

Code of Conduct consultation document

The Committee on Standards is undertaking a two-stage process which will culminate in a revised Code of Conduct and Guide to the Rules for Members being put to the House for approval.

The first stage involved taking oral and written evidence from a range of stakeholders, together with considering the Parliamentary Commissioner for Standards' own review of the Code. The Committee published its initial report with proposals for consultation on 29 November 2021. It now welcomes comments on its specific proposals for changes to the Code of Conduct and other areas or proposals on which it has asked for views, as set out in its initial report.

The Committee will consider all responses before making its final report to the House. This final report will be accompanied by a revised Code and Guide for approval by the House.

In taking decisions on its final report, the Committee will also take into account the conclusions of a judge-led review it has commissioned on the fairness and compatibility with natural justice of its procedures. A further announcement about this review will be made shortly.

The deadline for consultation responses is 12 noon on Thursday 20 January 2022.

The Committee welcomes comments on the following recommendations for changes to the Code of Conduct (or Guide to the Rules):

- Amending the descriptors of the Seven Principles to reflect more closely Members' roles
- Adding an additional principle of "Respect"
- Adding a new rule to prohibit a Member subjecting anyone to "unreasonable and excessive personal attack", in any medium
- Changes to the rules on registration set out in Annex 3
- Clarifying the criteria of the serious wrong exemption in the lobbying rules
- Introducing a requirement that a Member must have a written contract for any outside work which makes explicit that their duties cannot include lobbying Ministers, Members or public officials, or providing advice about how to lobby or influence Parliament, and that their employer will give them an undertaking to not ask them to do so.
- Replacing the current wording of the paid advocacy rule to make clear that Members must abide by all the lobbying rules in the Guide
- Restoring the 12-month limit on reward or consideration in the lobbying rules
- Introducing a "safe harbour" provision, where a Member cannot be found in breach of the rules if they have sought and followed the advice of the Registrar

- Introducing a ban on Members providing paid parliamentary advice, consultancy or strategy services, using the same wording as the House of Lords
- Removing the Investigatory Panel provision from Standing Orders
- Amending the current rule in the Code on lobbying the Committee to provide that Members must not lobby members of the Committee on Standards, the IEP, the Commissioner, or their staff, in a manner calculated or intended to influence their consideration of a breach or a sanction

The Committee also welcomes views on the following areas or questions:

- Whether the Speaker should have the option to refer a matter of conduct in the Chamber or in a Committee to the Commissioner for investigation
- Ways in which greater alignment between the Codes in the two Houses could be achieved, whilst recognising their distinct functions and procedures
- Whether the Guide to the Rules should be amended to remove the provision that Members are not required to register benefits received in their capacity as a Minister
- Whether Members should register and declare a salary received from a political party
- Whether Members should register any benefits (for example, travel, accommodation or hospitality) they receive as a Government trade envoy
- Whether Members should declare relevant interests during topical or supplementary questions
- Whether the lobbying rules should continue to maintain the distinction between participating in and initiating proceedings and approaches, and the potential consequences of introducing the same restrictions on Members participating in proceedings as initiating them
- The use of personal service companies by Members providing services to clients
- Whether any changes should be made to the rules of conduct relating to voting; in particular, whether Members should be prohibited from voting on matters where they have a relevant financial interest
- Whether a rule should be introduced limiting the amount of time a Member can spend on outside interests
- Whether an independent body should adjudicate on individual conduct cases, without any Member involvement (or the Independent Expert Panel (IEP) if its membership and remit were to be expanded), in place of the Committee on Standards;
- Which of the four options for appeal against sanction suggested by the Committee (internal systems of appeal via sub-committees; appeal to the IEP; appeal to a

new independent appeal body; or retaining the status quo) is preferable, how the disadvantages of each might be ameliorated, and any other proposals for appeals;

- Ways in which the Code could be better promoted (as set out in paragraph 264)

Other recommendations made by the Committee

- That the Government should improve the timeliness and quality of Ministerial transparency registrations
- That the House of Commons Commission make a firm commitment to work to digitise the Register of Members' Financial Interests and set out a timetable for its achievement that can be published in the Committee's final report
- That the House's procedural offices work with the Parliamentary Digital Services and the Printing and Publication Unit to publish ad hoc declarations, and to provide hyperlinks to such declarations or the relevant register entry when a declaration is made on House business papers
- That the House service develop in-depth training on standards to be delivered to all Members within six months of a general election
- That the application of the Independent Complaints and Grievance Scheme to select committee witnesses should be clarified

Responses to the consultation can be sent to the Committee via email at standards@parliament.uk or via its website, parliament.uk/standards. The Committee intends to publish responses on its website.