

**Review of a determination by the IPSA that subsistence claims cannot be paid to volunteers whilst working from home.**

**Review conducted at request of Tanmanjeet Singh Dhesi  
Member of Parliament for Slough**

## Introduction

1. This review has been conducted following a request by Tan Dhesi, the MP for Slough, to consider a determination of IPSA process to refuse to pay for the subsistence costs of a volunteer who was working from home as a result of restrictions imposed during the Covid-19 pandemic.
2. IPSA publishes and operates The Scheme of MPs' Business Costs and Expenses (the Scheme) in exercise of the powers conferred on it by section 5(3)(a) of the Parliamentary Standards Act 2009. "The Scheme is intended to ensure that MPs' use of taxpayers' money is well regulated, and that MPs are resourced appropriately to carry out their parliamentary functions<sup>1</sup>.
3. The guidance which applies in this case comes under Chapters seven, nine and ten of the "The Scheme" (Twelfth Edition).
4. *Section 6A of the Parliamentary Standards Act 2009* (the Act) provides that if:
  - (1)(a) the IPSA determines under section 6(3)<sup>2</sup> that a claim is to be refused or that only part of the amount claimed is to be allowed, and
  - (b) the member (after asking the IPSA to reconsider the determination and giving it a reasonable opportunity to do so) asks the Compliance Officer to review the determination (or any altered determination resulting from the IPSA's reconsideration).
  - (2) The Compliance Officer must -
    - (a) consider whether the determination (or the altered determination) is the determination that should have been made, and
    - (b) in light of that consideration, decide whether to confirm or alter it.

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<sup>1</sup> The Scheme of MPs' Business Costs and Expenses (Twelfth edition).

<sup>2</sup> Section 6(3) of the Act states that on receipt of a claim, the IPSA must – (a) determine whether to allow or refuse the claim, and (b) if it is allowed, determine how much of the amount claimed is to be allowed and pay it accordingly.

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5. Paragraph 9 of the notes for Guidance on the Conduct of Reviews by the Compliance Officer for IPSA states that:

“The Compliance Officer will, taking into account all information, evidence and representations, decide whether the determination (or the altered determination) is the determination that should have been made under the Scheme and in light of that, whether or not to confirm or alter it”.

6. As IPSA had conducted an internal review into this matter which upheld the original decision not to pay the claim, there is no impediment to the Compliance Officer accepting the request for a review from Mr Dhesi.

**The Review.**

7. In conducting the review, the Compliance Officer has utilised the twelfth edition of the Scheme which came in to force in April 2020.

8. In addition, the Compliance Officer has conducted the following enquiries:

- ◇ Reviewed the information provided on behalf of Mr Dhesi.
- ◇ Reviewed the record of the IPSA review which considered the application.
- ◇ Requested IPSA further review additional information supplied by MP.
- ◇ Held a meeting with the office manager of Mr Dhesi
- ◇ Reviewed the notes held on the IPSA case records management system.
- ◇ Conducted open research on HMRC, NCVO and Gov.uk websites about subsistence claims.

**The basis for the review request by Mr Dhesi.**

9. In May 2020, the MP submitted a form entitled “IPSA model volunteer arrangement” informing IPSA of the detail of the volunteer. This form is a generic template which MPs are required to submit in order that details of volunteers can be retained on IPSA systems. As part of the agreement, the MP agreed to pay £10 towards travel costs between the volunteers home

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address and UK parliament and £7.50 towards lunch costs as long as they were supported by a receipt and incurred in accordance with conditions set out in the Scheme. A redacted copy of the agreement can be found at appendix one of this report.

10. The volunteer in question is a student, studying at the University of Hull. As part of the University course, the volunteer is doing a work-based placement with the MP between September 2020 and June 2021.
11. The expenses in question were submitted under claim number 60067630. There were several items submitted under this reference number, but the lines subject of this review relate to four claims for subsistence incurred in November 2020 which totalled £27.50. The claims were lunch costs purchased whilst the volunteer was working from her home on behalf of the MP.
12. The claims were rejected by the IPSA validation team on the grounds they were not eligible under the Scheme because items of food are only eligible to be claimed when expenditure is incurred when working away from home. The refusal was queried by the MP on the grounds the Scheme does not specify that volunteers cannot work from home and the claim was looked at again by a validation team manager who agreed with the initial decision that the claims were ineligible under the Scheme.
13. The MP then made a request for an internal review which was conducted on 26<sup>th</sup> January 2021. The findings of the review are details in section twenty of this report. The review concluded the claims were ineligible under the Scheme. It was at this point the MP requested a review be conducted by the Compliance Officer.
14. As part of the process, a very detailed document was provided to the Compliance Officer which sets out a very thoughtful and well-reasoned argument as to why the MP believes the claims ought to have been allowed and the fact that IPSA could have exercised discretion against the backdrop of restrictions placed on usual working arrangements due to Covid-19 restrictions.
15. The full argument presented by the MP can be found at appendix two. The key points are summarised below:

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**Point One** - Adherence to the Scheme applies equally to IPSA as it does to MPs

**Point Two** – Correct interpretation and implementation of the Scheme

**Point Three** – If the rules have been correctly interpreted, then they are unreasonable

**Point Four** – It is in the public interest to process this claim.

16. **Point One – Adherence to the Scheme**

16.1. The MP argues he complied with all aspects of the Scheme, in that the appropriate paperwork was completed, the claims were supported by receipts, the expenditure was incurred during the course of assisting with his parliamentary work and the Scheme does not stipulate any geographical boundaries as to where the expenditure should be incurred.

