

Review of the MPs' Scheme of
Business Costs and Expenses
Consultation – November 2012



**REVIEW OF THE MPs' SCHEME OF BUSINESS COSTS AND
EXPENSES**

CONSULTATION

NOVEMBER 2012

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FOREWORD BY THE BOARD OF IPSA

This is the third Review of the *MPs' Scheme of Business Costs and Expenses* ("the Scheme") and the last by the Board as presently constituted. In 2010, we took on a challenging job: to put in place a system for the payment of MPs' business costs and expenses that was fair, workable and transparent, that achieved best value for the taxpayer and that would help to restore public confidence in Parliament after the MPs' expenses scandal had so damaged it. The scandal had its roots in the closed system that prevailed for many years. We have addressed that: this is the first Parliament which has had all of its claims for business costs and expenses made readily available to the public through routine publication on our website. We were clear from the start that the public voice needed to be heard in this process and we are pleased to be consulting the public and other interested parties once again.

We have always sought best value for the taxpayer, not only through the rules for business costs and expenses, but also in IPSA's own operations. The Board, and more importantly the dedicated IPSA staff, have worked hard to reduce the operational costs of the organisation and expect to achieve a saving of £325,000 (5.1%) compared to last year. We have achieved this through a combination of streamlining our business processes, halving our accommodation requirements (we have sublet half of IPSA's office space this year), and a pay freeze and voluntary exit programme for IPSA staff. At the same time we have continued to deliver or exceed our key performance indicators.

Previous Reviews have made significant changes to the Scheme, to improve our systems and to provide more flexibility to MPs and value to the taxpayer. Last year we examined MPs' office needs and staffing arrangements. This Review is narrower in focus, as the Scheme is operating effectively and only minor adjustments are being considered. We concentrate on MPs' accommodation and travel costs, mindful of the need to control costs, while conscious of the need to provide MPs with the support they require to carry out their parliamentary functions. Further, in the light of recent public concern, we ask whether MPs should be prevented from renting accommodation from other current MPs.

In addition to this consultation document, we are hosting a short online survey on our website (www.parliamentarystandards.org.uk) through which you can offer your views. All of your feedback to this consultation will be carefully considered in the development of the next edition of the Scheme.

**Professor Sir Ian
Kennedy**

Sir Scott Baker

Jackie Ballard

Ken Olisa OBE

**Professor Isobel
Sharp CBE**

INTRODUCTION

The Independent Parliamentary Standards Authority

1. The Independent Parliamentary Standards Authority is the statutory body responsible for developing and administering a scheme for MPs' business costs and expenses. We were established in 2009 by the Parliamentary Standards Act ("the Act"). The First Edition of the Scheme came into effect on 7 May 2010, following the General Election. The current edition of the Scheme, which is the subject of this consultation, came into operation on 1 April 2012. It will continue to apply until 31 March 2013.
2. In 2011-2012 we paid out £91.5 million in MPs' business costs and expenses (of which £67.1 million was for salaries to MPs' staff). In addition, we paid £48.4 million in salaries for MPs.¹ We publish the full details of individual MPs' expenditure under the Scheme on our publication website, www.parliamentary-standards.org.uk. A summary of expenditure can be found in Annex C of this document.
3. As well as having the responsibility for MPs' business costs and expenses, we are also responsible for reviewing and making determinations on MPs' pay and pensions. This role was given to us through the Constitutional Reform and Governance Act 2010. Our powers for pay and pensions were commenced by the Government in May and October 2011, respectively. We launched a consultation on MPs' remuneration on 15 October 2012. For further information on that Review, please see the pay and pensions section of our website at www.parliamentarystandards.org.uk.

IPSA's Reviews of the MPs' Scheme of Business Costs and Expenses

4. The Act requires us to review the Scheme regularly and over the past two years we have reviewed the Scheme annually to ensure that the rules and budgets are fair and workable in practice. The first and second Annual Reviews resulted in significant changes to the rules and budgets. The first Review focused on the provisions for MPs with caring responsibilities, the definition of the London Area, the budget for office rent (the Constituency Office Rental Expenditure budget) and the budget for running the office (the General Administrative Expenditure budget). Following that Review we expanded the support for MPs with dependants, made changes to the definition of the London Area, and merged the two office budgets into the Office Costs Expenditure budget.
5. The second Review focused on the provisions for MPs' staffing. We carried out a comprehensive review of the Staffing Expenditure budget, which included analysis of

¹All IPSA outturn figures taken from IPSA Annual Report and Accounts 2011-2012. Available at www.parliamentarystandards.org.uk.

internal data, visits to MPs' constituency offices, and a consultation seeking views from members of the public about the types of activities which they believe MPs' staff should perform (amongst other questions). Following the Review, we made significant changes, including a revised methodology for calculating the budget, and the introduction of different budgets for London and non-London Area MPs.

The 2012-2013 Review

6. Over the past two years, we have been placing increased responsibility on MPs for managing their business costs and expenses. We have done so by giving MPs more discretion over the types of expenditure they can claim for, merging the office budgets, and simplifying the Scheme to allow MPs more flexibility in their individual arrangements. Generally, the feedback from MPs and their staff about these changes has been positive.
7. The focus of this year's Review is the budget for those MPs who are renting accommodation in London. We have chosen to focus on this budget in response to some MPs' concerns that they have difficulty finding suitable rental accommodation close to the Palace of Westminster within the existing Accommodation Expenditure budget of £20,000 per annum. While we are mindful of our principle that MPs should, where possible, be treated in the same manner as other citizens, our consultation seeks views on whether the London accommodation budget should be set at a level to ensure that, for example, MPs can rent residential accommodation which is close to the Palace of Westminster.
8. The consultation also reviews some of the rules where there may be a need to clarify the existing provisions. We will also undertake a review of all of the budget limits alongside this consultation.

How to respond to this consultation

9. The consultation invites responses to a series of questions about possible amendments to the Scheme. It runs from 19 November 2012 to 18 January 2013. Please ensure that you send your response before the closing date as responses received after 18 January 2013 may not be considered.
10. Responses should be sent by email to schemeconsultation@parliamentarystandards.org.uk. Please include in the subject line "Scheme Consultation Response". Responses should be in plain or rich text format, with as little use of colour or logos as possible. If you do not have access to email, you may send a copy of your response to:

Scheme Consultation Response
Independent Parliamentary Standards Authority
7th Floor Portland House
Bressenden Place
London
SW1E 5BH

11. **Respondents may wish to note that responses will be published in full, including your name, unless you indicate otherwise when submitting your response. If you do not wish your response to be published at all, either in full or anonymously, please state this clearly when sending us your response.**
12. If you require a hard copy of the consultation document please email schemeconsultation@parliamentarystandards.org.uk or write to us at the address above.
13. We are also conducting an online survey our website. Please see www.parliamentarystandards.org.uk for more information.

