

Committee on Standards

Oral evidence: [Work of the Parliamentary Commissioner for Standards](#), HC 508

Tuesday 3 December 2024

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Members present: Alberto Costa (Chair); Paula Barker; Mark Ferguson; Sir Francis Habgood; Professor Michael Maguire; Mehmuda Mian; Melanie Onn; Dr Rose Marie Parr; Anna Sabine; Victoria Smith; Gareth Snell; Dr David Stirling; Carys Williams.

Questions 1-20

Witnesses

[I](#): Daniel Greenberg CB, Parliamentary Commissioner for Standards; James Davies, Registrar of Members' Financial Interests; Helen Reid, Senior Investigations and Complaints Manager, Office of the Parliamentary Commissioner for Standards.

Examination of witnesses

Witnesses: Daniel Greenberg, James Davies and Helen Reid.

Q1 **Chair:** Good morning, Commissioner, Registrar and team. Welcome to this public evidence session of the Committee on Standards on the annual report that you have prepared, entitled “The Parliamentary Commissioner for Standards: Annual Report 2023–24”.

Commissioner, I am very grateful to you and your team for taking the time to come before the Committee this morning. Perhaps you might like to say a few words of introduction for the record, and then we can get on to our questions.

Daniel Greenberg: Thank you for inviting us. I am Daniel Greenberg, the Parliamentary Commissioner for Standards; I have with me James Davies, the Registrar of Members’ Financial Interests, and Helen Reid, the senior investigations and complaints manager. With your permission, Chair, when questions arise that they are better placed to deal with in detail than I am, I will invite them to address the Committee.

I do not want to make a long opening statement. I have talked about some themes in my annual report, which I know the Committee has read and which interested readers from outside will have been able to read. Since you have asked me to set the scene, very much the overarching theme for me—and, I think, for this Committee and other relevant Committees in this place—is maintenance of trust. It is all about trust: the standards regime is effectively the covenant of trust between Parliament and the public. The Committee is there to show Parliament’s commitment to that trust. Uniquely, it does so by involving members of the public: the lay members of the Committee are literally the representatives of the public in this Committee.

I see that very much as a mission delegated to me by Parliament. There is an enormous amount of positive activity that goes on in this place every day that is worthy of the trust of the public. A very important part of my role is to help the House to display that and to ensure that the narrative about standards is not entirely negative—that, so far as possible, it is also about the positive commitment of Members of Parliament to maintaining trust between them and the public.

Q2 **Chair:** Thank you, Commissioner. This is a public session, as you are aware, but if it is okay with you, we will have a private session immediately following it.

Let me start by asking about the Commissioner’s role. What impression have you gained of how well informed the new Parliament is and how responsive it is to the code of conduct and the wider Nolan principles?

Daniel Greenberg: This has been a very significant challenge for the new Parliament, with the largest proportion of new Members of Parliament in living memory. I think that Parliament as a whole, if I may say so, was well prepared and has worked very hard to ensure that new and returning

Members of Parliament are able to engage effectively with the standards regime.

It might help if, in response to your question, I run through some of the things that we did and are doing to induct and support new Members of Parliament.

Before the general election, we issued a note that made it very clear to everybody what our role was during Dissolution. At that point, we produced an overview video of the parliamentary standards system. One thing that we are trying to do in my office—I know the Committee strongly supports this—is to produce more public-facing material. Everything that I do for Members is also available for the public, unless it is literally one-to-one advice that is personal between me and a Member of Parliament. The overview video went online and we shared our general election planning note with the Committee. You published that in your standards landscape report, which I know we will come back to.

After the general election, the most important thing was to make sure that returning and new Members were aware of the registration deadlines. The fact that my team is effectively divided into registration and investigation perhaps shows how important registration is. To come back to the Nolan principles, openness is where it all starts. If we are open with the public about our interests and concerns, we will have a start for openness and accountability.

The registration team is, if you like, in charge of what happens when it is all working well. They are there to support Members in making effective and transparent registrations. One of my advice notes is about how to connect fundamental transparency with the rules on registration; I know that the Registrar and his team support Members on that.

Chair: We have a couple of questions about your advice notes.

Daniel Greenberg: Am I anticipating them? I beg your pardon.

Q3 **Chair:** Not at all. Could you expand on what you and your staff did? You have touched on registration and deadlines. Could you go into a little more detail on what happened during the first few weeks after new Members were elected?