17. **Point Two – Correct interpretation and implementation of the Scheme**

17.1. The MP argues that the “Scheme” at Chapter seven which relates to volunteers does not impose conditions on where subsistence claims can be made as it does in Chapter 9 which relates to MP and staff travel and subsistence claims. In addition, the volunteer model form does not specify where lunches should be taken in the same way as it specifies agreed locations that travel claims can be made. For example, in this case, the volunteer could claim £10 for any journey incurred between their home address and UK parliament. There was an addendum to the twelfth edition on the Scheme which provides extra guidance to MPs during the Covid-19 pandemic. Section 4.4 of the Addendum of the Scheme states “MPs may decide how best to meet any additional demand faced by their office as a result of coronavirus subject to the normal rules on staffing costs set out in Chapter 7 of the main Scheme.”

17.2. In this case the MP decided to meet the additional demand and challenges faced by his office because of the Covid-19, in part, by taking what he considered was reasonable and cost-effective measures. He was willing to allow volunteers to work from home and claim subsistence during the pandemic whilst travel restrictions are in place. The MP is of the belief,

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previous claims submitted by the volunteer in question had been paid and believe the validation process at IPSA to be inconsistent.

17.3. The MP and others have raised this question during parliamentary questions, and it has been acknowledged, there will always be an element of judgement applied during unusual situations such as the Covid-19 pandemic.

17.4. The MP further argues that the Scheme allows for volunteers to claim subsistence when working at constituency offices or parliament but employed staff cannot because they receive a salary. If the constituency office is closed and parliament only allows restricted access, then it is only possible for the volunteer to work from home during the pandemic due to restrictions imposed and recommended government guidance. Mr Dhesi remains firmly of the view that in the circumstances, the volunteer, should therefore be allowed to claim for lunch costs, whilst working on his behalf.

**18.0. Point Three – The rules relating to volunteers are unreasonable**

18.1. The MP argues that IPSA, in deciding on rules under the Scheme, look at most common practices for employers and it is common practice for volunteers to be paid subsistence and travel claims.

18.2. In this case, the volunteer, like many other volunteers for MPs, is a student who is doing a huge amount of work which is unpaid. On a very basic level it seems unfair for IPSA to be withdrawing this support to students and discouraging them from volunteering, instead of supporting them to spend their time doing public work. By refusing to pay these types of claims, many students may choose to end their volunteering because they cannot afford to personally incur these additional costs. In addition, some students from certain socio-economic backgrounds may avoid applying to volunteer with an MP for financial reasons.

18.3. The MP argues the Scheme allows for the exercise of discretion on both the part of IPSA and MPs as employers. IPSA have chosen not to exercise discretion on this issue, and neither have they allowed MPs to use discretion to act in a way they consider is in the best interests of their

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office. In essence, where there is some ambiguity or an issue is not clear-cut, IPSA should presume a claim does comply rather than it does not comply, unless there are compelling reasons not to do so.

## **19.0. Point 4 – Public Interest**

19.1. During the coronavirus pandemic, Government advice is that you should work from home if you are able to do so, but instead of creating a framework to allow volunteers to undertake their voluntary work from home, IPSA are instead creating a set of rules during the pandemic which incentivise volunteers to travel to Parliament or a constituency office, so that they are able to be reimbursed for the same lunch costs they could be incurring near home instead. This is wholly inappropriate and not in the public interest. Such action is also more costly to the taxpayer who would be paying for travel costs too. A reasonable policy would be for IPSA to support volunteers working from home by allowing lunch costs, in line with the Model Volunteer Agreement and evidenced with receipts, to be claimed.

## **20.0. Position of IPSA**

20.1. In making any decision on whether a claim is eligible under “The Scheme”, IPSA refer to the Scheme itself for guidance. The Scheme in relation to volunteers states the following:

### **Para 7.4 (i)**

The staffing costs budget may be used to meet the following costs:

The incidental expenses of volunteers.

### **Para 7.24**

MPs who engage volunteers must submit a signed arrangement with the volunteer to IPSA before claims for incidental expenses can be made. The signed arrangement must comply with the model volunteer arrangement published by IPSA. Incidental expenses are limited to reasonable travel and food, and non-alcoholic drinks.