Next steps

14. Following this consultation, we will review the responses and use them to inform any revision of the Scheme. We will publish a report on the consultation, an equality impact assessment and the Fifth Edition of the Scheme in time for the new financial year beginning on 1 April 2013.

CHAPTER ONE: ACCOMMODATION

15. Unlike the majority of people, who typically work in one location, Members of Parliament are required to work regularly in two locations: Westminster and their constituency. The Scheme recognises the binary nature of MPs' living and working arrangements by providing an Accommodation Expenditure budget, which is designed to meet the costs of overnight accommodation necessarily incurred in the performance of an MP's parliamentary functions.
16. In practice, this means that eligible MPs² can choose to claim rental expenditure in one location (either London or their constituency) or claim hotel costs. Alternatively, if they own their own homes, MPs can claim "associated expenditure".³ Some MPs who were re-elected in the 2010 General Election, and who claimed mortgage interest subsidy in the previous Parliament, were permitted to continue claiming for a transitional period until 31 August 2012. Removal of the provisions regarding mortgage interest from the Scheme is discussed in paragraphs 25-27 below.

The London Area accommodation budget

17. MPs who choose to rent in the London Area can claim up to £20,000 per year for their rental payments and other specified associated expenditure.⁴ The budget has been calculated to include £17,400 for annual rent payments (or £1,450 a month), and £2,600 for associated expenditure. MPs may claim more than £17,400 per year in rental payments but it will leave them with less funding for their associated expenditure. They may also decide to rent properties which cost more than the annual budget but they must fund the additional costs themselves.
18. The London Area accommodation budget, as with all the rental budgets, is based on the assumption that MPs require a one-bedroom property in order to support them in carrying out their parliamentary functions. If MPs have caring responsibilities (for example, for dependent children), they may claim an additional budget of up to £2,425 per dependant per year, to contribute to the higher costs they may incur as a result of those dependants routinely residing with them at the property.⁵
19. Some MPs who rent in London have raised concerns that they have difficulty finding suitable rental accommodation close to Westminster within the annual Accommodation

² "Eligible MPs" includes all non-London Area MPs who are not claiming the London Area Living Payment (LALP). Please see Chapter Five of the Scheme for more information on the LALP.

³ A list of claimable associated expenditure can be found at paragraph 4.9 of the Scheme.

⁴ The London Area is defined as constituencies which are within 20 miles of Parliament. A list of the 97 constituencies which form the London Area can be found in Schedule Two of the Scheme.

⁵ The rules for the additional budget for MPs with caring responsibilities can be found at paragraphs 4.20 and 4.21 of the Scheme.

budget. Some of these MPs wish to live in flats which are within a short walking distance of Westminster, citing reasons such as security concerns (particularly when there have been late sittings of the House of Commons) and the need to live in a convenient location because of the unpredictability of parliamentary business.

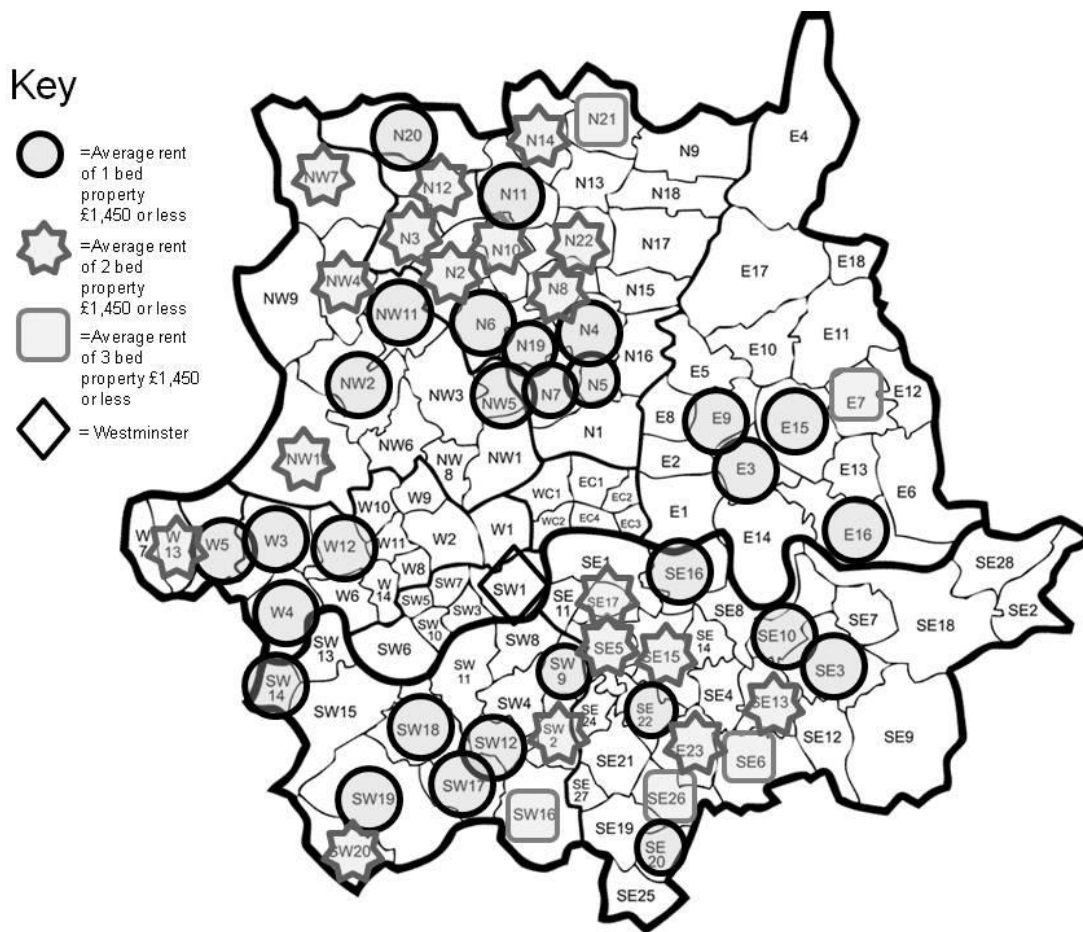
20. Under the current Scheme, the budget for London Area accommodation expenditure is designed to support the renting of a property which is within reasonable travelling distance of Westminster. It is not calculated on the basis of walking distance from Westminster. Working on the presumption that in matters relating to expenses, MPs should be treated in the same manner as other citizens, the IPSA Board has taken the view that it is appropriate for MPs to use transport to get to work, in common with members of the public.
21. In preparation for this consultation, we carried out an initial analysis of the rental market in Central London. We looked at two indicators: the average cost of renting a property across London, and the availability of properties for rent in a range of locations which are reasonably close to Westminster.

