter renewal** — the cost of these licences was shifted to the BBC from 2020, without the funding to sustain the policy. **Of course**, the Government is blaming the BBC, but public broadcasters should never be responsible for social policy. I opposed this outsourcing of social policy from the start. **It was sleight of hand by the Government.**

- 30 [The free TV licence is an important benefit for pensioners, who suffer disproportionately from loneliness and isolation. With TV licences set to be means tested, millions of older people, almost half of who consider televisions their main source of company, will have to pay to keep the little company they do have. I am alarmed by Age UK's analysis which shows that scrapping the free TV licence could push 50,000 pensioners below the poverty line. Taking free TV licenses away will also leave many older people feeling isolated and alone.]

Therefore, from 1st June 2020, there will be a new scheme, where anyone aged 75 or over who receives Pension Credit, will still be eligible for a free licence which the BBC will pay for. Households where there is no one aged 75 or over that receives Pension Credit, will need to buy a licence if one is needed.

5 I would therefore urge you to check your entitlement to Pension Credit by:

Checking online to see if you qualify on the following web address <https://www.gov.uk/pension-credit/eligibility>

Calling the Pension Service helpline on 0800 731 0469

Contacting my office on [number redacted] or by emailing [address redacted]

10 Unfortunately, if you do not receive Pension Credit and don't qualify for the benefit, you will have to pay for your TV licence from 1st June 2020. You will, however, stay licensed for free until 31st May 2020. TV Licensing will write to you in good time before the new scheme comes into force to explain how you can pay for your next licence.

15 This [current] **Tory** Government [was elected on a manifesto which promised to maintain free TV licences for the over-75's throughout this Parliament - meaning until 2022. On 8 May, the House of Commons expresses - unopposed - its belief that the commitment to maintain TV licences should be honoured. I was pleased to support this Opposition Day motion. By overseeing] **has overseen** the scrapping of
20 free TV licences for the over-75s, **despite their manifesto commitment to maintain free TV licences for over 75's and** has delivered yet another welfare cut to some of the most vulnerable in our society. This is a betrayal of older citizens, who deserve dignity in retirement and reward for their hard work.

25 [I fully agree that the new Prime Minister should ensure the Government takes back responsibility for maintaining the free licence. Unfortunately, however, he has indicated there will be no change in approach.]

I can **therefore** assure you I will [continue to press] **be pressing** the Government to [step in and fund free TV licences for the over-75s] **overturn this decision and to honour its commitment to protect free TV licences for the over-75s.**

30 [Thank you once again for contacting me about this important issue.]

[Yours sincerely]

Additional Note⁴

⁴ The Commissioner paused her investigation during Dissolution, 6 November 2019 - 17 December 2019

4. Letter from the Commissioner to the Director of Customer Experience and Service Delivery, 9 January 2020

I would like to ask for your advice on a complaint I received towards the end of September about Ms Laura Pidcock, then MP for North West Durham. In essence
5 the complaint is that Ms Pidcock used House of Commons stationery and pre-paid envelopes to send out a letter, which was in breach of paragraph 16 of the House of Commons Code of Conduct for Members.

I enclose a copy of the relevant correspondence and envelope used by Ms Pidcock in her mailing to constituents. I would be grateful if you would tell me how you would
10 have advised the former Member at the time, had she sought your advice about using House-provided stationery and postage pre-paid envelopes for this mailing.

In addition, I have enclosed a copy of Ms Pidcock's most recent reply to my questions, dated 17 October 2019, as well as the letter template mentioned in her response. This letter template was produced by the Parliamentary Research Service
15 for the use of Members. As you will see from Ms Pidcock's correspondence with me, the text that has been highlighted in bold indicates additions made to the template by Ms Pidcock's office.

I appreciate that the published guidance regarding the use of stationery cannot cover every eventuality, and it would be useful to have your observations on the
20 factors you have taken into account in reaching a view in this instance.

It would be very helpful to have your response to this letter as soon as possible and no later than 23 January 2020. Thank you for your assistance.

9 January 2020

5. Letter from Letter from the Commissioner to Ms Laura Pidcock, 9 January 2020

I'm sorry that I am writing to you at what must be quite a difficult time. Although your situation has now changed, I am writing to let you know I have restarted my investigation.

In my first letter to you, on 2 October 2019, I explained that I might seek the advice of the House authorities as part of my inquiry. In accordance with my usual practice, I have today written to the Director of Customer Service and Delivery, [name redacted]. In my letter I ask how he would have advised you, had you sought advice about using House-provided stationery and postage pre-paid envelopes for the mailing you sent out in September 2019. I enclose a copy of that
30 letter for your information.
35

I will write to you again when I have the Director's advice and to give you an opportunity to comment. In the meantime, our correspondence remains protected

by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

9 January 2020

5 **6. Letter from the Director of Customer Experience and Service Delivery to the Commissioner, 13 January 2020**

Thank you for your letter dated 9 January.