Daniel Greenberg: Yes. I will give an overview, and then the Registrar may want to expatiate.

As every new Member came up the escalator, I was there to make sure that they got a card saying, "This is where you book in for your registration session." New Members were extremely helpful and extremely forthcoming. I found that most of them wanted to have a little chat there and then, to understand the system—even those who had come from local government, because this is a different system of registration. They were very open to that. They then booked in for a personal session with the Registrar and his team.



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Since we are in public today, I know that the Committee will wish to put on the record the enormous effort of the Registrar and all his team to put themselves at the service of new and returning Members. To say that they worked around the clock would not be much of an exaggeration. I would also like to mention not just the people in my team, but the volunteers from around the House service who made sure that Members got individual time—as long as they needed—with the team explaining the system.

It may be that you will ask me about this later, so I will try not to spoil that, but it helps that we now have a fully digital register: instead of emailing in, Members are going in and operating the portal themselves. We are effectively training Members in the operation of what is now a self-service system. Feedback on the operation of the system, by and large, is positive. As you would expect, there are some quirks in the system that we are looking to iron out over the initial stages.

Members then went back to their offices to use the system and to delegate to staff as necessary the right to make entries on their behalf, subject to the fact that, as the Registrar reminds Members all the time, it is their personal and individual responsibility to ensure that their entry in the register is accurate.

We had a dedicated space in Portcullis House for about a month after the general election for those personal meetings. We gave hard copies of the code of conduct and the guide to every new Member at those briefings. I also gave them a link to my overview talk, which describes the standards system more generally. I encouraged them to give it to their staff as well.

We are still doing seminars with Members' staff—we might come back to those—on the Nolan principles. We mention registration there as well. They were also given links to my advice notes, an index to the advice notes, and the plain English procedural protocol that the House has passed. Since then, the Registrar and I have had dozens of meetings with Members privately or by telephone, welcoming them in general but also providing guidance on matters of interest to them.

That is what we have done. So far as we can tell by take-up and by requests for advice, we have met the need.

Q4 **Melanie Onn:** Are you aware of how many portals new Members were required to sign up to when they came to Parliament, with the self-service element of completing documents and in filling in personal details?

Daniel Greenberg: I cannot give you a number—you can probably give me the number—but I am absolutely aware that there are a lot.

What I think we managed to get across, which was really important, is that signing up to the registration portal matters in a specific way. It matters in a way none of the other portals matter, because if you do not sign up for the registration and get your registration in, you start your



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parliamentary career with a public investigation for breach of transparency, which is not what anybody wants.

The message was that the administrative issues are really important. The other claims on new Members' time were massive—I completely get that—but this mattered in a way that other things did not. Members, by and large, were receptive to that message, particularly because they were clear that I was trying to help them. By saying, "You need to do this first," I am helping them to avoid trouble later.

Would the Registrar like to add anything?

James Davies: On the specific point about the portal: yes, we all appreciate that there is an awful lot that Members have to do in their first couple of weeks. Where I think the portal helps and may be of benefit to new Members is that in all the previous Parliaments, Members were given a large wodge of paper that they would have to fill in and then email. It was very much a paper-based approach. The portal approach means that it is quicker and easier. We have a lot of tips and hints to guide Members through the journey of each registration. I appreciate that there were lots of portals, but I think the efficiency gains were a great help to Members, because they did not have to do it while they were sitting with us.

To be perfectly honest, there was also a great administrative saving from my side. You will see in the Commissioner's report that we had about 5,000 new registrations in the first register; for those to have come to us by email and for us to transcribe them would have taken a huge amount of resource. Under the old system, we would not have been able to publish the register as quickly after the deadline as we did. The Commissioner and I are both conscious that each week that you delay the publication of the register after the new Parliament, you are delaying that key principle of transparency.

Q5 **Melanie Onn:** Do you think that having to complete the portal early on in a very busy period reduces new Members' awareness of the need to continue to go into the portal and update it once everything else takes over for them?

The Registrar mentioned that the portal makes it a lot easier. Does it raise the risk of any failings to self-complete and take the onus on as individuals being deemed less excusable if a delay occurs or if there is a failing in the extent of the information that is completed by an individual?