Average rents

22. Our analysis shows that the *average* cost of rent for a one-bedroom flat falls within the advised rental budget of £1,450 a month or less in 65% (60 out of 93) of London postcode areas. There are also postcode areas which have two and three-bedroom properties for £1,450 or less a month. However, the average rent for a one-bedroom flat in many central London postcode areas exceeds the £1,450 benchmark. The map on the following page shows postcode areas which have one, two or three-bedroom properties available for an average of £1,450 a month or less.⁶

⁶ Data available from London Property Watch at www.londonpropertywatch.co.uk. Research carried out in July 2012.

Illustration 1: London postcode areas with rental properties available for an average of £1,450/month or less⁷



Availability in selected locations

23. In our second exercise we sought to assess whether there are one-bedroom flats available for rent within the IPSA budget in a number of locations which would entail a tube journey to Westminster of less than 30 minutes. The table on the next page shows our findings. The table is only an illustration and there might be questions about the quality of the accommodation and the time taken to get to the tube station. However, it does suggest that flats within reasonable travelling distance of Westminster remain in plentiful supply for the budget available.

⁷ London map available at <http://www.londonsimplified.co.uk/images/postcode-map.gif>. Please note it does not show all postcode areas in the London Area.

Table 1: One-bedroom flats available for £1,500 pcm or less⁸

Location	Number of properties available	Tube journey to Westminster
City of Westminster	167	Maida Vale 18 mins St John's Wood 10 mins Bayswater 17 mins Pimlico 10 mins
Fulham	85	Fulham Broadway 20 mins Putney Bridge 23 mins
Battersea	119	Battersea Park (rail)/Victoria 20 mins
Hammersmith	45	Hammersmith 20 mins
Camden Town	47	Camden Town 26 mins
Chiswick	93	Turnham Green 26 mins
Putney	133	East Putney 26 mins
Kennington	76	Kennington 11 mins

24. In support of this Review, we will be working with the Valuation Office Agency to provide more detailed data on the residential rental market in London. Their independent data will show if it is possible to rent suitable accommodation in London within the existing budget and, if so, where. If the data indicate that the rental budget is insufficient to fund accommodation within a short distance from Westminster we will need to take a view about whether we should increase the budget to provide for properties close to the House of Commons. In coming to any conclusions, we will have to consider whether it remains appropriate for MPs to take transport in order to get to and from work. We will also take into account the fundamental principles of the Scheme, in particular the following three:⁹

- a. MPs have the right to be reimbursed for unavoidable costs where they are wholly, exclusively, and necessarily incurred in the performance of their parliamentary functions;
- b. in matters relating to expenses, MPs should be treated in the same manner as other citizens; and
- c. the Scheme should provide value for the taxpayer.

⁸ The data for available properties were taken from www.rightmove.co.uk and the transport data were taken from www.tfl.gov.uk. Both websites were accessed on 2 October 2012. Although IPSA recommends that MPs enter into lease agreements for £1,450 a month or less, rightmove.co.uk identifies properties for £1,500 per month or less. Many of the properties identified in this study were available for less than £1,450 per month.

⁹ The full list of Fundamental Principles can be found at Schedule One of the Scheme.

Question 1: What factors do you think we should consider when reviewing the London Area accommodation budget? Is it appropriate for MPs to take transport to get to and from Parliament, or should they be able to rent properties within walking distance of the House of Commons?

Redundant provisions for MPs claiming mortgage interest subsidy

25. In the previous Parliament, MPs were able to claim up to £1,250 per month for mortgage interest on a property either in London or their constituency.¹⁰ Some of the most serious issues arising from the 2009 expenses scandal involved property owned by MPs but subsidised by the taxpayer. Therefore, to inform the first edition of the Scheme, our consultation in 2010 considered whether we should end the subsidy of MPs' mortgage interest, or whether a transitional period was appropriate to allow returning MPs to make alternative arrangements.¹¹ We concluded that we would permit returning MPs who were claiming mortgage interest subsidy in the previous Parliament to continue to claim for a transitional period of just over two years. New MPs could not claim the subsidy.
26. The transitional period ended on 31 August 2012 and MPs are no longer eligible to claim mortgage interest subsidy from the taxpayer. If they choose to stay in their homes they may claim for the associated expenditure for the property (see paragraphs 28-30 below). If they decide to vacate their home they may claim for rental payments elsewhere or hotels, as set out in Chapter Four of the Scheme.
27. As the provisions for claiming mortgage interest subsidy have now ended, we intend to remove references to them in the next edition of the Scheme.

Question 2: Do you have any comments about removing the redundant provisions on mortgage interest subsidy from the Scheme?

The accommodation budget for MPs who own their properties

28. Non-London Area MPs who own properties in both London and the constituency may claim the associated expenditure for one of their properties instead of claiming rent or hotel costs. The current edition of the Scheme provides a single budget for MPs who claim mortgage interest subsidy *and* associated expenditure, and for those who claim

¹⁰ The House of Commons. *The Green Book: A Guide to Members' Allowances*. July 2009. Page 14.

¹¹ IPSA. MPs' expenses: a consultation. January 2010. Available at: <http://parliamentarystandards.org.uk/About%20Us/Corporate%20Publications/IPSA%20consultations/Expenses/January%202010/January%20consultation.pdf>

associated expenditure only. The budget for the financial year 2012-13 is £8,850. This includes five months' mortgage interest subsidy of £1,250 per month (from 1 April 2012-31 August 2012) and £2,600 for associated expenditure for the entire year. £2,600 is the amount of funding that we have built into all the accommodation budgets for associated expenditure. It is not a hard cap – more can be claimed within the overall limit of the budget.

29. As the transitional period for claiming mortgage interest subsidy has now ended, we can amend the budget to remove that part of the budget which was designated for mortgage interest. We can then set it to provide a suitable level of funding for associated expenditure only. We could set it at £2,600, possibly up-rated to take account of inflation. This would reflect the amount we have been incorporating in the wider accommodation budgets. Alternatively, we could base the budget on an assessment of the expenditure by the 60 MPs who are currently claiming for associated expenditure only. This has been just above £4,000 annually per MP. Table 2 below presents a breakdown of the claims by these 60 MPs, showing the average cost per claim, for illustrative purposes. Table 3 shows the overall picture.

