



## Minute

### Minutes of a meeting of the Board of IPSA Thursday 10 July 2014

Present	Sir Ian Kennedy, Chair Sir Neil Butterfield Liz Padmore Anne Whitaker Tony Wright  Marcial Boo, Chief Executive  John Sills, Director of Policy and Communications [items 1 – 7.4] Judith Toland, Director of Operations [items 1 – 7.4]  Nick Lee, Head of Board and Chief Executive Office	Head of Communications [items 1 – 7.1] Change Manager [item 6] Head of Internal Audit and Assurance [item 6] Head of Policy and Strategy, Head of Policy and Strategy [items 1 – 7.1]  Policy Manager [item 5]
Apologies	None.	
Status	As approved for publication at the meeting of the Board on 23 July 2014.	
Publication	Sections 7.2 – 7.5 not for publication.	

## 1. Welcome

1.1. The Chair welcomed the Board to the meeting.

### Declarations of interests

1.2. There were no new declarations of interest.

## 2. Minutes of previous meetings and matters arising

*IPSA/140710/1 – Minutes of a meeting of the Board, 25 June 2014; IPSA/140710/2 – Action list*

### Minutes of a meeting of the Board of IPSA, 25 June 2014

2.1. The Board approved for publication the minutes of the meeting of the Board of 25 June, subject to a small number of amendments.

### **Nick Lee to arrange for the publication of the minutes of the meeting of the Board of 25 June 2014.**

### Action list

2.2. The Board noted that work was under way to bring up to date the record of meetings of the Board such that the minutes of all recent meetings were, where appropriate, available on IPSA's website.

### Matters arising

2.3. There were no other matters arising.

## 3. Publication of receipts: Next steps

*IPSA/140710/3 – Publication of receipts*

3.1. The Director of Policy and Communications introduced a paper considering the options available to IPSA in preparing for the active publication of receipts, should this become necessary as a result of a decision by the Court of Appeal. He noted, in particular, that:

- it was likely now that IPSA's case would not be heard until early in 2015, although the date on which it would be heard had not yet been confirmed; and
- a clear, early decision by the Board as to how to respond to an adverse judgement would be needed to allow the organisation effectively to respond to such a judgement.

3.2. The Board noted that:

- while the decision at the Court of Appeal would relate to a request for three specific receipts, an adverse decision in this case was likely to lead to many further requests for receipts;
- while it was difficult to take a final decision as to IPSA's position before even the case had been heard, it was important now to consider what preparation was needed and what planning was needed for a worst-case scenario. If IPSA were, as a result of an adverse judgement, to begin publishing receipts in the following Parliament, preparations needed to begin *before* May 2015; and
- the provisions of the Freedom of Information Act were such that, if it did not reach a settled decision now that, in the event of an adverse judgement, it would actively publish receipts, IPSA might well find itself unable to satisfy the requests it subsequently received within the statutory deadline and so find itself in breach.

3.3. The Board agreed that:

- a final decision whether to proceed with active publication could only be made in the light of the decision of the Court of Appeal;
- nevertheless, planning should begin for the contingency that IPSA lost the case currently before the Court with the consequence that it was required to publish the receipts relating to MPs' claims;
- this planning should include options that would allow for the timely implementation of a settled decision by the Board actively to publish receipts; and
- such preparations should not cut across other planning work already under way, not least for the refresh of IPSA's IT infrastructure planned for 2016.

**Sir Neil Butterfield and John Sills to meet Counsel to discuss the case at the Court of Appeal.**

**John Sills to begin work to prepare for the possible publication of receipts.**

**4. Policy on claims for expenses by members of the Board**

*IPSA/140710/4 + annexes A and B – Policy on claims for expenses by members of the Board*

- 4.1. The Head of Board and Chief Executive introduced a paper asking the Board to approve (as they were required to do each year) the rules governing their claims for expenses,

as well as those for the lay members of the Speaker's Committee for the IPSA. He noted, in particular, that no amendments to either set of rules were proposed.