Daniel Greenberg: I want to be a little careful in how I answer particularly the second part of that, because what is really important, in accordance with the protocol set by the House, is that when there is a failure, we treat each failure as a separate case and look at it in accordance with the protocol. We consider proportionality of action; we consider what is reasonable and what is justified. I am very nervous of laying down any rules—"Yes, of course: if this, then that"—because each Member has a right to be considered as an individual case when a problem arises.



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If I may come back to the first part of your question, we see ourselves collectively as a support service, not a waiting-to-get-you service. Hopefully, new Members got that impression, because we put a lot of effort into making that clear. When the dust settled after the first month or so, we got a lot of Members coming and saying, "I have done what I needed to, but I am still a bit unsure, and now I've got a bit more time. Can you help?" The Registrar always makes time to speak to people at a general level, a specific level or whatever they need.

I also want to say this; I think I can do so without prejudicing any of the principles set out in the protocol. I believe that those Members who have come to me and said, "Look, I've got a bit of a problem," have found that my first aim is to help them to avoid any problems. If it is an inadvertent problem, my first aim is to get them back on track. I am not looking to take advantage of their having made a technical breach. If there is a reason why they have not complied fully, I want to support them to get back on track. I am not going to say whether anyone in the room will have reason to know this, but I hope that Members you meet around the House generally who have come to me because they have a problem will have found a supportive approach. That is definitely what we are aiming to provide.

The Committee knows this very well, but perhaps I can say for the sake of anybody listening that the House has given me a range of options for dealing with infractions or breaches, particularly registration breaches. I am able to rectify and I am able to agree a package with the Member, but I can also do things that are completely personal and private. I can give words of advice: the Standing Order gives me the power to talk to a Member on a confidential basis and repair any defect before it becomes a public problem. You have given me the tools available to treat Members sensitively and supportively, and I hope that that is their experience.

Q6 Dr Parr: Thank you, Commissioner, for your annual report; I enjoyed reading it. Thank you to your team as well.

My question is indeed about advice notes; I think it follows on nicely from your description of yourself and your team as a support service, not a coming-to-get-you service. I know that under Standing Orders you are able to publish advice notes, but I think you are the first Commissioner to take that up. That has been a really good innovation; I know that you have published seven to date.

You say in your report that you have had some informal feedback on your advice notes. I wonder what that means and what topic areas you are looking at for future advice notes, given that informal response. I would like to hear how they have landed and how you want them to take off in future.

Daniel Greenberg: Thank you very much. I have three points to make in response, if I may.

How are they inspired? Primarily by questions that come to me or to the Registrar. This goes back to the first question: the Registrar may say to



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me, "I'm finding that people are misunderstanding this aspect of the code," or "They're having a little trouble in understanding all the aspects of it," and I will think, "Okay: let's issue an advice note."

How do we know that they are landing reasonably well? Because the feedback that I tend to get is emails from Members—although occasionally they will stop me and talk to me—saying, "I was reading your helpful advice note on this and I think it's answered my problem. Can I just check x and y?" There are sufficient references to those in our discussions with Members for us to feel that the advice notes are being used and found helpful.

The third point that I want to make is that it will not have escaped the Committee's notice that there is an arguable irony in the fact that you have just conducted the landscape report on how complicated the system is, and we are now further complicating it by issuing more bits of paper.

There are two things to say about that. The first is something that the Committee and I have thought about considerably, which is that there is nothing counterintuitive—or there should be nothing counterintuitive—in an advice note. It should not be a surprise; it should draw out what is in the code and the guide. It should not be a case of "Oh dear: you failed to spot that there was an advice note on this, and therefore you have committed a breach." Indeed, I have no remit to investigate breaches of advice notes, because that is just not a relevant concept; it is about the code and the guide.

Secondly, we come to you every five years for a review of the code and the guide. We will be starting work next year in my office on preparing our initial approaches to you for the next review. One thing that we will be doing is looking at which of the advice notes should now be absorbed into the code and the guide; which should perhaps become annexes or appendices; and which can fall away completely because they were, of their nature, ephemeral.

So we produce advice notes because people ask questions; we know that they are appreciated because of how people refer to them; and we are aware that it is important that they do not become an additional source of complexity.

Q7 Mehmda Mian: Good morning, Commissioner; good morning, team. My question follows on from Rose Marie's.

You have mentioned the usefulness of the advice notes to Members of Parliament and their staff. Because they are published, they are available to the public as well. I am just wondering whether you have had any feedback from the public; which elements they have highlighted as being useful; and how, if at all, you have gone about canvassing public views.