Table 2: Accommodation claims for MPs claiming associated expenditure only (cost breakdown financial year 2011-2012)

Expense type	No. of MPs claiming	No. of claims	Total value of claims (£)	Average cost per claim (£)
Approved Security Measures	8	21	3,601	171
Buildings Insurance	15	45	9,304	207
Council Tax	54	286	70,002	245
Electricity	48	232	17,627	76
Gas	31	171	18,456	108
Ground Rent	11	19	2,775	146
Home Contents Insurance	23	99	9,087	92
Internet Installation/Usage	9	57	2,003	35
Other Fuel	6	21	5,201	248
Service Charges	30	107	73,491	687
Telephone Usage/Rental	43	215	11,991	56
Television Installation	3	5	125	25
Television Licence	33	79	4,371	55
Water	38	121	12,615	104

Table 3: Accommodation claims for MPs claiming associated expenditure only (total costs)

	Total no. of MPs claiming	Total no. of claims	Total value of claims (£)	Average total claim per MP (£)
Total claims	60	1,478	240,649	4,011

30. If we set the annual budget for associated expenditure in the region of £4,000, it will help to ensure that MPs are able to claim for the full amount of associated costs they incur while staying in their own home. It will reduce the incentive to rent another property where they would need to claim for all of their accommodation costs, at a higher cost to the taxpayer. By permitting MPs who own their own homes to claim for associated expenditure, rather than renting, the Scheme may therefore secure significant savings for the taxpayer. MPs will only be able to claim for associated costs for one property, either in the constituency or London, not in both locations.

Question 3: Do you agree that the budget for associated expenditure should be set at a level that covers reasonable costs for MPs who stay in their own property?

MPs who rent their accommodation from other MPs

31. A very small number of MPs claiming Accommodation Expenditure rent their accommodation from other MPs.¹² Under the existing Scheme, MPs are free to rent accommodation from any landlord, as long as the landlord is not a “connected party” (for example, a spouse, family member or a close business connection).¹³ MPs do not fall into the definition of a “connected party” simply by being MPs.
32. MPs who, through private arrangements, own a property, are free to rent them out to members of the public or to other MPs. This is a matter for their private financial affairs over which we rightly have no authority. We cannot say an MP should not own a property or properties, or restrict what they do with those properties on the open market.
33. Recent media coverage of instances where MPs rent properties to other MPs have raised the concern, however, that such arrangements could lead to MPs profiting at the taxpayers’ expense. As we note in paragraph 32, if an MP owns a property, he or she

¹² Based on the most recently released information, four MPs were renting accommodation from four other current MPs.

¹³ Paragraph 3.13 of the Scheme formally defines a “connected party”, and paragraph 3.15 specifically restricts claims relating to renting to or from a connected party. Paragraph 4.7 of the Scheme states that “MPs may rent accommodation from another MP, provided that the landlord MP is not a connected party. Only the tenant MP may claim the associated expenditure for that property”.

has every right to rent it out. The risk, as perceived by some members of the public, is that if the tenant is another MP, funded by the taxpayer, a rent above the normal market rate might be agreed. Such a risk is significantly mitigated by the fact that the accommodation budget is capped, at a rate which, we believe, reflects existing market conditions. Paragraphs 17-24 of this document describe how we are analysing current market conditions in London.

34. However, despite the limited number of MPs renting from other MPs and the low risk to the taxpayer, there is sufficient public concern to merit a consideration of whether we should prevent such arrangements in future. Prevention would need to focus on the tenant MP, rather than the property owner, over whom IPSA has no influence.

35. The restriction on tenant MPs could be achieved in a number of ways:

- widening the definition of a “connected party” to include other current MPs; or
- introducing a new rule to restrict MPs renting from other current MPs; or
- introducing a requirement that, if an MP rents from another current MP (while claiming rental costs from IPSA), this should be declared and the identity of the landlord should be made public.

36. The cost to the taxpayer of introducing any restriction would be limited. A small number of MPs would have to move accommodation which may result in a number of claims for removal costs.

<p>Question 4: Should the rules be amended to prevent MPs, if they claim accommodation costs, from renting accommodation from other current MPs? If so, how could this restriction be achieved?</p>

CHAPTER TWO: TRAVEL AND SUBSISTENCE

37. Chapter Nine of the Scheme sets out the provisions for travel and subsistence for MPs, their staff, and eligible dependants and carers, which are necessarily incurred in the performance of MPs' parliamentary functions. The Travel and Subsistence budget is not capped, although there are limits on some of the types of expenditure (such as a maximum rate for hotels and overnight subsistence) and restrictions on certain types of business costs and expenses (such as the cost of travel and the time at which MPs become eligible for subsistence when the House of Commons is sitting late).
38. Over the past two years we have refined the Travel and Subsistence rules but not made any significant changes. At present, the provisions appear generally to be working well. In this consultation we ask three questions relating to travel for MPs and their staff. Again, these are refinements, based on the experience of operating the rules.

Extended UK travel for MPs

Claims for journeys from party political conferences or meetings

39. Some MPs have queried whether they can claim for journeys from a party political event back to Westminster or their constituency. Such claims are arguably within the scope of the existing rules, which include a catch-all provision for travel for parliamentary functions which is not covered by other, more specific, rules.¹⁴ We have, to date, refused such claims on the grounds that claims relating to attendance at party conferences or meetings are not considered to be necessary for the performance of parliamentary functions. Some MPs have argued that such journeys to Westminster or their constituency are necessary for them to perform their parliamentary functions and that the reason for being at the starting point is irrelevant.
40. We are, therefore, considering whether we should reimburse MPs for journeys made from *any* location back to Westminster or their constituency, under the rules for extended UK travel, regardless of the reason for being in that location in the first place.

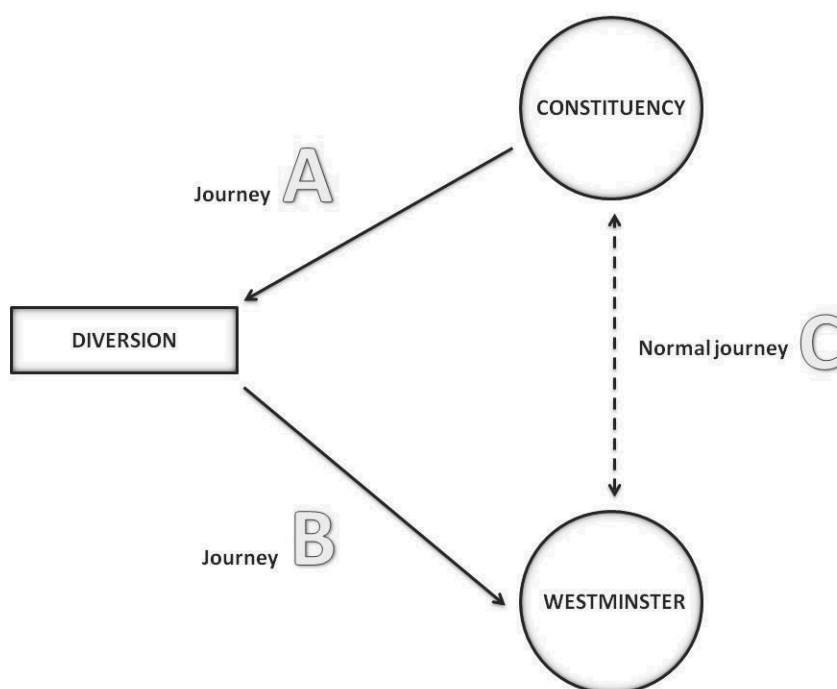
Question 5: Should MPs be permitted to claim for journeys to Westminster or the constituency from any location in the UK, even if the reason for being in the location was for party political purposes?

