



House of Commons
Committee on
Standards and Privileges

**Pay for Standing
Committee Chairmen**

Fourth Report of Session 2005–06

*Report and Appendix,
together with formal minutes*

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Committee on Standards and Privileges

The Committee on Standards and Privileges is appointed by the House of Commons to oversee the work of the Parliamentary Commissioner for Standards; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Interests and any other registers of interest established by the House; to review from time to time the form and content of those registers; to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in the Code of Conduct which have been drawn to the Committee's attention by the Commissioner; and to recommend any modifications to the Code of Conduct as may from time to time appear to be necessary.

Current membership

Rt Hon Sir George Young Bt MP (*Conservative, North West Hampshire*) (Chairman)
Rt Hon Kevin Barron MP (*Labour, Rother Valley*)
Angela Browning MP (*Conservative, Tiverton and Honiton*)
Ben Chapman MP (*Labour, Wirral South*)
Mr Andrew Dismore MP (*Labour, Hendon*)
Nick Harvey MP (*Liberal Democrat, North Devon*)
Mr Brian Jenkins MP (*Labour, Tamworth*)
Mr Elfyn Llwyd MP (*Plaid Cymru, Meirionnydd Nant Conwy*)
Rt Hon Andrew Mackay MP (*Conservative, Bracknell*)
Dr Alan Whitehead MP (*Labour, Southampton Test*)

Powers

The constitution and powers of the Committee are set out in Standing Order No. 149. In particular, the Committee has power to order the attendance of any Member of Parliament before the committee and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of the Commissioner, be laid before the Committee. The Committee has power to refuse to allow its public proceedings to be broadcast. The Law Officers, if they are Members of Parliament, may attend and take part in the Committee's proceedings, but may not vote.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at: www.parliament.uk/sandp. A list of Reports of the Committee in the present Parliament is at the back of this volume.

Committee staff

The current staff of the Committee are Dr Christopher Ward (Clerk), Ms Libby Preston (Second Clerk) and Mrs Lisa Stead (Secretary).

Contacts

All correspondence should be addressed to The Clerk of the Committee on Standards and Privileges, Journal Office, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 6615.

Contents

Report	<i>Page</i>
Pay for Standing Committee Chairmen	3
Introduction	3
The issues	4
Appendix: Letter to the Chairman from the Chairman of Ways and Means	5
Formal minutes	6
Reports from the Committee on Standards and Privileges in the current Parliament	7

Pay for Standing Committee Chairmen

Introduction

1. On 13 July 2005, the House decided, following a report by the Review Body on Senior Salaries (SSRB),¹ that Standing Committee chairmen should be paid. In its report, SSRB had recommended that before payment was introduced, the House should give consideration to the question of Chairmen's outside interests, and payment for activities outside the House. An implementation date of 1 November 2005 was therefore agreed by the House, to provide an opportunity for us to consider these matters first.

2. A letter from the Chairman of Ways and Means commenting on some of the underlying issues is set out in the Appendix. We are grateful to him for this helpful input.

3. Standing Committee chairmen are nominated by the Speaker from the membership of the Chairmen's Panel in accordance with the provisions of Standing Order No. 85. The Panel consists of the Chairman of Ways and Means, who chairs it, and the two Deputy Chairmen, together with no fewer than ten Members nominated by the Speaker under Standing Order No. 4(1) "to act as temporary chairmen of committees² when requested by the Chairman of Ways and Means". It is formally in respect of any period of nomination to the Panel that such Members will receive this additional remuneration, other than for any period in respect of which they are receiving additional remuneration as a chairman of a select committee.³

4. The functions of appointed Panel members are:

- To act as temporary chairmen in Committee of the whole House;⁴ and
- To take the chair at a sitting in Westminster Hall when so requested by the Chairman of Ways and Means.⁵

In addition, any member of the Panel (including the Deputy Speakers) acts as chairman of any Standing Committee to which the Speaker has appointed them.⁶

5. These are all purely procedural functions, which by their very nature must be discharged impartially. This impartiality is reinforced by the settled policy of the Panel that chairmen of Standing Committees do not participate in any subsequent proceedings in the House on the bill concerned.

1 Report No. 60, Cm 6566.

2 In this context, "committees" means Committees of the whole House.

3 See the Resolution (Pay for Chairmen of Standing Committees (No. 2)), *Votes and Proceedings*, 13 July 2005.

4 Standing Order No. 4(1).

5 Standing Order No. 10(5).

6 Standing Order No. 85. Where more than one chairman is appointed, any of them may exercise the relevant powers conferred by Standing Order No. 89(3). The Panel collectively also has power to consider matters of procedure relating to standing committees and to report its opinion thereupon to the House from time to time.

