



4th meeting
COND/21-22

Conduct Committee

Minutes of the meeting on Wednesday 13 October at 4.30pm in G-32 Millbank House

Present:

B. Anelay of St Johns	B. Donaghy
L. Brown of Eaton-under-Heywood	B. Hussein-Ece
Cindy Butts	L. Mance (Chair)
Mark Castle [via Teams]	
Andrea Coomber	

Vanessa Davies had planned to join via Teams, but was prevented from doing so by technical issues.

With the Clerk Assistant.

DELIBERATION IN PRIVATE

The Chair began by welcoming Chris Johnson to his first meeting as Clerk and Ali Drabu, who started as Assistant Standards Clerk in September.

1. Minutes of the meeting from 22 July

The minutes of the meeting on 22 July were approved.

2. Oral update by the Chair

The Chair informed the Committee that Lord Kalms had completed Valuing Everyone training and that his access to House facilities had been restored. Lord Willoughby de Broke had still not shown any inclination to attend the course and his access remained restricted. The Chair would also meet Lord Cormack and Lord Marlesford to discuss comments they had made about Valuing Everyone training in the Chamber.

The Chair informed the Committee of two reports published by the Commissioners for Standards. Commissioner Akbar Khan had published a report on 8 October dismissing a complaint against Lord Bethell relating to his sponsorship of a pass for Gina Coladangelo. Commissioner Martin Jelley had published a report on 30 September on the conduct of 25 members in relation to descriptions of their registered interests. The Chair also informed the Committee of two letters he had received from Tom Brake of Unlock Democracy. The Committee would discuss these at a later date.



HOUSE OF LORDS

**4th meeting
COND/21-22**

3. Application of the rotation rule COND/21-22/23

The Clerk to the Committee introduced this paper. The Committee had agreed at the last meeting to draw lots to determine which of Baroness Anelay of St Johns, Baroness Donaghy or Baroness Hussein-Ece should rotate off the committee at the end of the year alongside Lord Brown of Eaton-under-Heywood. The Chair then drew lots, and the lot fell upon Lady Anelay to rotate off the Committee in January 2022. As agreed at the previous meeting, permission would be sought from the Committee of Selection for the terms of the other peers on the Committee to be extended in the interests of continuity. Members discussed producing a job description, based on the one that was circulated when the lay members were recruited, to help the groups when selecting members to join the Committee.

4. Letter from the Commissioners for Standards COND/21-22/24

The Standards Clerk introduced this paper. The Commissioners had written to the Committee to request that they attend meetings at which appeals are heard against their findings.

In discussion, Members did not want to commit to meeting the Commissioners for every appeal, which would often be unnecessary and could result in procedural complexities. The Committee agreed therefore that they would decide whether to meet with the Commissioners on a case-by-case basis and that they would be minded to do so in cases where they thought they might allow an appeal.

The Committee also agreed to invite the Commissioners to present their annual report.

5. The report on Lord Mann and advance sight of reports COND/21-22/25

The Registrar of Lords' Interests introduced this paper. The Committee discussed the letter from the complainant in the Lord Mann case and her perception of the way in which the Committee handled the pre-publication representations it received from the complainant and the respondent.

The Committee agreed that advance sight of its reports for parties involved in an investigation should be for information only, and it was not an opportunity to reopen



HOUSE OF LORDS

**4th meeting
COND/21-22**

or reargue an appeal. The Committee agreed, though, that in very limited circumstances (such as factual error) minor changes to reports could be made if time allowed.

The Committee agreed to write to the complainant to explain this; to reiterate that the Chair was not influenced by Lord Mann's status as a member; and to apologise for the mistaken impression given by previous correspondence.

6. Personal Service Companies

COND/21-22/26

The Registrar of Lords' Interests introduced this paper. The Registrar explained that there was currently no established legal definition of what constituted a personal service company, but that the wording in the Code was lifted from the IR35 guidance. This had led to the conflation of two separate issues.

Baroness Donaghy declared an interest as a member of the 2014 ad hoc Committee on Personal Service Companies.

The Committee agreed to amend the Guide to the Code to adopt the definition of Personal Service Companies proposed by the 2014 ad hoc Committee on Personal Services Companies. They agreed to include a footnote referencing the Committee's report.

7. ICGS Change Control Group membership

COND/21-22/27

The ICGS Director introduced this paper. The Committee was asked to nominate a lay member to join the ICGS Change Control Group. After drawing lots, the Committee nominated Andrea Coomber.

8. Any Other Business

Baroness Donaghy provided a brief update on the Steering Group for Change.

The Chair was asked if Lord Maginnis of Drumglass had responded to his letter regarding the behaviour change training and coaching which the House had agreed he should undergo. Lord Maginnis had provided no such response, though the Clerk confirmed that he had received two emails from Lord Maginnis.

The Committee discussed the tendering process for the providers of remedial training for members. The process was under way and potential providers would be required to commit to providing some level of feedback at the end of the process.



HOUSE OF LORDS

4th meeting
COND/21-22

The Committee noted that the next meeting would take place on Teams on Wednesday 10 November at 2.30pm.

The Committee adjourned.

Christopher Johnson
Clerk to the Conduct Committee
x3828