



HOUSE OF LORDS

House of Lords Commission

1st Report of Session 2019-21

**Rules relating to
Parliamentary
passes for Members'
Staff: follow-up
report**

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House of Lords Commission

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Rules relating to Parliamentary passes for Members' Staff: follow-up report

FIRST REPORT OF SESSION 2019–21

Introduction

1. In May 2019, we published a report proposing to clarify the rules on Parliamentary passes for members' staff.¹ In response to informal feedback from members, we subsequently agreed to consult further before asking the House to approve the report. The first consultative meeting was held on 22 July 2019 and was well attended. Due to the uncertain sitting patterns in autumn 2019, the second meeting could not take place until 29 January 2020. It too was well attended. Some members also sent in written comments.
2. We considered the consultation responses in February.

Criteria for members' staff passes

3. The report of May 2019 was a response to representations from the former Sub-Committee on Lords' Conduct regarding the number of people on the Register of Members' Staff (nearly 600) and compliance with the "Rules governing the use of facilities in the House of Lords".² Members may only apply for passes for people who fall into one or more of the following closely-defined categories:
 - (1) a member's spouse or partner;
 - (2) secretaries and research assistants;
 - (3) carers; and
 - (4) a driver employed specifically to drive them.

Members cannot sponsor a pass for anyone who does not fall into one or more of these categories.

4. With respect to the second category, the rules state that passes for secretaries and research assistants may be issued only to people who "genuinely and personally provide Parliamentary secretarial or research assistance" to the sponsoring member, and members must sign a declaration to this effect when applying for such a pass. A breach of this rule is a breach of the Code of Conduct and can be investigated by the Commissioner for Standards.
5. As we noted in the original report, these passes provide the holder with privileged access to the whole of the Parliamentary Estate, as well as the right to bring in guests, hold a Parliamentary email address, access the Library and its services, use catering outlets and bars, and have a desk (subject to

1 House of Lords Commission, *Rules relating to Parliamentary passes for Members' Staff, Parliamentary passes for UK Members of the European Parliament, and Parliamentary Security* (2nd Report, Session 2017–19, HL Paper 360).

2 Handbook on facilities and services for members and their staff, October 2020, Appendix 1.

provision by whips). We believe that it is necessary to clarify the rules to ensure that Parliamentary passes are only granted to staff who genuinely need one in order to give effective Parliamentary support to the sponsoring member.

6. Our original proposal was that passes should only be granted to staff who genuinely and personally provide Parliamentary secretarial or research assistance to the sponsoring member “*on a regular and frequent basis*”. The consultation feedback on this proposal centred around (1) the definition of “regular and frequent” and (2) the position of passholders who make use of their passes in short, intense but irregular bursts, for example when a bill in their field is before the House. We have reflected on these points, which have considerable merit.
7. We believe that a more qualitative approach would be helpful. We therefore propose to replace the existing rule (“Passes may only be granted ... to people who genuinely and personally provide Parliamentary secretarial or research assistance to the sponsoring member”) with the following: “Members may only sponsor a pass for an individual if the absence of such a pass would make it impossible for the individual to support the member effectively.”
8. We also wish to underline the provision of the Code of Conduct for House of Lords Members’ Staff that they may not use their pass “to further the interests of an outside person or body from whom they have received or expect to receive payment or other incentive or reward”.³

All-Party Parliamentary Groups

9. The majority of criticism during the consultation concerned the rule on Parliamentary passes for staff of All-Party Parliamentary Groups (APPGs), although this was not the focus of the report and simply reflected the existing position in both Houses that such staff are not entitled to passes. In response to the feedback we decided to consult the House of Commons about the possibility of a fresh look at APPGs, including the issue of passes, given that the last major review was in 2012/2013.
10. The pandemic made it difficult to progress these discussions, but we note that the Commons Standards Committee has now embarked on a full review of APPGs.⁴ It is important that Lords members give evidence to this inquiry so that it has a properly bicameral perspective, and accordingly the inquiry was flagged up by the Senior Deputy Speaker in a recent email to all members. **We encourage members to submit evidence to the Standards Committee inquiry.**
11. In the meantime, we stand by the previously proposed addition to the rules on the use of facilities, which simply reflects the long-standing position in both Houses: “**Members may not sponsor a pass for anybody whose primary role is to support an All-Party Parliamentary Group.**”

Proposed change

12. If the House agrees, the revised rule on security passes (originally agreed by the House in 2010) would be amended as follows (new text in **bold**):

³ Paragraph 12.

⁴ <https://committees.parliament.uk/call-for-evidence/268/allparty-parliamentary-groups/>

“A member may apply for a security pass for their partner; for up to three passes for their secretaries and research assistants; for passes for their carers; and, with Black Rod’s approval, for a pass for a driver employed specifically to drive them. **Members may only sponsor a pass for an individual under the second category if the absence of such a pass would make it impossible for the individual to support the member effectively. Such passholders must use their Parliamentary pass only to provide Parliamentary support to the sponsor and other members of the House, and not in furtherance of any other interests of their own or of other organisations for which they work. Members may not sponsor a pass for anybody whose primary role is to support an All-Party Parliamentary Group.**”

13. The wording on the pass application forms and registration forms would be updated to reflect this new wording, and members would in future be required to give brief details of the nature of the work which the passholder will undertake for them. The Registrar would also write to all members who sponsor staff passes to set out the amended rules and ask them to confirm that they are in compliance with them. In recognition of the fact that some members may need time to adjust their existing arrangements, we propose that there should be a one-off grace period lasting until 31 March 2021. While the revised rules would have immediate effect, the Commissioner would have regard to that grace period in considering any relevant complaints against members of the House.
14. **The House is invited to agree to the amendment to the rules on eligibility for members’ staff passes as set out in paragraph 12.**