¹⁴ See paragraph 9.3(d) of the Fourth Edition the Scheme.

Diverted journeys

41. Some non-London Area MPs have requested that we reimburse them for journeys made between the constituency and Westminster but which were “diverted” along the way for a non-parliamentary commitment.
42. The following illustration shows the journey which an MP would normally make between the constituency and Westminster, and vice versa. It is labelled journey ‘C’. Journeys ‘A’ and ‘B’ are a diversion to another location.

Illustration 2: Diverted journey



43. Under the current rules, journey A is not claimable (because it is not for a parliamentary function), but journey B is arguably claimable as it is necessary for an MP to return to Westminster (see paragraphs 39-40 above). However, we have, to date, refused both A and B journeys if the diversion was for party political purposes.
44. An alternative is to allow MPs to claim for “diverted journeys”: in other words, the notional journey they would normally make to travel between the constituency and Westminster. This is journey C in the illustration above. There is no extra cost to the taxpayer; nor is the MP out of pocket because he or she took the diversion.
45. Where an MP has requested to claim for a diverted journey which is not made for a party political reason, we have reviewed it on a case-by-case basis and, where deemed reasonable, reimbursed the MPs for the notional journey between Westminster and the constituency. We have not, to date, allowed diverted journeys for party political purposes. We are now considering whether to allow all claims for diverted journeys, given that the notional journey between the constituency and Westminster is in support of the MP’s parliamentary functions.

Question 6: Should MPs be permitted to claim a notional amount for journeys which start and end in Westminster or the constituency, but which divert along the way for a non-parliamentary purpose? This amount would not exceed the standard fare of the direct journey.

Extended UK travel for MPs' staff

46. The Scheme permits MPs to claim for three types of journeys for their staff:

- 96 single journeys each year between the MP's constituency office and Westminster;
- unlimited travel within the constituency (or within 20 miles of the constituency boundary); and
- unlimited travel elsewhere in the UK for the purposes of relevant training.

47. Over recent months, several MPs have requested payment of extended UK travel claims for their staff. These MPs have explained that they require a member of staff to accompany them to provide support at meetings or conferences. As such journeys are currently not covered by the Scheme, we have considered them on a case-by-case basis, under our powers set out at paragraph 10.19 of the Scheme to provide any financial assistance deemed necessary to allow MPs to carry out their parliamentary functions.

48. We recognise that many employers would pay for travel and subsistence if an employee was required to travel for business purposes. For this reason, we are considering whether we should allow MPs to claim for extended UK travel for their staff. We could apply the same conditions which currently exist for extended UK travel for MPs to their staff members. However, we must first consider whether such claims for MPs' staff travel are a necessary business cost or expense for MPs. Extending the provisions for staff travel will come at an increased cost to the taxpayer. We need, therefore, to find the balance between two fundamental principles of the Scheme: one being that MPs have the right to be reimbursed for unavoidable costs where they are wholly, exclusively, and necessarily incurred in the performance of their parliamentary functions; and the other, that the Scheme should provide value for the taxpayer.¹⁵

Question 7: Do you think that MPs should be allowed to claim extended UK travel costs for their staff?

¹⁵ The full list of Fundamental Principles can be found at Schedule One of the Scheme.

CHAPTER THREE: MISCELLANEOUS ISSUES

Resettlement payments

49. On 1 April 2012, we introduced an interim resettlement payment policy to provide financial support to any MPs who lose their seats in the event of a General Election before 2015. To qualify for the resettlement payment, the individual must have been an MP on the day before the dissolution of Parliament and a candidate for re-election for the same seat, but not re-elected. The amount of the resettlement payment payable is equal to one calendar month's salary (at the rate payable immediately before the dissolution) for each completed year of service subject to a maximum payment equal to six months' salary. These provisions can be found in Chapter Eight of the Scheme.
50. In October 2012, we launched a consultation on MPs' remuneration, including a discussion of the long-term solution for resettlement payments.¹⁶ We will reflect the outcome of any policy change regarding resettlement payments in the next edition of the Scheme.
51. We intend, through this consultation, to introduce provisions into the Scheme to ensure that MPs must make the necessary arrangements to wind-up their affairs and repay any loans or payments from us which they may hold before we make any resettlement payments. Such obligations would include, but are not limited to:
- a. issuing redundancy notices to staff and sending instructions to us;
 - b. repaying any outstanding debts to us (including repayment of advances, deposit loans, overpaid expenses, and capital gains owed as a result of the mortgage interest subsidy);
 - c. submitting all expense claims for the period running up to the election; and
 - d. carrying out administrative tasks such as cancellation of the IPSA payment card and return of RSA security tokens used to access the online expenses system.

Question 8: Do you support the introduction of winding-up obligations which MPs must meet before receiving a resettlement payment?

Claims in relation to reviews of parliamentary constituency boundaries

52. In making any claim under the Scheme, an MP must certify that the expenditure was necessary for the performance of his or her parliamentary functions. For the majority of

¹⁶ For more information, please refer to Chapter 11, *Reviewing MPs' Pay and Pensions: A Consultation, October 2012*, IPSA, available on our website at www.parliamentarystandards.org.uk.

business costs and expenses, we allow MPs the discretion to decide whether expenditure was necessary for their parliamentary functions and, if so, they may claim it from us (providing it is claimable from one of the budgets and it is within any financial limits which may apply).

53. That said, there are some activities which we do not view as necessary for the conduct of parliamentary functions and no claims are paid which relate to these activities. These activities are set out in Chapter Three of the Scheme.¹⁷
54. The Boundary Commissions for England, Wales, Scotland and Northern Ireland have been undertaking work to reduce the number of constituencies in the United Kingdom from 650 to 600. Many MPs are interested in this work because any reduction in the number of constituencies may have a direct impact on them, especially if the constituency they represent will no longer exist (or will be significantly changed) following the boundary reviews. MPs may, for example, wish to commission research on the boundary changes to ascertain the views of their constituents. We are concerned that such research may not meet the test of being necessary to carry out an MP's parliamentary functions. Therefore, we are considering adding such claims to the list of activities which cannot be claimed for under Chapter Three of the Scheme.