Daniel Greenberg: They do get mentioned sometimes in the public's correspondence—not a huge amount, but they do get read. There are one or two that are more public-facing than others; some are fairly internal or technical.



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As for canvassing public views, we have not conducted a specific public consultation on them. However, when I do outreach and engagement visits and talks, which I hope we will come to separately—I hope someone is going to ask me about them soon—I tend to mention the advice notes and encourage people to look at them and give us feedback.

It is nothing very formal or specific. Of their nature, they should be public, because everything we do should be public, but they are not designed primarily for the public. They are primarily internal documents, but they are documents that the public are very welcome to look at.

Chair: Thank you very much. We will move on to complaints that cannot be investigated.

Q8 **Paula Barker:** Good morning, everyone. Commissioner, you say that allegations that you cannot investigate may inform your approach to issues that may have an influence on standards. Could you elaborate on that, please?

Daniel Greenberg: Thank you very much for that question. There are two parts to the reply. The first is that one of my duties under the Standing Orders is to report to the House, which I do in my annual report, and also to advise this Committee. I take that to mean that anything that I hear from the public as a standards-related issue or, indeed—to use the words of the Standing Order—a propriety-related issue that concerns the public is something that I should report back to you.

The protocol lays out very clearly what my remit for investigations are. In part that is about not overlapping with other responsible authorities. For example, the protocol is very clear that I do not investigate criminality; that is generally a matter for the police or other criminal-investigating bodies. I do not investigate complaints about what happens in the Chamber; that is a matter of order in the Chamber.

That part is very much about the complaints and investigations. As I said, we have an interventionist role, if you like, which is what Helen oversees in the investigations team, but we also have a more positive role and a more general role. This year, in my annual report that we are discussing this morning, appendix 3 reports back to the House on what the public tell me about Members' choice of language in expressing views and opinions. That is expressly something that I cannot open an investigation into, subject to rule 11, of course—the requirement not to cause serious damage to the reputation of the House—but it is something that fills the postbag. It is one of the most common issues raised with me by members of the public. I do not think I would be fulfilling the service that the House has asked me to provide if I did not report that to you. I have tried to do it in exactly that way: it is not for me to make judgments about—it is absolutely for Members to make their own decisions about—but it is for me to report.

The appendix, then, gives you some supplementary material following what I said in my first annual report last year. It also draws your attention



to some of the aspects of the choice of language that might not immediately occur to a Member in their day-to-day dealings in the House. For example, we were involved in the Backbench Business debate on language and politics on International Women's Day. I produced a note, drawing on some of my international comparators—some of the discussions I have had with other bodies and authorities elsewhere in Europe and outside. For example, I drew attention to the connection between language choices in politics and violence against women, which is not necessarily something that every Member would instinctively think about, but in terms of briefing and providing information it seemed to me to be a helpful thing to do. Have I sort of answered your question?

Q9 Paula Barker: That is really helpful—thank you. That brings me to the second point. Obviously you cannot investigate the vast majority of the complaints you receive because they are not within your scope or remit. I think you noted that 2,350 complaints were received in the period 2023-24. What can we do to better advertise what you can and cannot look into? What can be done to reduce the number of complaints that you are not eligible to investigate?

Daniel Greenberg: That is a question that slightly stumps me, because it had not occurred to me, before you set it out in that way, as being a problem. Personally, I am very happy to receive any number of complaints from members of the public.

Perhaps I can take this moment to pay a little tribute to my team. You will have noticed that our turnaround time to reply to inquiries shows that 99% are answered in five working days. That is something that, particularly for the correspondence team in my office, I know the Committee would want to share in commending. They work extremely hard, so we can handle the numbers.

Because there are not that many public-facing conduits between the public and Parliament, I am not focused on how I stop people contacting me. What matters to me is two things. First, if somebody contacts me and I cannot help them because their complaint is not within my remit, for any of the reasons set out in the report, I need to explain that to them clearly and in a sensitive way. Secondly, I need to signpost to them what effect their writing to me will have had and where else they can go.

On our website, we have a list of who might be able to help when we cannot, but in the letters that go back to the public, I also sometimes include observations saying, "I can't investigate this, but I have thought about it carefully and it will inform my annual report, or a speech that I am going to give." I hope people feel listened to. Perhaps the ultimate in that is that, on a few occasions, people have been sent to us because public authorities have sent them all over the place, "Try this, try that. Oh, try the Commissioner for Standards", but it is clearly not for me.