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**Grey box (Advisory only)**

*A model volunteer arrangement is available on IPSA's website. It is the MP's responsibility to ensure that any volunteers are not in fact workers and therefore entitled to payment of a salary. Volunteers may receive incidental expenses only. For further advice, please see the advice from the Department for Business, Energy and Industrial Strategy, which is available on IPSA's website.*

- 20.2. When claims are submitted, they are considered by the validation team at IPSA, whose job it is to review details of the claim to ensure they are supported by receipts etc. In this case, the claims were marked as ineligible due to the fact they were incurred whilst the volunteer was working from home. The reason given for refusal of the claim is recorded as "volunteer subsistence is only intended to cover the additional costs of eating out, when working away from home".
- 20.3. There then followed further communication between IPSA and the Office Manager for Mr Dhesi over the disputed claims. This culminated in a formal request by the MP for IPSA to conduct an internal review.
- 20.4. The review was requested on 21<sup>st</sup> January 2021 and stated *"This claim complies with the scheme. IPSA could be reasonably be expected to approve this claim. IPSA are acting unfairly or unreasonably in declining this claim and are not acting in the public interest on this matter. As we have been told by IPSA staff that it is unlikely that IPSA will accept this claim even after review, my Proxy has drafted an appeal document for the compliance officer giving details as to why this should be accepted. If you think it would help, we would be happy to e-mail this to IPSA"*.
- 20.5. The review was conducted without IPSA requesting the appeal document which was offered to them, and the reviewing officer upheld the original decision of the validation team.
- 20.6. Following the review, IPSA wrote to the MP and stated:



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*“As you note, at 7.24 the Scheme states that claims can be paid for volunteers’ incidental expenses including travel and food, and non-alcoholic drinks. We note your argument that this should include claims for volunteers working from home during the pandemic. IPSA has assessed this issue and concluded that volunteer incidental expenses may only be reimbursed to cover actual costs incurred as a result of working or volunteering and are not intended to be used as a daily allowance for volunteers working from home. This is consistent with the general principle in the Scheme that IPSA will only fund costs incurred in support of an MP’s parliamentary functions. The validator’s decision is in line with this determination, and we therefore uphold the original decision”.*

20.7. The decision of the reviewing officer was endorsed by the authorising manager who agreed with the decision. At this point, the MP requested a review by the compliance officer.

### **21.0. Considerations by Compliance Officer**

21.1. The Compliance Officer, on receipt of a request for a review, shall consider whether it is within his or her jurisdiction (IE does it relate to a refusal in part or whole of a claim under the Scheme) and whether the MP has given IPSA a reasonable opportunity to reconsider the determination.

21.2. The Compliance Officer will, taking into account all information, evidence and representations, decide whether the determination (or the altered determination) is the determination that should have been made under the Scheme and in light of that, whether or not to confirm or alter it.

21.3. Following receipt of the appeal representations made by Mr Dhesi and his office manager, the Compliance Officer sent the appeal document to IPSA as there was information contained within it, that they had not previously considered despite it being offered to them by Mr Dhesi at the time of the IPSA internal review.

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- 21.4. The Compliance Officer asked IPSA to consider the representations made by the MP and provide a formal response. IPSA acknowledged the document was very comprehensive and demonstrated the strength of the MP's feelings about the matter, but reinforced their view, that the claim cannot be paid for home working.
- 21.5. The Compliance Officer has considered each of the four points made by the MP and has also reviewed the Scheme in detail. In addition to this, the Compliance Officer has researched the websites of HMRC, Gov.UK, National Council for Voluntary Organisations, and the Department of Industry, energy, and industrial strategy.
- 21.6. The first thing to say is that, the Scheme at chapter 7 when referring to volunteers' expenses is not as clear as chapter 9 which refers to the expenses of MPs and their staff. The model volunteer form does not make it clear, that subsistence claims can only be incurred in association with travel for a work connected matter and this is something IPSA may wish to consider going forwards.
- 21.7. The Scheme sets out at paragraph 7.24, that volunteers can claim **incidental expenses** for travel and food/drink. It does not explicitly state that the food and drink can only be claimed when associated with travel for work related purposes, but that is how the rules under the Scheme are interpreted and applied by IPSA. The rules are more clearly explained in chapter nine when referring to MPs and MPs staff, which states at paragraph 9.1 "Travel and Subsistence claims may be made for the costs of travel, and **travel-related subsistence incurred** by MP or others, which are in support of the MP's parliamentary functions".
- 21.8. The principle at 9.1 is also applied by IPSA to travel and subsistence claims made by volunteers.
- 21.9. The Compliance Officer has reviewed the four stands of the appeal argument presented by Mr Dhesi and his officer manager. The arguments are well set out and detailed and show the strength of feeling over this issue. They have also tested the Compliance Officer, who has conducted a great deal of research and consulted with other organisations as a result, to reach a determination.

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21.10. To take each strand in turn:

**Point One and Two** - Adherence to the Scheme/Correct interpretation and implementation of the Scheme.

21.11. The MP argues he complied with the Scheme by correctly completing the appropriate paperwork, registering the volunteer with IPSA, and ensuring all expenditure and claims are supported with a receipt. He believes IPSA have not complied with the Scheme because the Scheme does not specify geographical areas where food/drink must be purchased.

21.12. There is no dispute that the MP complied with the terms of the Scheme in relation to the registration of the volunteer and the submission of receipts in support of a claim. The MP is also correct in his assertion that there is no stipulation with regards to geography, however, the cost of food/drink must be associated with travel for a work-related purpose and additional expenditure is incurred as a result. The point IPSA make is that, if a volunteer is working from home, this is a normal living expense and no additional expenditure needs to be incurred by the volunteer to do the work. The **incidental expenses** must be incurred connected to travel for a work-related purpose. If the volunteer had travelled to the constituency office or parliament and had cause to purchase food to be consumed during the working day, the claims would be eligible. It would not matter where the items of food were purchased, but to be eligible under the Scheme, they must be purchased in connection with a journey connected with volunteering activities.