Question 9: Do you agree that we should prohibit payment of claims for activities relating to parliamentary constituency boundary changes?

Membership fees

55. We have received queries from a small number of MPs who have asked whether club membership fees are claimable if they would save the taxpayer money. One example is membership of car clubs where an MP could pay a fixed annual subscription and then flat-rate fees to rent a car on an hourly basis. This may constitute a saving over the daily cost of renting a car from a rental company (MPs may already claim rental cars from the Travel and Subsistence budget.)
56. If we were to introduce provisions for MPs to claim membership fees we could attach specific conditions to payment. Examples of conditions may include that membership must provide demonstrable value-for-money above the existing provisions in the Scheme; that membership must be used exclusively for parliamentary functions; and that membership of the club must be open to all MPs. The cost of the membership fee (and any usage costs) would come from the applicable Scheme budget (for example, Travel and Subsistence, Accommodation or Office Costs Expenditure as appropriate).

¹⁷ Please refer to paragraph 3.3 of the Scheme and the associated guidance box.

Question 10: Do you believe that MPs should be able to claim the cost of membership fees, subject to any conditions, if there is demonstrable evidence of value-for-money to the taxpayer and the membership is only used for parliamentary functions?

Equality and diversity

57. One of our fundamental principles with regards to MPs' business costs and expenses is that the arrangements set out in the Scheme should be sufficiently flexible to take into account the diverse working patterns adopted by MPs, and that they should not unduly deter representation from all sections of society. This principle is applied in addition to our responsibilities as a public sector organisation as set out in the Equality Act 2010.
58. As part of this Review, we will carry out an Equality Impact Assessment (EIA) to consider any likely or actual impacts of any new policies which emerge from this consultation. We will review the impact of the Scheme on the "protected characteristics" as defined by the Equality Act. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Previous EIAs have identified improvements in the provisions, for example, for those with disabilities, and for MPs with caring responsibilities. The EIA will also consider the extent, if any, to which the Scheme may affect the wider diversity of the House of Commons.
59. We will publish the EIA for this Review in parallel with the revised Scheme and report on the consultation in spring 2013.¹⁸ We welcome responses, in particular from MPs and their staff, about how the current edition of the Scheme is operating in regards to equality and diversity.

Question 11: What likely or actual impact do you believe the Scheme and specific matters raised in this consultation may have on equality and diversity in relation to MPs and their staff?

Incorporating non-statutory guidance into the Scheme rules

60. From time-to-time we publish guidance to assist people in understanding the Scheme. Much of this guidance has been published with the Scheme in grey "guidance boxes" within the text. Some of this guidance – the elements which advise on making claims – is "statutory".¹⁹ Other guidance, which helps to clarify the rules, is "non-statutory".
61. When we first launched the Scheme, we were publishing non-statutory guidance regularly in response to frequently asked questions from MPs and their staff. Now that

¹⁸ The previous two EIAs which IPSA has published are available at www.parliamentarystandards.org.uk.

¹⁹ See Section 7(A1) of the Parliamentary Standards Act (2009)

the Scheme has been in operation for over two years, the frequency of communications about the rules in the Scheme has decreased.

62. As part of this Review we intend to incorporate some of the non-statutory guidance into rules in the Scheme, as it operates in the same way as the rules. The list of non-parliamentary activities (supporting guidance at paragraph 3.3 of the Scheme) is an example of non-statutory guidance. The following table provides the references to the paragraphs in the Scheme with guidance boxes that we seek to move into the main text of the Scheme. The guidance is shown in detail in Annex B.

Table 4: Non-statutory guidance for incorporation into the Scheme

Chapter	Guidance paragraph reference
3	3.3
4	4.6, 4.15, 4.20, 4.23
7	7.12
8	8.11
9	9.3, 9.12
10	10.3, 10.19

63. Additional guidance boxes may be identified for introduction into the Scheme through this consultation. Some of the language may be amended to reflect its status as a rule rather than non-statutory guidance.

64. In addition to the guidance boxes in the Scheme we have, on occasion, written to MPs communicating any changes in the operation of the Scheme. For example, in response to some MPs' difficulties in booking hotels within the budget limits specified in the Scheme, we advised in a bulletin to MPs in July 2010 that, if they provided an explanation and evidence that there were no available hotels within the specified limit, they could claim for a hotel at a higher cost as long as it was for the best available price.²⁰ Another example is a letter from IPSA to all MPs in October 2011 clarifying arrangements around diverted journeys between the constituency and Westminster. We intend to reflect both of these provisions in the Scheme, subject to this consultation. Further details can be found in Annex B.

Question 12: Have you any comment on the introduction of some of the non-statutory guidance (as specified in Annex B of this consultation) into the Scheme rules?

²⁰ The specified limit is currently £150 per night in the London area and £120 for hotels outside the London area.

Any other comments

65. This consultation presents questions on the budgets for Accommodation Expenditure (and removing the references to mortgage interest subsidy), extended UK travel for MPs and their staff, and a small range of miscellaneous issues. The current edition of the Scheme is available at www.parliamentarystandards.org.uk. Annex C to this consultation sets out expenditure for 2011-2012 and the first half of 2012-2013. If, having reviewed the current Scheme and Annex C, there are additional comments which respondents would like to put forward then we would welcome them in response to question 13 below.

Question 13: Are there any additional comments which you would like to submit on the <i>MPs' Scheme of Business Costs and Expenses</i> ?
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ANNEX A: LIST OF CONSULTATION QUESTIONS

Question 1: What factors do you think we should consider when reviewing the London Area accommodation budget? Is it appropriate for MPs to take transport to get to and from Parliament, or should they be able to rent properties within walking distance of the House of Commons?

Question 2: Do you have any comments about removing the redundant provisions on mortgage interest subsidy from the Scheme?

Question 3: Do you agree that the budget for associated expenditure should be set at a level that covers reasonable costs for MPs who stay in their own property?

Question 4: Should the rules be amended to prevent MPs, if they claim accommodation costs, from renting accommodation from other current MPs? If so, how could this restriction be achieved?

Question 5: Should MPs be permitted to claim for journeys to Westminster or the constituency from any location in the UK, even if the reason for being in the location was for party political purposes?

Question 6: Should MPs be permitted to claim a notional amount for journeys which start and end in Westminster or the constituency, but which divert along the way for a non-parliamentary purpose? This amount would not exceed the standard fare of the direct journey.

Question 7: Do you think that MPs should be allowed to claim extended UK travel costs for their staff?

Question 8: Do you support the introduction of winding-up obligations which MPs must meet before receiving a resettlement payment?

Question 9: Do you agree that we should prohibit payment of claims for activities relating to parliamentary constituency boundary changes?