Sometimes it is clearly not for anybody. On a few occasions, we have written back to someone and we have said, "Look, we can't help you, and in fact I'm not sure anybody can, but if you would like me to listen to you,



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I will." I do not want the Committee to think I am spending all my time on this—don't worry—but a few times we have written that, it has been taken up, and people have come and been able to talk to me. I have said at the beginning, "I know I can't do anything for you, but if you want someone to hear your story, I can."

I think that is a valuable service. It is not what I am here for, and I would not want to be doing it lots of hours a day, but in terms of parliamentary connection with the public—going back to trust-building—for us to say that the Commissioner for Standards is able to listen to anything is really important. I am happy to discuss this with the Committee on another occasion in more detail, if the Committee is concerned about reducing my postbag, but for me that is not an issue at the moment. I don't know whether Helen wants to add anything.

Helen Reid: No, I think that covers it very well.

Q10 **Paula Barker:** What you are saying is very laudable, and I concur that it is very important that the public feel listened to. I just wonder whether greater clarity could be provided. It will not prevent some people from contacting you, nor should it, but could we be clearer in advertising what is within your scope and what is not? Of the people you write to saying, "It's not for me", or signposting, is there any proportion who come back to you annoyed about that? Is that proportion big or small?

Daniel Greenberg: Yes, we get some people who come back. I would not find it easy to give you a proportion as a reliable figure. We do get people who come back quite frustrated that we are not able to deal with their problem. I do not know what Helen thinks, but I do not get the sense that we get a significant number of people who are misled initially into thinking it was within scope and then get frustrated because we say that it is not.

I am happy to discuss this with the Committee in more detail on another occasion. I share the concern that we must not be mis-advertising or misleading people, but when you look at my website on the parliamentary page the nature of what I do is already fairly clear, and we do of course include links to the protocol and the specific information about what we can and cannot do.

Helen Reid: There is quite a helpful list of FAQs on the website with the questions we get contacted about the most. People find them very helpful.

Daniel Greenberg: Yes. I have listened very carefully. It was not something that occurred to me before as a specific problem, but I absolutely hear that, and I would welcome the opportunity to discuss it with the Committee in more detail another time.

What I would add is that we do also get a significant number of people following up with letters saying, "I see you can't do this, but that was quite helpful," or "Yes, what you say is interesting." Our method of engagement with people who have brought something that is outside our remit will not be 100% successful, but there are indications that it works in a positive way.

Paula Barker: Thank you—that is really helpful.

- Q11 Gareth Snell:** It is laudable that you offer to listen to anybody who wishes to raise something with you, even if it is ultimately outside the scope of your remit. I wonder how you manage the unintended consequences of that. Presumably the people who contact you do so because they are at a point of grievance, either with an individual MP or with politics as a whole. Although it is outside your scope, by saying, “Of course I will listen to you”—I agree that it is important that people are listened to—do you end up unintentionally feeding that grievance position because they have had an audience with the Commissioner?

Likewise, when you then signpost to somebody else, saying, “It is not for me, but you should try these people,” do you lend credence to their grievance by suggesting that it ought to be heard by somebody, even if it is not you? How do you regulate yourself, in the sense of making sure that while doing a very worthy thing, you do not give false hope of an outcome elsewhere?

Daniel Greenberg: I very much agree with the undercurrent of that question. In terms of strategy, there are two parts of the answer. The first is that when you make a signpost, it must be a correct signpost. As I said, part of the problem is that people are sent to us who should not have been sent to us: whoever sent them either had not bothered to find out what our remit was or just did not care. I absolutely agree that you do not send someone on to another source for help unless you are genuinely sure that it is a real source of help to them.

On the other part, I completely accept what you say. I do not think I can do better than say that I am acutely aware of it, which is why, for example, when I am dealing with somebody who I am aware we cannot help, I make sure that that is the first thing we say to them: the letter starts, “I cannot help you.” It is important, particularly because of the importance of trust between me and Members of Parliament, that Members of Parliament know that I am listening to people in a dispassionate way and that I would never intervene or appear to intervene in something that the protocol says is not for me to investigate. That is very much the tone of appendix 3 of the annual report, as it was last year. I am reporting to you; I am not making a judgment. I really agree with the point. It is a tricky balance and I try to meet it.