The issues

6. The Chairman of Ways and Means has informed us that, currently, Panel members invariably draw attention to any possible conflict of interests when they are approached to chair a given committee; incompatible arrangements are thus avoided at an early stage. While for a Panel member to chair a committee considering a matter in relation to which he or she had a registrable or declarable interest might cast doubt on the impartiality of the chair and the integrity of the Parliamentary process, we are satisfied that the existing arrangements for appointing chairmen ensure that this does not happen. The introduction of payment does not change the position in this respect.

7. The Chairman of Ways and Means has also told us that he is not aware that any member of the Chairmen's Panel, past or present "has received advantage as a consequence of duties performed". However, he recognizes that it is a "conceivable if remote possibility ... that after the event a chairman of a controversial, high profile or otherwise interesting Bill Committee might be offered the opportunity to provide a remunerated account of the process".

8. While past experience suggests that such opportunities are likely to occur very infrequently, if at all, we consider that, once chairmen of Standing Committees are remunerated in this capacity, it would be inappropriate for them to accept payment (as distinct from reimbursement of expenses incurred) in respect of anything such as a talk, address, interview, article, book review, contribution to a book or media appearance, etc. where the relevant invitation had been extended to the Member primarily as a result of his or her appointment as a member of the Chairmen's Panel.

9. Our predecessors gave similar guidance in respect of Select Committee chairmen in their Seventh Report of Session 2002–03.⁷ By analogy with select committee chairmen,⁸ the key question an appointed Panel member should ask when weighing up whether payment for an outside activity is acceptable is "Had I not been an appointed member of the Chairmen's Panel, is it significantly less likely that I would have been asked to undertake this activity?". As with select committee chairmen, in formulating his or her response, a Panel member is welcome to seek advice from the Registrar of Members' Interests, who will if necessary consult the Parliamentary Commissioner for Standards.

10. On this basis, we share the view of the Chairman of Ways and Means that, when payment is introduced on 1 November 2005, the House will continue to receive from the Chairmen's Panel the high quality and impartial service to which it is accustomed.

7 HC 1292, Annex, para 14.

8 *Ibid*, Annex, para 15.

Appendix: Letter to the Chairman from the Chairman of Ways and Means

Review of the Remuneration of Standing Committee Chairmen

Thank you for your letter of 23 July.¹

Whilst, for the sake of clarity, I support the recommendation of the Senior Salaries Review Body that the Committee on Standards and Privileges should consider ‘the question of Chairmen’s outside interests and payments for activities outside the House’,² I am not aware that any Member of the Chairmen’s Panel, past or present, has received advantage as a consequence of duties performed. Currently, Panel Members invariably draw attention to any possible conflict of interests when they are approached to chair a given committee, avoiding incompatible arrangements at an early stage.

It is of course a conceivable if remote possibility, in contravention of the principle stated in paragraph 16 of the Committee on Standards and Privileges report on the implications of pay for select committee chairmen,³ that after the event a Chairman of a controversial, high profile or otherwise interesting Bill Committee might be offered the opportunity to provide a remunerated account of the process. You may wish to safeguard against such a development.

I note that your Committee will be fully briefed on the essential differences between the role of a select committee chairman on the one hand and that of a standing committee chairman on the other. I am confident that with this distinction in mind a report by the Committee on Standards and Privileges will help ensure that when payment is introduced on 1 November 2005 the House will continue to receive from the Chairmen’s Panel the high quality and impartial service to which it is accustomed.

10 October 2005

Rt Hon Sir Alan Haselhurst MP

1 Not reported.

2 Senior Salaries Review Body: Review of the Remuneration of Standing Committee Chairman, May 2005, para 2.37.

3 Sixth Report of the Committee on Standards and Privileges, Session 2002–03, HC 1150.

Formal minutes

Tuesday 18 October

Members present:

Sir George Young, in the Chair

Angela Browning
Mr Andrew Dismore
Nick Harvey

Mr Elfyn Llwyd
Mr Andrew Mackay
Dr Alan Whitehead

* * *

The Committee further deliberated.

Draft Report [Pay for Standing Committee Chairmen], proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 10 read and agreed to.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

A Paper was ordered to be appended to the Report.

Ordered, That the Appendix to the Report be reported to the House.—(*The Chairman.*)

* * *

[Adjourned to a day and time to be fixed by the Chairman.]

Reports from the Committee on Standards and Privileges in the current Parliament

Session 2005–06

First Report	Conduct of Mr Jonathan Sayeed	HC 419
Second Report	Conduct of Mr John Horam	HC 420
Third Report	Conduct of Mr Tony Baldry	HC 421
Fourth Report	Pay for Standing Committee Chairmen	HC 568