Question 10: Do you believe that MPs should be able to claim the cost of membership fees, subject to any conditions, if there is demonstrable evidence of value-for-money to the taxpayer and the membership is only used for parliamentary functions?

Question 11: What likely or actual impact do you believe the Scheme and specific matters raised in this consultation may have on equality and diversity in relation to MPs and their staff?

Question 12: Have you any comment on the introduction of some of the non-statutory guidance (as specified in Annex B of this consultation) into the Scheme rules?

Question 13: Are there any additional comments which you would like to submit on the *MPs' Scheme of Business Costs and Expenses*?

ANNEX B: NON-STATUTORY GUIDANCE FOR INCORPORATION WITHIN THE SCHEME

The table below presents the non-statutory guidance that has been identified for incorporation into the Scheme as rules. This guidance currently sits within the grey guidance boxes in the Scheme. Additional non-statutory guidance may be considered throughout this consultation. If we deem that the following, or any additional guidance, should be incorporated into the Scheme, the language may be amended to reflect its status as a rule rather than guidance.

Table of non-statutory guidance for incorporation within the Scheme

Chapter	Guidance paragraph reference	Text for incorporation into the Scheme
3	3.3	<p>Except where set out in Chapter Nine, the following are examples of activities that are not considered as necessary for the performance of parliamentary functions:</p> <ul style="list-style-type: none"> • attendance at party conferences or meetings; • work which is conducted for or at the behest of a political party; • producing or distributing any material which could be construed as campaign expenditure within the scope of the Political Parties, Elections and Referendums Act 2000; • work relating to delegations to an international assembly; or • work relating to the performance of Ministerial functions.
4	4.6	<p>IPSA will approve all rental contracts to ensure the eligibility criteria and conditions are met before any claims can be made. MPs should satisfy themselves that the conditions as set out in the Scheme are met.</p>
4	4.15	<p>Removal costs for moving to new accommodation may be claimed from the Contingency Fund. No pre-approval is necessary.</p>
4	4.20	<p>MPs will become eligible for this additional expenditure once they register their dependant(s) with IPSA.</p>
4	4.23	<p>Applications for loans should be accompanied by a draft of the rental agreement, for IPSA to approve. MPs will be asked to sign hard copies of loan agreements before funds are provided to them. The terms and conditions of the loan will be set out in</p>

		<p>these agreements.</p> <p>No MP may hold more than one loan for a deposit on residential accommodation at any one time, except where IPSA agrees otherwise.</p>
7	7.12	<p>MPs must notify IPSA whenever an agreement with a volunteer comes to an end. Unpaid interns and other volunteers are not required to carry out specific duties for the MP, and they are assisting the MPs with his or her duties on a voluntary basis. Should the nature of the unpaid intern's or volunteer's work change so that they would be classified as an employee, the MP must contact IPSA and provide the intern or volunteer with a contract of employment, subject to National Minimum Wage legislation.</p>
8	8.11	<p>To qualify for the resettlement payment, the individual must have been an MP on the day before the dissolution of Parliament and a candidate for re-election for the same seat, but not re-elected. The amount of the resettlement payment payable is one calendar month's salary (at the rate payable to Members immediately before the dissolution) for each completed year of service subject to a maximum payment equal to six months' salary.</p>
9	9.3	<p>Journeys made as part of an MP's duties as an Opposition Front Bench spokesperson or shadow minister may be claimable under paragraph 9.3d where funding is not available from another source. Journeys made as part of an All-Party Parliamentary Group (APPG) may only be claimed where they meet the requirements of paragraph 9.3 above and the journey has been expressly and formally requested by the APPG.</p> <p>Extended UK travel may not be claimed for:</p> <ul style="list-style-type: none"> • journeys made on Party business; • travel related to a delegation to an international assembly; • journeys made on Government business; • journeys made for the purpose of electioneering; and • journeys for which funding is available from another source.
9	9.12	<p>Cars must be registered on the online expenses system before mileage claims can be submitted.</p>
10	10.3	<p>Claims for Disability Assistance can only be made for additional funding required by the MP which affects their ability to perform their parliamentary functions outside the</p>

		Parliamentary Estate. There is no set limit on the amount of Disability Assistance an MP may receive; the level of allowable claims will be decided on a case by case basis.
10	10.19	MPs may apply for an interest-free advance of up to £4,000. MPs will be required to repay the loan by the end of the Parliament.

The table below presents instances where we have written to MPs communicating any changes in the operation of the Scheme. We intend to reflect these provisions in the Scheme. As noted above, the language will be amended to reflect its status as part of the Scheme.

Table of additional non-statutory guidance to MPs for incorporation within the Scheme

Original source	Date	Original text to be incorporated into the Scheme
MPs' Bulletin #8	15 July 2010	"Where the House unexpectedly sits very late and it is not possible to find a hotel room for [£150] or less, affected Members should find a hotel for the best available price and make a claim on the contingency budget, on the basis that it was not possible to find one for [£150] or less in the circumstances". ²¹
Letter from IPSA to all MPs, with subject line "MPs' Expenses Scheme: Improvements to Service Delivery"	17 October 2011	"For non-London area MPs, we are also making changes today to allow you to claim for 'diverted journeys' between Westminster and your constituency. To use an example as a means of explanation, if you are travelling from Westminster to your constituency but, en route, need to divert somewhere to complete a non-Parliamentary commitment, previously we would not have reimbursed the cost of the journey between Westminster and the constituency. Now, we will. These claims need to be pre-approved, so do call or email us in advance. While we will pay the equivalent costs for your journey between Westminster and your constituency, any additional costs associated with your diversion will not be claimable. Diverted journeys to complete party political activities are not eligible". ²²

²¹ At the time of this communication to MPs, the maximum cost of hotel accommodation was £130 per night in the London Area. This maximum cost has since been increased to £150 per night in the London Area under the current Scheme.

²² Please refer to paragraphs 41-45 of this consultation document for further discussion on diverted journeys.

ANNEX C: EXPENDITURE IN 2011-2012 AND THE FIRST SIX MONTHS OF 2012-2013 (1 APRIL – 1 OCTOBER 2012)

All data were taken from IPSA's records. Please note that a single claim could be made for multiple instances of an expense type - for example, one claim could be submitted for a three-night hotel stay and, therefore, average claim figures should not be taken as indicative of cost-per-night. Furthermore, a travel claim may represent the cost of either a single or return journey.

Tables of expenditure from 2011-2012

Accommodation Expenditure (2011-2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Rental payments	320	3,652	4,665,749	1,278
Mortgage interest payments ²³	54	529	353,646	669
Council tax	366	1,675	378,322	226
Utilities (gas, electricity, water, other fuel)	372	2,739	239,789	88
Insurance (buildings, contents)	112	388	51,666	133
Service charges	126	374	179,570	480
Communications (TV, phone and internet)	294	1,812	84,427	47
Hotels – London Area	73	1,520	398,547	262
Hotels – not London Area	11	20	2,527	126

²³ Mortgage interest subsidy ended on 31 August 2012.