- Q12 Mark Ferguson:** Thank you, Commissioner, for your report. I think the reason why elected Members are particularly alive to this issue is that in the course of our day-to-day interactions with the public, we often receive contact from members of the public who believe that as Members of Parliament, we are able to deal with a particular issue, but it is, as it were, outside our remit. We are particularly alert to the frustrations that that can cause for members of the public. I am also aware that where Members—not necessarily those in this room, but Members in general—have had to inform individuals that their concerns are outside our remit, those individuals may then come to you believing that we have behaved inappropriately as Members.



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I echo the comments of others about not creating false hope about what is possible. My question, therefore, is whether from your point of view the issue is the scale and scope of the remit. Is it a lack of other people to refer issues to clearly? Or is it purely an issue—which may not be solvable for this Committee and may be a wider one for politics in general—of a disconnect when individuals feel there are problems that they wish to raise but they do not have an outlet for resolving them?

Daniel Greenberg: I think it is very much the latter. If I may say so, this is almost something that the success of Members of Parliament in their casework today inevitably brings with it: the more you achieve for people, the more people will say, "Wow! I had this intractable problem and my MP was able to sort it," and they come back to you with other things. For example, a member of the public has a problem with some intractable bureaucracy in the health service. They find that their MP has helped them and they come back the next day and want you to interfere in the judicial process. You have to say, "No: there is a separation of powers. We can't do that." I completely understand why members of the public may be frustrated. As I say, it is almost a measure of your success and how much you have achieved for them that they may not always understand where you have to say, "But this is not something I can deal with."

I thought you were going to mention this, but I will mention it if I may. There are a number of cases where Members of Parliament have to limit service to particular constituents, because they receive abusive or offensive material. You sometimes have to say to members of the public, "I am not exposing my staff to this kind of material." You do it with a very heavy heart, I know.

To go back to Mr Snell's question, if I were in any way to suggest that I thought that members of the public have a right to be listened to and replied to by MPs, however offensive the material, I would be doing a lot of damage. I am very careful not to do that. We are very clear that service restriction is something that Members sometimes have to do for their own protection and for the protection of their staff.

I think your last point was exactly right. Members of the public do come here very often because they have tried everywhere else and failed. The fact that sometimes you are able to help them is something to be celebrated. The fact that that brings with it difficulty in managing expectations is something I understand, but that should not limit the fact that Parliament should congratulate itself, if I may say so, on the fact that people do come to you for solutions and you very often provide them.

- Q13 **Sir Francis Habgood:** In a previous answer, you suggested that others are incorrectly referring complainants to you. Do you go back to those others and give them feedback that you were not the right person? Maybe the point is not education of the public, but education of other parts of the system, which do not understand your role.

Daniel Greenberg: Yes and yes—absolutely.

Sir Francis Habgood: Thank you.



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Q14 Dr Stirling: Good morning, Commissioner, and thank you for your report. I echo the comments that you made earlier about congratulating your team, particularly on the timeliness of the responses. It is striking to hear about the balance, among complaints raised, of those that are eligible and not eligible for your concern. I am curious about the effect of that balance on the small but perfectly formed team that you have. What proportion of their workload is spent dealing with complaints that are ineligible for you to follow up?

Daniel Greenberg: Helen may be best placed to give you a detailed response to that. I think we manage quite a good integrated unit between the complaints and the correspondence, by which I mean that everything comes in as a piece of correspondence and then it gets filtered through. If it is an in-remit investigation, at that point it gets taken out and put into the investigation team. There is a lot of cross-fertilisation and a lot of support within the team on this side of the office. That is probably the summary. Helen, would you like to give more detail?

Helen Reid: We have two members of the team who are predominantly working on correspondence. They get through the most enormous amount, and they respond incredibly quickly, incredibly thoroughly and incredibly well. That means that the amount, when the investigators assist with correspondence, is manageable. That is due to the excellent work that the correspondence team do. I would say that it is certainly very manageable at the moment.

Q15 Dr Stirling: Often, in a complaints process, there is an ability to say how many of those complaints are founded and how many are unjustified. Clearly, when something is not in your remit, you are not able to do that, but do you have any metrics for how many people who complain to you are subsequently satisfied and how many are coming back with additional issues?

Helen Reid: That is not something that we have in the annual report, but we can certainly come back to the Committee on that if it would be helpful.