- 4.2. The Board agreed to approve the policy on claims for expenses by members of the Board, and to review it again the following year.
- 4.3. The Board agreed to approve the policy on claims for expenses by lay members of the Speaker's Committee for the IPSA, and to review it again the following year.

**Nick Lee to make arrangements for the publication of the policies on claims for expenses by members of the Board and lay members of the Speaker's Committee for the IPSA.**

## **5. Reporting annually by MPs**

*IPSA/140710/5 – Annual reporting by MPs*

- 5.1. The Head of Policy and Strategy introduced a paper setting out proposals for the publication of MPs' reports. He noted, in particular, that:
  - the proposal that MPs publish each year a standardised report on their work was a key part of the package of remuneration approved by the Board and launched in January 2014. Such reports would allow the public to see alongside an account of an MP's expenditure details of the work they had undertaken; and
  - a working group chaired by Tony Wright had developed proposals and work had since been under way to consider how these might be put into practice.
- 5.2. The Board noted that:
  - there were a number of risks associated with publishing such reports on IPSA's own website, as well as an operational overhead arising from work needed to process and prepare them for publication. At the same time, there were a number of benefits arising from their being published by IPSA on its website, including that such reports would appear more 'official' than if they were published elsewhere and because it would be easier to ensure they complied with those standards set down;
  - while there was always a risk of such facilities being misused (e.g. to attack political opponents) the risk was relatively low with respect of MPs;
  - if reports were to be published through other media (e.g. on MPs' own websites), the effectiveness of the reporting arrangements, and IPSA's ability to co-ordinate them with details of MPs' expenditure, would be significantly diminished; and

- it was important that, when MPs were asked to provide such reports, clear criteria were given as to what content was or was not acceptable (e.g. if the report was used as a basis to attack a political opponent).

5.3. The Board agreed that further to consider the risks (both operational and reputational) relating to the publication of annual reports on IPSA's own website, as well as to establish the cost of doing so and what guidance might be provided to MPs to ensure that content included in such reports was appropriate.

**John Sills and Head of Policy and Strategy to bring forward further proposals for managing possible risks arising from the publication of MPs' reports.**

**6. Party-political activity at the General Election**

*IPSA/140710/6 + annex A – Ensuring that party-political activity is not funded at the General Election*

6.1. The Director of Policy and Communications introduced a paper setting out possible additional steps that might be taken to avoid public funds being used to subsidise party-political activity, or to provide incumbents with an undue advantage, in the run up to and during the General Election expected to take place in May 2015. He noted, in particular, that there were a number of controls already in place but that it was important to consider the adequacy of those controls in good time ahead of May 2015.

6.2. The Board noted that:

- it would be important for IPSA, as now, to meet and provide guidance to MPs standing for re-election to ensure that they understood the issues and how to avoid public funds being used inappropriately. Likewise it was important for MPs' staff to understand the rules so that they could appropriately support their MP;
- where MPs used his or her office or other publicly-funded assets for party-political purposes (for example, for campaigning during a General Election), s/he would be expected not to make claims for the period in question; and
- asking MPs to sign an additional declaration was likely to have little or no impact on behaviour, while creating a significant additional overhead for IPSA in administering such declarations.

6.3. The Board agreed:

- to ensure that guidance was available to MPs, linked to that provided by the Electoral Commission, so as to make clear what was and was not permissible during the run up to and during a General Election; and

- not to require MPs to sign additional declarations nor, bearing in mind the likely cost and limited benefits, to introduce additional spot checks on MPs' expenditure during this period.

## **7. Any other business**

### Departures

7.1. The Board agreed to thank Philip Lloyd and Belinda Brown (formerly Director of Finance and Operations and Director of People, Performance and Pay respectively), following their recent departure, for their work for IPSA. The Board noted, in particular, that:

- Belinda Brown, who had been IPSA's first employee, had provided significant leadership in key areas, as well as providing sage advice to the Board; and
- Philip Lloyd had served twice as IPSA's Director of Finance (and latterly as its Director of Finance and Operations), negotiating difficult committee hearings and securing approval of IPSA's first-ever Estimate in difficult circumstances.