21.13. The MP further argues that an addendum to the Scheme was published to provide additional advice and support to MPs in running their offices during the pandemic. The important point to note is that, any claims made linked to the pandemic still need to be made in accordance with the general rules under the Scheme (IE section 7.24). The addendum makes no specific mention of expenses. An additional £10,000 pounds of funding was made available to assist MPs in moving their staff from office to home working and the money was intended for things like office and IT equipment.

21.14. The view of the compliance officer on this point, having read the Scheme and consulted the websites listed above at paragraph is that the general principle for claiming subsistence is that

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it has to be intrinsically linked to travel for work related purposes. IPSA in preparing the “Scheme” have also consulted with various websites and looked at common working practices.

21.15. Advice found on the website – Gov.UK states: (HMRC and Dept IE and E and S website links to this as well)

“As an employer paying your employees’ travel costs, you have certain tax, National Insurance and reporting obligations.

This includes costs for:

- providing travel
- reimbursing travel
- accommodation (if your employee needs to stay away overnight)
- **meals and other ‘subsistence’ while travelling**

Subsistence includes meals and any other necessary costs of travelling, for example parking charges, tolls, congestion charges or business phone calls.

**NCVO Website states**

21.16. The NCVO website states:

The organisation you volunteer for cannot give you any money except for reimbursing you for out-of-pocket expenses. These must be expenses that you’ve incurred to volunteer, for example the cost of travel, **meals while out volunteering**, care costs etc.

21.17. The view of the Compliance Officer is that IPSA have correctly interpreted the Scheme on this point. The subsistence costs must be linked to travel for a work-related purpose. As the volunteer is working from home, the subsistence claim cannot be linked to travel and is therefore not an eligible claim.

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**Point 3** – Rules relating to MPs are unreasonable

21.18. The MP argues the rules relating to volunteers are unreasonable in that, his volunteer is a university student on a works based placement, and as such IPSA should allow him to exercise discretion if he is happy for the claims to be for homeworking during the pandemic. Equally, IPSA could have exercised their discretion and made an exception during the pandemic. Either way, he feels the claims should have been paid.

21.19. The Scheme makes provision for the exercise in certain circumstances of discretion both by MPs and by IPSA. Such discretion is not absolute. At all times it must be exercised reasonably, taking account of the fundamental principles of the Scheme.

21.20. The Scheme in relation to the use of MPs discretion states:

*“MPs are entitled to exercise reasonable discretion over claims for items that meet the purposes of the office costs budget, provided that the claims adhere to the fundamental principles and general conditions of the Scheme”. (Paragraph 6.4)*

21.21. There is no mention of discretion being available to MP’s when consider staffing costs or travel and subsistence costs.

21.22. The Scheme in relation to the use of discretion by IPSA states:

*“In addition to any other payments or assistance provided by this Scheme, IPSA may, at its discretion and on an individual basis, provide any additional financial assistance to MPs it deems necessary to assist them in carrying out their parliamentary functions. (Para 10.20)”.*

21.23. The Scheme states IPSA can provide additional financial assistance if they deem it necessary. This implies, they can exercise discretion and provide further assistance if an MP requires additional funds in excess of their normal budgets. This point is not to this case as the MP had sufficient funds within his staffing budget to pay the volunteer and did not need additional funds to carry out his parliamentary functions.

21.24. IPSA did not exercise discretion on this point because the Scheme does not permit them to do so. The MP is of the view, they could have acted outside of the Scheme. The Compliance Officer does not feel it appropriate to form a judgement on whether IPSA could/should have exercised

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their discretion outside of the Scheme. The role of the Compliance Officer is to determine whether IPSA have acted in accordance with the Scheme.

21.25. This subject has been raised at Parliamentary questions in Jan 2021 and the IPSA representative on the Speakers committee reported the following:

*“There have not been any specific director meetings on volunteer expenses but the policy team and the Chief Executive of IPSA carefully considered the issue of food costs for volunteers who are working from home. A guiding principle in the stewardship of the use of public funds is that reimbursement is appropriate where there is a work-related expense that is additional to usual living costs. In this case, volunteers working on the parliamentary estate or in a constituency office would be incurring additional expense by needing to purchase food. This is not the case when the volunteer is at home as they would not incur additional food costs whilst working for an MP”.*

### **Point 4 – Public Interest**

21.26. The MP argues that during the coronavirus pandemic, Government advice is that you should work from home if you are able to do so, but instead of creating a framework to allow volunteers to undertake their voluntary work from home, IPSA are instead creating a set of rules during the pandemic which incentivise volunteers to travel to Parliament or a constituency office, so that they are able to be reimbursed for the same lunch costs they could be incurring near home instead. This is wholly inappropriate and not in the public interest.

21.27. The Compliance Officer is not persuaded by this argument. IPSA have encouraged home working in support of government advice and have provided additional funds to ensure MPs can equip their employees to do so including volunteers. The suggestion that IPSA is incentivising volunteers to travel to work so they are able to be reimbursed for lunch costs they could be incurring at home is without merit.