Dr Stirling: It speaks, perhaps, to the frustration of people who are coming forward, and whether we can do anything differently.

Daniel Greenberg: That is a very helpful suggestion, if I may say so. We will take that away and look at it, and we will bring you statistics on that in future. Without being able to give you a proportion, I am reasonably satisfied that when we get responses—when we get people coming back—either they are constructive continuations of a dialogue that we can help with or sometimes, unhappily, they are people who are just very frustrated and need to express their frustration.

Dr Stirling: My second question has already been covered by colleagues.

Q16 Sir Francis Habgood: I am going to ask about the timeliness of investigations, which I know is an area in which you are very proud of the progress that has been made. First, I pass on my congratulations and



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those of the Committee to you and your team for the work done to reduce the time it takes to complete investigations from an average of 86 days three years ago to 50 days in the current reporting period. I am interested to know what you have done to achieve that and what scope there might be to reduce that even further.

On a point of clarification, on page 24 you have an infographic that shows that, of the 26 cases, the shortest completion time was four days and the longest was 124. But in the bar chart below, which shows 26 cases, the shortest time is four days and the longest is 155 days. I cannot understand that. Maybe there is an obvious explanation.

Daniel Greenberg: Yes, there is: I think the last column in the bar chart should have been filtered out. Because of the timing of the annual report, we cut our statistics down in one way, but the narrative is slightly longer.

Sir Francis Habgood: Then there are only 25 cases, so something is wrong. You probably need to go back and have a look at it.

Daniel Greenberg: Okay. I thought maybe that was one that was in progress. We will look at that.

Sir Francis Habgood: Because 155 should appear in one year, shouldn't it?

Daniel Greenberg: Okay. We will look at that.

Sir Francis Habgood: If you could come back—

Daniel Greenberg: Yes, we will.

Q17 **Sir Francis Habgood:** Putting that aside, how have you achieved that significant reduction in the number of days? What more scope is there, and in what areas, to reduce that further?

Daniel Greenberg: I can tell you a bit about what we have been doing. By way of a preliminary, I would like to stress that we focus on avoiding unnecessary delay; obviously timeliness must never take precedence over rigour and quality. We are aware that timeliness is key to fairness and due process, but we are also driven by a requirement and a desire to ensure that everything is rigorous. For example, if something needs to go back to the respondent for fact-checking again, that might add two weeks—whatever it adds—but if it needs to happen, it needs to happen. I am very satisfied that there is no emphasis that says, "We've got to keep our statistics up, so let's try to cut corners."

As for what we are doing, Helen may want to add some more detail but, broadly, we have worked on policy management within the team so that we are constantly training ourselves in what strategies to implement in handling investigations to produce a quicker result and a fully fair result. We have a continuous professional development programme in my office, whereby we bring people in from outside, and we have discussions among ourselves, to look at particular issues.



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For example, we brought in somebody with significant criminal experience to discuss the difference between similar fact evidence and propensity evidence, which, as the Committee will know, is a very significant and important issue. The fact that we have discussed that in advance at a theoretical level, using examples, means that when a case arises in which that is relevant, the team are prepared and able to deal with that with a speed that might not be possible if they were not already prepared.

We have had a number of very successful sessions with people coming from outside. Perhaps, since we are in public, I ought to report that we are very grateful to judges, lawyers and others who have taken the time to come in and have sessions with us, all of which improve our process. We have investigation logs. We have case review meetings. We set and monitor deadlines within investigations, within report preparation. All of those are steps that we have taken—are constantly taking—to eliminate unnecessary delay in investigations. We also provide detailed data on timeliness in the Committee every time we refer a case to you, and we try to give you meaningful, comprehensive data on the conduct from a timeliness perspective, including investigation milestones and total numbers of working days, so you can see when we were awaiting responses and when we were awaiting documentation.

In the case of code cases that are not upheld or that are rectified, our aim is to ensure that there is as swift a resolution as possible, particularly in a case where we decide that there was not a breach. All the time until we make that decision, the Member of Parliament, as at present, is publicly under investigation. That is a significant reputational issue for a Member of Parliament. We are very clear to Members that we need to get them through the system quickly.

If you look at some of our rectification cases—cases that have not come to the Committee but have been dealt with under my Standing Order powers to rectify—as fast as the Member responds to us, we will turn it round literally in a day and get it back over the net to them. Everybody is clear that our aim is to get it done quickly.