I can confirm that Laura Pidcock did not seek advice regarding the letter she sent out on 'TV licenses for over 75's' (she has since asked advice from the Customer Relations team on other matters).

10 Had Ms Pidcock sought guidance in advance from the Customer Relations team on the appropriateness of the letter, the following advice would have been given:

15 *The House provides the stationery budget to assist Members in performing their parliamentary duties, but the rules cannot be expected to cover every eventuality. Ultimately it is incumbent on the Member to always behave with probity and integrity when using House-provided stationery and postage and they should regard themselves as personally responsible and accountable for the use of it. Although we can provide guidance on usage, if a complaint were made, it is the Commissioner for Standards who rules on individual cases, and our guidance cannot bind the Commissioner's ability to come to a different conclusion. Please see the stationery rules for more details. [Member would have been sent a link to the intranet page outlining the stationery rules].*

25 *I have some concerns over the wording of your letter. Under rule 3 it states not to use stationery or postage 'in a way that can be construed as campaign expenditure' which I would suggest this does by saying "Of course, the Government is blaming the BBC... It was sleight of hand by the Government". Also "This Tory Government has overseen the scrapping of free TV licences for the over-75s, despite their manifesto commitment... This is a betrayal of older citizens... I will be pressing the Government."*

30 *I would therefore suggest this letter is not sent out on House of Commons stationery or using pre-paid envelopes.*

Please let me know if you have any questions or I can assist further.

35 13 January 2020

7. Letter from the Commissioner to Ms Laura Pidcock, 23 January 2020

When I wrote to you on 9 January 2020, I said that I was seeking the advice of the House authorities and that I would give you the opportunity to comment on that advice before I reach any decision.

- 5 I have now received a response from the Director of Customer Experience and Service Delivery. He said;

10 *"I can confirm that Laura Pidcock did not seek advice regarding the letter she sent out on 'TV licenses for over 75's' (she has since asked advice from the Customer Relations team on other matters).*

Had Ms Pidcock sought guidance in advance from the Customer Relations team on the appropriateness of the letter, the following advice would have been given:

15 *Thank you for your email and query. The House provides the stationery budget to assist Members in performing their parliamentary duties but the rules cannot be expected to cover every eventuality; ultimately it is incumbent on the Member to always behave with probity and integrity when using House-provided stationery and postage and they should regard themselves as personally responsible and accountable for the use of it. Although we can provide guidance on usage, if a*
20 *complaint were made, it is the Commissioner for Standards who rules on individual cases, and our guidance cannot bind the Commissioner's ability to come to a different conclusion. Please see the stationery rules for more details.*

25 *I have some concerns over the wording of your letter, under rule 6 it states that 'party-political references are allowed... subject to the restrictions in paragraph 3'. I would suggest your letter is party political in overall tone by saying 'Of course, the Government is blaming the BBC... It was sleight of hand by the Government'. Also 'This Tory Government has overseen the scrapping of free TV licenses for the over-*
30 *75s, despite their manifesto commitment... This is a betrayal of older citizens... I will be pressing the Government'.*

I would therefore suggest this letter is not sent out on House of Commons stationery or using pre-paid envelopes."

35 I would be grateful to receive any comments you wish to make in the light of the above advice, either via post or by emailing standardscommissioner@parliament.uk, by 5 February 2020.

23 January 2020

8. Letter from Ms Laura Pidcock to the Commissioner, 5 February 2020

Thank you for the letter informing me you were writing to the Director of Customer Service and Delivery and the subsequent letter detailing the advice of the Director.

5 As stated in previous correspondence, at the time of writing the letter about the scrapping of free TV licences for those 75 and over, I was not aware of the service of the customer relations team.

10 Information about this service was not part of the induction process following my election to the Commons. If I had known about the service, I would have sought advice and acted upon it, as I did when its existence was eventually brought to my attention thereafter.

The primary motivation of the contested letter was to inform those people I served of the changes, and to offer my support in checking whether constituents were eligible for pension credits, which would then keep their entitlement to a free TV licence.

15 I previously mentioned to you a resource called PRS, which provides template letters for corresponding with constituents. I thought that because my letter was based on the template provided by them, and used by other Members, then it would be ok.