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**22.0 Conclusion**

- 22.1. The subject of this review has arisen because we are in unprecedented times and in the centre of a global pandemic. The Government has put restrictions in place, which includes restrictions on travel and recommends home working where it is possible.
- 22.2. The same Government has not, however, changed the rules around travel and subsistence claims to cater for the pandemic restrictions. The basic rules remain the same and that is, where travel and subsistence costs are incurred for work related purposes, they can be reimbursed. If people are unable to travel connected to work related activities, then they are ineligible to claim subsistence costs.
- 22.3. The Compliance Officer cannot overturn the determination IPSA has made, because they have correctly interpreted and implemented the rules under the Scheme.
- 22.4. The Compliance Officer is of the view, however, that the current wording in the Scheme is ambiguous and open to interpretation and will make a recommendation on this subject.
- 22.5. The Compliance Officer would like to acknowledge the time and effort Mr Dhesi and his office manager have devoted to this matter and believe they have raised an important issue with regards to support provided to volunteers and in particular students who are volunteers. The Compliance Officer hopes the MP will be able to continue to support the placement of this student, until such times as this matter is given further consideration.
- 22.6. As the Scheme stands currently, there is no provision for work-based placements for university students or industry-based apprentices, other than to register them as volunteers. This is a subject that has been raised independently with IPSA and is to be discussed at future board meeting discussions.
- 22.7. Section 6A (6) of the Act provides that an MP requesting a review may appeal the decision of the Compliance Officer to a 'First-tier Tribunal' if they are not satisfied with the outcome. The appeal must be submitted within 28 days of receiving the decision. Further information on how to appeal a decision by the Compliance Officer can be found at the following address: <https://www.gov.uk/guidance/mp-expenses-appeal-a-compliance-officers-decision>.

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22.8. In accordance with the Guidance on the Conduct of Reviews by the Compliance Officer for IPSA, details of the review will be published in a manner decided by the Compliance Officer.

**Recommendation**

**IPSA should consider the current wording (Twelfth edition) of the Scheme, in relation to the incidental expenses of volunteers, to make it clear, that subsistence claims are only eligible, when associated with travel for volunteer related activities. It may also be necessary to amend the volunteer agreement form.**

Tracy Hawkings

**Compliance Officer for IPSA**



## Appendix One

### IPSA MODEL VOLUNTEER ARRANGEMENT

University of Hull  
Hull, UK  
HU6 7RX

27 May 2020

Dear

#### **VOLUNTEER ARRANGEMENT**

This letter describes the arrangement between me **Tan Dhesi MP** and you (**name**), where you wish to volunteer to help me in conducting my parliamentary functions.

As a volunteer it is anticipated that you will gain experience of: the operational and parliamentary work in Westminster, and occasionally Slough, as part of my role as Member of Parliament.

The arrangement will start on **01 September 2020**. It is intended that the arrangement will be in place until<sup>3</sup> **15 July 2021**, although either of us can bring it to an end at any time. While neither of us has any obligation to the other, I set out below some principles for the arrangement.

#### **What you can expect from me**

You can expect me:

1. to provide you with a thorough induction into your volunteering period and any training you need;
2. to explain the standards we adhere to, and to encourage and support you to achieve and maintain them;

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<sup>3</sup> You may insert "ongoing" if applicable.

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3. to meet you regularly to discuss your experiences during the volunteering period and any successes and problems;
4. to help support your personal development through the experience you gain during the volunteering period;
5. to reimburse the following incidental expenses reasonably and necessarily incurred by you during the volunteering period:
  - a) travel to and from your home to **the UK Parliament** up to a maximum **£10** per day
  - b) lunch (food and non-alcoholic drink) expenses up to a maximum of **£7.50** per day

***All expense claims made by you must comply with the requirements of the MPs' Scheme of Business Costs and Expenses. All expenses claimed must be supported by receipts.***

6. to provide you with adequate training and feedback on any health and safety issues which may affect you;
7. to ensure that the principles of fairness and equal opportunity are applied at all times; and
8. to attempt to resolve fairly any problems, complaints and difficulties you may have during the arrangement.

### **What I expect from you**

I will expect you:

1. to help me conduct my parliamentary functions by dealing with telephone enquiries, supporting my diary work, helping me to prepare for meetings, helping with casework and offering general administration support.
2. to perform the role of a volunteer to the best of your ability;
3. to follow appropriate standards and correct procedures, including those relating to health and safety and equal opportunities;
4. to maintain confidentiality;
5. to meet the agreed time commitments or to give reasonable notice so other arrangements can be made when this is not possible; and
6. to provide names of suitable referees who may be contacted and to agree to any security or Disclosure and Barring Service checks being carried out where necessary.

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This arrangement is not intended to be a legally binding contract between us and may be ended at any time at the discretion of either party. Neither of us is making any commitment to create an employment relationship in the future through this arrangement.

**Summary of arguments as to why this complaint should be upheld:**

Point 1

Makes the argument on adherence to the Scheme, namely that:

- a) IPSA should adhere to its own Scheme rules when making decisions,
- b) this claim complies with the Scheme and those rules,
- c) IPSA have rejected a claim which was compliant with the Scheme, based on external factors not contained in the wording of the Scheme, and in doing so they failed to comply with the Scheme.