I hope that that has given you a bit of an answer. Helen, is there anything you want to add?

Helen Reid: I have just two points. First, we are really fortunate with our team. They are extraordinarily dedicated and hard-working, they are not complacent, and we are not complacent as a team. We want to keep making sure that we are avoiding any unnecessary delay. We are very fortunate on that basis. We also have a debrief process. Every investigation we do, we debrief; if there are any concerns about timeliness, they will be picked up then and fed back. We have an internal handbook and guides, and anything that we need to learn goes in there as well, so we are continually learning, which is very helpful.

Q18 Professor Maguire: Good morning, Commissioner; good morning, Helen and James. I have a couple of questions about the internal complaints and grievance scheme that you talk about in your report. As you will be



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aware, Paul Kernaghan, in his review of ICGS, said, "On occasions, quality problems persist with regards to MPs cases and meeting the requirements of the PCS." What concerns remain about ICGS cases?

Daniel Greenberg: I was going to start with some preliminaries, but let me meet your question head on. My priority remains, as it was last year, pushing for improvement in quality and, again, timeliness of ICGS investigations. In respect of timeliness, what we want to see is data. In my response to the previous question, I made it clear that on code cases, we make sure the Committee has very granular timeline information about what we have been doing and when and why. The Committee may feel that that is important in relation to the ICGS as well, because as well as providing transparency it provides that fluidity and pressure to keep up a speedy investigation, subject to the requirements of rigour. That is one of my concerns.

My other concern is in relation to my oversight function. I remind the Committee that that is my role: I have oversight of the ICGS process in relation to Members of Parliament and I am the decision maker in reports that come to me from the ICGS, so I maintain a clear degree of separation from the investigation while it is in progress.

What I need to do in my oversight function is to continue to feed in quality factors. What things need to be addressed to ensure the quality of an investigation? Do we all have sight of the same quality benchmarks and issues that need to be addressed during an investigation? What I need to do as my part of the published oversight agreement is to ensure that the ICGS and the assurance board that has now arisen out of the review that you mentioned have full sight of data on those factors that deliver a quality and timely investigation.

Q19 **Professor Maguire:** What substantive changes have there been since the Kernaghan review?

Daniel Greenberg: Within the ICGS? I am not the person to answer that. The oversight agreement that we have with the ICGS, which is published and which the Committee knows well, has not, I believe, specifically changed to implement any provisions of the review.

Q20 **Victoria Smith:** Good morning, Commissioner. You have spoken to us previously about how important your outreach work is to you. Could you highlight any particular outreach work that you have been doing of late?

Daniel Greenberg: A large part of it focuses on meeting people from universities and schools. Sometimes, they come to Parliament and I meet them here as part of their visit, and sometimes I go out. Because we do the "Nolan principles in practice" seminars, I will say, "I am coming to this constituency to do a Nolan principles seminar with a Member's staff. While I am there, what universities are around that I could go and see?" Sometimes it is the other way around: I went to Bath Spa University and had the most fantastically stimulating session there with the students, and while we were there we did a Nolan principles seminar on the back of that. There have been lots of universities and lots of schools, outside and inside.

A law and politics group from one of the London universities is coming to see me later today. Those sessions are always stimulating.

For me, what is absolutely essential about the sessions is that they are two-way: they are not about me talking to people, but about having discussions with students, young people and others about their expectations, and understanding and delivering some of the positive message that I think is so important.

I also do some more formal occasions. Two weeks ago, I gave a lecture at Keele University as part of its "Global Challenge Pathways" series, and it then published that online for people to see. That was about practical ways of building trust in the public service, using the Nolan principles. I have done the same with the Centre for Democracy and Peace Building in Northern Ireland. It has a fellowship trust, and I have done two sessions with it on how the Nolan principles can be as relevant to the private and third sectors as they are to the public sector. We do some exciting work of that kind.

As a final example, next week the Organisation for Security and Co-operation in Europe is marking International Anti-Corruption Day with a conference. I will be speaking at that conference about the mechanics of building trust.

Those are a few little examples. There are more at the end of my annual report, and there is a list of some of the places I have been to. I find it all intensely stimulating. I also believe that in this way we can have real engagement with the public and they can feel actively involved.

Chair: Thank you. There will now be an opportunity for Committee members to ask questions in the private session.