20 I only ever wanted to be as helpful and communicative as possible with constituents, to be open and accessible. I think the rules to which this matter relates should be highlighted to members more forcefully upon induction. I certainly was not aware of them at the time.

6. *5 February 2020*

9. Letter from the Commissioner to Ms Laura Pidcock, 3 March 2020

25 Thank you for your letter of the 5 February 2020, I'm sorry it has taken longer than usual to reply. Having reviewed all of the correspondence available, I now have sufficient information to make my decision.

My Decision

30 I have carefully considered the advice of the Director of Customer Experience, as well as your own comments on that advice. My decision is that, in using House-provided stationery and first-class postage-paid envelopes to send out your mailing of 4 September 2019, I find you acted in breach of paragraph 16 of the Code of Conduct for Members.

Rationale

The *Rules for the use of stationery and postage paid envelopes* sets out how House-provided resources should be used by Members. Although the relevant rules make it clear they cannot cover every eventuality, it is for each Member to always behave with probity and integrity when using House provided resources. Therefore, in the absence of a neatly and easily defined boundary, each piece of correspondence must be considered carefully and on its own merits.

In your letter to me on 17 October 2019, you explained that your office subscribed to the Parliamentary Research Service (PRS) to assist with the high volume of correspondence your office received. This, I understand, is a pooled research service for Labour MPs. You explained that your mailing of the 4 September “... was based on a template provided by PRS.”

Your letter to me also included information taken from the PRS website, which states;

IPSA requires that pooled research services, such as PRS, produce materials that are “neutral and objective in tone, and serve the needs of the MP as a representative of their constituency, rather than as a member of their political party.”

You also helpfully enclosed the original PRS template document, which you had used, indicating your changes to it in bold.

When I asked for his advice about your letter, the Director of Customer Experience and Service Delivery said, “*I have some concerns over the wording...*” He went on to explain further, saying;

“Under rule 3 it states not to use stationery or postage ‘in a way that can be construed as campaign expenditure’ which I would suggest this does by saying, ‘Of course, the government is blaming the BBC...It was sleight of hand by the Government’. Also ‘This Tory Government has overseen the scrapping of free TV licenses for the over-75s, despite their manifesto commitment...This is a betrayal of older citizens...I will be pressing the Government’.

In addition to this the Director makes it clear that, had you sought his advice at the time, he would have suggested that your letter “...is not sent out on House of Commons stationery or using pre-paid envelopes.” I appreciate that your view differs from that of the Director’s, however, I consider his advice to be sound.

When making a judgement about whether a particular mailing should have been sent at public expense, I must look at the communication as a whole and make my own judgement about its tone and content. In making alterations to the template provided by the PRS, the letter was no longer neutral and objective. The letter changed from a purely parliamentary communication, becoming party-political in tone and content.

Paragraph 6 of Rules for the use of stationery states;

*“When a Member is **replying to correspondence**, party political references are allowed in House-provided stationery or in correspondence sent in pre-paid envelopes...” [my emphasis].*

5 In your reply to my questions you explained that, on the issue of TV licences for the over-75s, you received emails from 37 people, 20 telephone calls, and 4 people visited your office. You explained, as the issue mainly affected people aged over 75, you had decided that *“...because of their age, they would be less likely to interact via email...therefore [we] decided that a letter would be appropriate.”* You also said that
 10 your mailing of the 4 September was *“... not a direct response to those constituents who had emailed or written to our office...”*

Taking these factors into consideration it is clear that your letters were not replies to correspondence; the mailshot was, for thousands of the recipients, an unsolicited letter. Therefore, I have concluded your mailing breached paragraph 6 of the Rules
 15 for the use of House-provided stationery.

Other letters

Alongside your letter of 17 October, you also provided me with examples of other letters you had sent out to constituents in March 2018, and in March, May, and June 2019. I have not received complaints about those mailings, and they are not
 20 obviously similar to the letter of the 4 September 2019. I have therefore decided I do not require any further information regarding them as part of this inquiry.

Finally, in your letter of 5 February 2020, you said that at the time of writing the letter about TV licences for the over 75s, you were unaware of the service of the customer relations team. You suggest that information about this service had not
 25 been part of your induction process upon election, and that *“If I had known about the service, I would have sought advice and acted upon it...”*

According to my records, shortly after your election to the House in 2017, you attended a meeting with the Registrar on 29 June 2017. That meeting was arranged as an opportunity for new Members to go through, amongst other things, the Code
 30 of Conduct for Members. A record of that meeting shows that the Registrar explained the various rules on the use of parliamentary resources, including Chapter 6, *Rules for the use of stationery*. Information at the end of this chapter in the Guide to the Rules also directed Members to the relevant contact information for further advice regarding House-provided stationery and postage.