Point 2

Makes the following arguments that IPSA have made incorrect interpretations and decisions on their own procedures and processes, namely that:

IPSA could have reasonably expected that claims would be made for volunteers to claim lunch costs at home, and that by drafting the Scheme and the Model Volunteer Agreement as they chose to do, IPSA should have accepted the claim in question would be an allowed cost under the Scheme (or could reasonably have been expected to have been allowed).

When making their decision to reject this claim, IPSA failed to provide the flexibility they gave for MPs to decide themselves on how best to meet the additional demands faced by their office during the coronavirus outbreak. If they had taken these factors into account as they should have, then it is reasonable to assume that they would have concluded that this claim and similar claims were acceptable under the Scheme.

IPSA is making a choice to decline these expenses that is inconsistent with their previous actions. When they judged that similar claims were acceptable in the past, they set a precedent on this issue and an associated expectation that such claims would be equally acceptable in the future. Therefore, it is reasonable for Members' to assume and expect that IPSA will make decisions with consistency and in line with precedents set.

Based on IPSA's own position, the act of having lunch must be a cost-of-living expense, despite their statements to the contrary. That IPSA does not reimburse Members' staff for this cost-of-living expense because they earn a salary but does reimburse volunteers for this because they do not earn a salary, which means that the location of the lunch is therefore irrelevant, and that as a result the claim in question should have been paid.

Point 3

Makes several arguments that if IPSA are acting within their own rules, then those rules are unfair and unreasonable.

Point 4

Makes the arguments that the public interest is best served by accepting such claims and indeed the public interest is harmed by rejecting this claim.

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**Point 1: This claim complies with wording of the Scheme and the associated Model Volunteer Agreement. IPSA cannot and/or should not reject claims which are compliant with the Scheme, for reasons not outlined in the Scheme.**

1. Members of Parliament, and their offices, are required to adhere to *The Scheme of MPs' Business Costs and Expenses* (the Scheme) when making claims to IPSA.
2. On 25 June 2020, IPSA published an addendum to the Scheme for 2020-21 in response to the coronavirus outbreak. Unless otherwise specified, all references to the Scheme include this addendum.
3. It must be inherently the case that IPSA are also bound by the Scheme when considering claims. If this were not the case, the MP expenses system itself would be unclear, subject to unpredictable IPSA decisions, and ultimately unworkable with no MPs' office (or the public) having confidence over what is or is not an acceptable cost prior to that cost being incurred.
4. Section 5(1) of the Parliamentary Standards Act 2009 states that "The IPSA is to pay allowances to members of the House of Commons in accordance with the MPs' allowances scheme."
5. Part A of the Fundamental Principles of the Scheme (page 8) states that "IPSA's role as an independent regulator is to...support [MPs' offices] in making eligible claims."
6. Paragraphs 4 and 5 reinforce the position that IPSA is required (perhaps even legally obligated) to approve claims which comply with the Scheme.
7. The claims in question, which IPSA have declined to approve, relate to the lunch costs for a Hull University Student who has moved from Hull to London to volunteer with Tan Dhesi MP from September to June as part of their university course.
8. The Office of Tan Dhesi MP accepted this volunteering arrangement based on the wording of the Scheme and IPSA's Model Volunteer Agreement.
9. IPSA have rejected a number of claims for lunch costs because these costs have been incurred while the university placement student was volunteering from their London accommodation as a result of moving to home working on the advice of the Government and Parliamentary authorities due to the Covid-19 pandemic.
10. The basis for rejecting these claims was that the volunteer was working from home and so did not need to incur lunch costs. As the IPSA Proxy for Tan Dhesi MP, I strongly disagree that these claims should be rejected. This is the issue in dispute. The IPSA reference for this case is CAS-186358 and the claim number is 60067630.
11. Section 7.4(i) of the Scheme states that "The staffing costs budget may be used to meet...the incidental expenses of volunteers".
12. Section 7.24 of the Scheme states that "MPs who engage volunteers must submit a signed arrangement with the volunteer to IPSA before claims for incidental expenses can be made. The signed

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arrangement must comply with the Model Volunteer Agreement published by IPSA. Incidental expenses are limited to reasonable travel and food, and non-alcoholic drinks.”

13. To the best of my knowledge, Sections 7.4 and 7.24 of the Scheme are the only sections which relate to volunteer expenses. Neither section introduces a geographical restriction on where expenses can be incurred, only that the arrangement complies with the Model Volunteer Agreement and that expenses are limited to reasonable travel, food, and non-alcoholic drinks.

14. The relevant section of the [Model Volunteer Agreement](#)<sup>1</sup> is Paragraph 5, which states “to reimburse the following incidental expenses reasonably and necessarily incurred by you during the volunteering period: a) travel to and from your home to **[insert the place of work]** up to a maximum £....per day; b) lunch (food and non-alcoholic drink) expenses up to a maximum of £....per day.”

<sup>1</sup>This Model Volunteer Agreement appears to be the most recent version which is cosmetically different to the one signed for our volunteer but at a glance appears to have the same content.

15. In the case of our volunteer, our office submitted a signed Model Volunteer Agreement to IPSA before incidental expenses were made and we agreed to cover lunch expenses up to a maximum of £7.50 per day.