Office Costs Expenditure (2011-2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Constituency office rent	556	4,174	3,614,979	866
Business rates	193	566	227,154	401
Utilities (gas, electricity, water, other fuel)	306	2,472	342,399	139
Insurance (buildings, contents)	221	395	86,763	220
Legal expenses insurance	333	343	210,646	614
Hire of premises (for surgeries etc.)	405	2,809	171,903	61
Communications – phone	622	12,628	1,136,017	90
Communications – internet	178	853	45,328	53
Communications – TV	100	126	16,148	128
Computer hardware and software	442	1,241	507,332	409
Furniture hire and purchase	200	380	78,531	207
Other office equipment (fax, scanner, photocopier, shredder, printer)	308	1,442	276,307	192
Stationery	634	11,187	1,395,798	125
Websites and advertising	348	2,013	383,702	191
Hospitality	140	1,083	15,462	14
Professional services and parliamentary accountancy	416	2,153	912,096	424
Recruitment services	28	49	17,206	351

Staffing (2011-2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Pooled services	222	302	867,342	2,872
Bought-in services	150	870	789,831	908
Intern expenses	232	16,588	187,812	11
Reward and recognition payments	10	33	1,665	50
Health and welfare costs (e.g. eye tests)	34	53	3,037	57

Travel and Subsistence (2011-2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Mileage	453	41,785	1,047,377	25
Air	123	3,169	593,175	187
Rail	495	16,261	1,250,582	77
Other public transport	226	2,455	39,610	16
Hire cars	19	136	21,403	157
Taxis	211	3,057	49,407	16
Taxis (late working in Parliament) ²⁴	113	535	9,386	18
Parking/congestion charge/tolls	350	7,742	155,481	20
Travel by staff members	477	11,487	333,657	31
Travel by dependants	81	976	62,195	64
Food and drink ²⁵	247	5,492	61,112	11
Food and drink by staff members	49	265	2,723	10
Hotels – not London Area	37	54	5,321	99
Hotels – outside UK	39	51	10,547	207
Hotels – staff members	116	321	47,407	148
Hotels (late working in Parliament) ²⁶	15	109	20,950	192

MP staff salary and pensions (2011-2012)

Programme Cost	Total value of claims (£)
MP staff salary and pensions ²⁷	67,132,000

²⁴ Claims made under the provisions for late working in Parliament, as set out in paragraph 9.37 of the Scheme.

²⁵ Under paragraphs 9.29 and 9.30 of the Scheme, MPs may claim for the costs of food and non-alcoholic drinks when the House is sitting late or they necessarily stayed overnight under defined circumstances.

²⁶ Under the provisions for late working in Parliament, as set out in paragraph 9.37 of the Scheme.

²⁷ MP staff payments include gross pay, employer's NI contributions, and pension contributions from 1 April to 30 September 2012.

Tables of expenditure in the first six months of 2012-2013 (1 April 2012 - 1 October 2012)

Accommodation Expenditure (1 April 2012 - 1 October 2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Rental payments	335	1,770	2,257,748	1,276
Mortgage interest payments ²⁸	38	189	111,980	592
Council tax	355	914	286,811	314
Utilities (gas, electricity, water, other fuel)	352	1,539	163,562	106
Insurance (buildings, contents)	66	199	28,185	142
Service charges	85	146	79,507	545
Communications (TV, phone and internet)	220	845	35,892	42
Hotels – London Area	50	415	120,157	290
Hotels – not London Area	3	3	596	199

Office Costs Expenditure (1 April 2012 - 1 October 2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Constituency office rent	540	2,009	1,829,641	911
Business rates	108	211	140,902	668
Utilities (gas, electricity, water, other fuel)	269	1,110	161,689	146
Insurance (buildings, contents)	135	194	48,062	248
Legal expenses insurance	17	17	3,881	228
Hire of premises (for surgeries etc)	311	1,224	55,251	45
Communications – phone	603	5,254	456,157	87
Communications – internet	157	502	25,242	50
Communications – TV	62	74	9,425	127
Computer hardware and software	331	883	248,801	282
Furniture hire and purchase	69	102	17,286	169
Other office equipment (fax, scanner, photocopier, shredder, printer)	175	311	49,158	158
Stationery	589	3,996	507,409	127
Websites and advertising	294	990	214,309	216
Hospitality	95	505	6,248	12
Professional services & parliamentary accountancy	230	893	173,671	194
Recruitment services	26	32	5,868	183

²⁸ The mortgage interest subsidy ended on 31 August 2012.

Staffing (1 April 2012 - 1 October 2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Pooled services	281	362	1,244,720	3,438
Bought-in services	336	781	1,602,775	2,052
Intern expenses	135	5,429	65,737	12
Reward and recognition payments	1	1	15	15
Health and welfare costs (e.g. eye tests)	21	28	3,440	123

Travel and Subsistence (1 April 2012 - 1 October 2012)

Expense type	No. MPs claiming	No. claims	Total value of claims (£)	Average claim (£)
Mileage	442	18,786	492,755	26
Air	115	1,200	249,197	208
Rail	457	5,973	433,353	73
Other public transport	180	1,034	15,160	15
Hire cars	15	87	8,936	103
Taxis	202	1,442	21,488	15
Taxis (late working in Parliament) ²⁹	56	250	4,347	17
Parking/congestion charge/tolls	331	3,000	57,679	19
Travel by staff members	447	6,095	173,597	28
Travel by dependants	58	309	23,586	76
Food and drink ³⁰	574	2,113	22,679	11
Food and drink by staff members	41	168	1,476	9
Hotels – not London Area	15	20	2,735	137
Hotels – outside UK	26	30	6,189	206
Hotels – staff members	77	141	20,941	149
Hotels (late working in Parliament) ³¹	11	35	9,199	263

MP staff salary and pensions (1 April 2012 - 30 September 2012)

Programme Cost	Total value of claims (£)
MP staff salary and pensions ³²	36,410,455

²⁹ Claims made under the provisions for late working in Parliament, as set out in paragraph 9.37 of the Scheme.

³⁰ Under paragraphs 9.29 and 9.30 of the Scheme, MPs may claim for the costs of food and non-alcoholic drinks when the House is sitting late or they necessarily stayed overnight under defined circumstances.

³¹ Under the provisions for late working in Parliament, as set out in paragraph 9.37 of the Scheme.

³² MP staff payments include gross pay, employer's NI contributions, and pension contributions from 1 April to 30 September 2012.