35 Next steps

While your mailing of the 4 September 2019 breached paragraph 16 of the rules, I consider this breach to be at the less serious end of the spectrum. If you accept my decision, I would be willing to conclude this matter through the rectification

procedure, which is open to me under Standing Order No 150. This allows me to conclude an inquiry without making a referral to the Committee on Standards in certain circumstances.

- 5 In order for me to implement the rectification procedure, it would be necessary for you to acknowledge that you were in breach of paragraph 16 of the rules of conduct and to apologise for that breach. You can do this by way of your response to this letter. In this matter, rectification would also include refunding the House authorities for the cost of the paper, envelopes and first-class postage used for sending out the 5,393 letters, of the 4 September 2019.
- 10 If you agree to this proposal, my office would send you details about the various methods available for repayment to the House authorities. I would share with you a draft copy of my letter to the complainant [name redacted] informing him of the outcome, alongside a draft copy of the written evidence pack. The content of my letter to the complainant is, of course, a matter for me alone. However, you will be
- 15 invited to comment on the factual accuracy of the written evidence before publication on my webpages; <https://www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/parliamentary-commissioner-for-standards/>.

I would also report the outcome to the Committee on Standards in due course.

- 20 Please let me have a response to this letter by 17 March 2020. In the meantime, our correspondence remains protected by parliamentary privilege and I must ask that you continue to maintain the strict confidentiality of the inquiry.

3 March 2020

10. Letter from Ms Laura Pidcock to the Commissioner, 17 March 2020

- 25 Thank you for your letter informing me of your decision that I was in breach of paragraph 16 of the Code of Conduct for Members and specifically rule 3.

- 30 Throughout my time as Member of Parliament for North West Durham I only ever wanted to be as open and as accessible as possible to the people I represented. The primary function of the letter I sent to constituents was to inform them of how my office could possibly help mitigate the change to the TV licence entitlement for those 75 and over. We wanted to make sure that people were aware we could do a benefits check to see if they were entitled to pension credits which would in turn keep their free TV licence.

- 35 I am sorry if the way in which I communicated this was not allowed under the rules and I will accept your ruling and will also pay back the House for the resources used for this communication.

This was an honest mistake and were I still in Parliament, one which would not be repeated.

17 March 2020

11. Letter from the Commissioner to Ms Laura Pidcock, 4 May 2020

5 Thank you for your letter of 17 March 2020, accepting my decision and acknowledging and apologising for your breach of the rules on the use of House-provided stationery. Thank you also for agreeing to refund the House authorities for the stationery you misused.

10 I'm aware that you have been liaising with my office about the calculation of that refund. Thank you for this. I appreciate that since leaving office the information about the proportion of first and second-class postage used is no longer available to you. Earlier in the investigation you provided me with a detailed breakdown about a similar sized mailing, which consisted of 5,205 letters (with 4,000 letters sent second-class and the remainder sent first-class).

15 In the absence of other evidence, I have used a similar ratio, and have calculated the repayment on the basis of 4,000 letters sent second-class and 1,393 letters sent first-class.

20 If you are willing to proceed in this way, I calculate the final amount required for repayment to the House authorities will be £3,835.32. If you disagree with this calculation, I would need to understand the reason for that and to have as much supporting evidence as possible. However, if you agree to proceed as I propose, payment can be made using one of the following methods;

- Pay by cheque made payable to [details redacted] and sent to this office
- Complete a BACs transfer to [details redacted], stating who and what the
25 payment relates to in the narrative
- Pay by card (Amex not accepted) by calling [details redacted]

30 I enclose a draft copy of the letter I plan to send to the complainant; as the first item in the draft written evidence pack, after the summary. While the content of the letter is a matter for me alone, I would welcome any comments on the factual accuracy of this and the draft written evidence pack, which includes our correspondence during the investigation.

35 Once I have any comments you wish to make, I will finalise the complainant's letter. I will also send you both a copy of the final written evidence pack (redacting the complainant's name from the evidence), shortly after which the pack will be posted on my webpages <https://www.parliament.uk/mps-lords-and-offices/standards->

[and-financial-interests/parliamentary-commissioner-for-standards/complaints-and-investigations/allegations-the-commissioner-has-rectified/](#)

I will notify the Committee on Standards of the outcome of my inquiry in due course.

5 I would be pleased to receive any comments you wish to make on these items as soon as possible, and no later than 14 May 2020.

In the meantime, our correspondence continues to be protected by parliamentary privilege. Until I send you and the complainant letters concluding the inquiry, this matter should remain confidential.

4 May 2020