16. Immediately following Paragraph 5 of the Model Volunteer Agreement it states in bold “All expense claims made by you must comply with the requirements of the MPs’ Scheme of Business Costs and Expenses. All expenses claimed must be supported by receipts. It is the responsibility of the MP or proxy to ensure that all claims are within the limits of the Model Volunteer Agreement.”

17. As all the associated lunch claims for this volunteer were reasonably and necessarily incurred, supported by receipts, and were for food and non-alcoholic drinks at or below £7.50 per day (i.e., within the limits of the arrangement) on days where the university student was volunteering for Tan Dhesi MP, it is my assessment that they comply with the Model Volunteer Agreement.

18. As the expenses are in line with the Model Volunteer Agreement, and reasonably incurred by a volunteer while volunteering, I consider that they comply with the Scheme as it is worded. As a result, these claims should be (and should have been) approved by IPSA.

19. Neither the Model Volunteer Agreement nor the rules of the Scheme make any mention of where volunteers can incur lunch costs.

20. In response to a recent Written Parliamentary Question ([PQ UIN 136593](#)), a representative from the Speaker’s Committee for IPSA stated “The Hon. Member is correct that there is no geographical stipulation in the volunteer expenses rules.”

21. I have not been able to find any published or publicly available material, either through responses to Written Parliamentary Questions, in the Scheme, or in any IPSA published material, including in the [March 2014 bulletin](#), which was [referred to in an answer to a Written Parliamentary Question](#) suggesting that there was a geographical restriction on volunteer expenses.

22. Despite a number of requests to do so, at no stage in the process of considering this claim have IPSA referenced any section of the Scheme to justify why they are rejecting this claim, or how this claim does not comply with the rules of the Scheme.

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23. I therefore argue that a) IPSA should adhere to its own Scheme rules when making decisions, b) this claim complies with the Scheme and those rules, c) IPSA was wrong to reject this claim, which was compliant with the Scheme, based on external factors not contained in the wording of the Scheme, and in doing so they failed to comply with the Scheme.

**Point 2: If the Independent Compliance Officer does not agree with Point 1, and concludes that IPSA are not going beyond the wording of the Scheme and are permitted to exercise their judgement in coming to a decision on this matter, then I consider that IPSA have decided incorrectly based on their own procedures and statements.**

*IPSA intentionally does not curtail where volunteers can incur lunch costs.*

24. The Scheme, now in its twelfth edition, is over 60 pages long. It is a detailed document outlining the rules which MPs and their offices must adhere to. As mentioned in Paragraph 19, nowhere does the Scheme mention geographical restrictions to volunteer lunch expenses, although the Scheme does place such restrictions on MPs and their staff.

25. I would argue that given the level of detail contained in the Scheme and the fact that geographical restrictions are applied to other groups, that the Scheme intentionally does not seek to restrict the location where volunteers may incur lunch costs related to volunteering. If IPSA had intended to restrict where volunteers could incur lunch costs, then this would be included in the Scheme just as it is for MPs and their staff.

26. This is reinforced by the wording of Paragraph 5 of the Model Volunteer Agreement (see Paragraph 14 of this document). In part a) of that paragraph, IPSA have included a location where travel costs can be incurred and have highlighted this in bold due to its apparent importance, however no such requirement for location was included in part b) which relates to lunch costs. To deliberately include a location in part a) in bold text, but not to include it at all in part b), suggests that this was not an oversight but was instead by design.

**27. Based on the points made in Paragraphs 24-26, I argue that IPSA could have reasonably expected that claims would be made for volunteers to claim lunch costs at home, and that by drafting the Scheme and the Model Volunteer Agreement as they chose to do, IPSA should have accepted the claim in question would be an allowed cost under the Scheme (or could reasonably have been expected to have been allowed).**

*IPSA is failing to provide MPs with the flexibility it has implied is available.*

28. In the Addendum to the Scheme, Section 1.2 states "IPSA may in its discretion determine when and which of the rules and provisions set out in this Addendum will cease to have effect and will provide reasonable notice – to be published on IPSA's website and to be communicated to MPs and their staff members – as to when and which of the rules and provisions of this Addendum will no longer be in effect. In making such determinations, IPSA will take into consideration Government guidance relating to the coronavirus pandemic, as well as other relevant considerations."

29. Section 4.4 of the Addendum of the Scheme states "MPs may decide how best to meet any additional demand faced by their office as a result of coronavirus...subject to the normal rules on staffing costs set out in Chapter 7 of the main Scheme."

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30. To the best of my knowledge, Section 4.4 of the Addendum remains in effect and has not been amended in line with Section 1.2 of the Addendum (Paragraph 28). Chapter 7 of the Scheme contains all references to volunteer expenses. In this case we have decided to meet the additional demand and challenges faced by our office because of coronavirus, in part, by taking what we

consider to be reasonable and cost-effective steps to allow our volunteers to support our efforts from home and reimbursing their lunch costs as we would do if they were volunteering in Parliament.

31. I think it is reasonable to argue that Section 4.4 of the Addendum was introduced to reassure MPs that they would have flexibility in the resourcing of staff and volunteers during a pandemic. I consider our actions, and these claims, are in line with this purpose and should be permitted.

32. If, however, an MP is not able to decide that it is best to reimburse a volunteer's evidenced lunch costs from home when they would have normally been in Parliament, which is a small financial decision, commonplace in society, and which goes a significant way to supporting our resourcing requirements, then it is not clear to me what the purpose of Section 4.4 of the Addendum is.

33. It would appear to me that IPSA have said that MPs may decide how best to meet any additional demands faced by their office only in theory, but if situations such as this are unacceptable in practice then it appears that MPs may not decide at all. If that is the case, then all this section of the Addendum will have achieved is to create a trap whereby MPs reasonably consider they have flexibility to act as they consider best during the pandemic, but in fact remain subject to arbitrary and unpredictable IPSA decisions.

**34. Based on the points made in Paragraphs 28-33, I argue that when making their decision on this claim, IPSA failed to take into account the allowance they gave MPs to decide themselves how best to meet the additional demands faced by their office, and if they had taken this into account as they should have done, then this claim and similar claims should have been found acceptable under the Scheme.**

*IPSA is inconsistent with itself when exercising its judgement.*

35. In response to a recent Written Parliamentary Question on this issue ([PQ UIN 136593](#)), a representative from the Speaker's Committee for IPSA stated "There will always be an element of judgement and interpretation when unusual situations such as the Covid19 pandemic occur."

36. While in Point 1 I argue that there is no need for judgement in this situation, the answer to this question shows that IPSA considers that this is not a clear-cut issue and that it is exercising judgement on this issue.

37. Although IPSA have rejected the claim in question here, I recollect that they have previously approved similar claims for the same volunteer, for lunch, near the volunteer's London accommodation, while the volunteer was working from home because of the pandemic. This suggests that:

- These claims are inherently acceptable to IPSA under the Scheme and that IPSA is wrong to reject this claim in this case, or
- IPSA has previously exercised judgement on an issue they consider not to be clear cut, set a precedent that such expenses are acceptable, and are now trying to reverse that judgement, when MPs and their proxies engaging with the Scheme should be able to expect consistency.



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**38. Based on the comments in Paragraphs 35-37, I argue that IPSA is making a choice to decline these expenses that is inconsistent with their previous choices. When they judged that similar claims were acceptable in the past, they set a precedent on this issue and an associated expectation that such claims would be equally acceptable in the future. Therefore, IPSA have been inconsistent in their decision making, and that it is reasonable for Members to assume and expect that decisions will be made with consistency and in line with previous decisions.<sup>2</sup>**

<sup>2</sup> If IPSA consider an issue is ambiguous and requires judgement on their part, and then they exercise this judgement, it is reasonable for an MPs' office to expect them to act in a consistent manner on this issue subsequently. IPSA must not chop and change their judgement on the same set of circumstances. This is not to argue that IPSA cannot change a policy. But any changes should be consulted on, made clear to MPs, and communicated in advance of their implementation. Waiting for whether IPSA will approve a claim or not should not feel like a coin toss.

<sup>3</sup> I do not consider we are seeking such a "food allowance" that IPSA says is not covered. The costs claimed in this case are genuine subsistence costs which have been incurred, with associated evidence provided. We are not seeking a daily sum of money to be provided to our volunteer to cover food costs.

*IPSA are logically inconsistent in their assertion that location of where lunch expenses are incurred is the key factor.*

39. In justifying why IPSA rejected this claim, Kate Campbell, IPSA's Deputy Operations Manager, wrote to me on 23 December 2020 to say "The Scheme is designed to ensure that MPs, their staff and their volunteers are not out of pocket when working on Parliamentary duties. In the case of volunteers this includes paying for the cost of travel that they would not have otherwise incurred and paying for lunch costs that would not have otherwise been incurred – for example, having to buy lunch at the café in Portcullis house rather than eating at home or bringing in a packed lunch. Volunteer expenses are not intended to be used as a daily food allowance and cannot fund the cost of purchasing food and drinks for consumption at home."

40. With regards to this comment from IPSA staff: a. Where IPSA staff stated that "Volunteer expenses are not intended to be used as a daily food allowance", although I do not consider this to be the issue in dispute<sup>3</sup>, I would argue that once again this is not mentioned in the Scheme – it is merely an assertion after the fact by IPSA staff – and if anything, section 5b of the Model Volunteer Agreement, which provides for "lunch expenses up to a maximum...per day", could be reasonably **interpreted to be providing a daily lunch allowance for volunteers.**

**b. Where IPSA staff stated that "Volunteer expenses.... cannot fund the cost of purchasing food and drinks for consumption at home", I would like to state that this assertion does not appear to be supported in the rules of the Scheme or in any published IPSA documentation that I have read. Nobody from IPSA has referenced a part of the Scheme to say otherwise.**

41. With regards to Paragraph 39, it is obviously the case that a volunteer would not have otherwise incurred a travel cost if they were not travelling to Parliament to volunteer, but a volunteer requires food to eat, whether they are volunteering, not volunteering, in Parliament, or elsewhere. There is no such thing as a free lunch, even at home. A volunteer will always incur a lunch cost, and this is something which IPSA have failed to recognise.

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42. The question is therefore, not whether the volunteer would have incurred a lunch cost, because they always will, but was this lunch cost incurred while the volunteer was volunteering? For all these claims it was, and so it should be reimbursed. It does not matter whether the volunteer, while volunteering, incurred a lunch cost from the Tesco Express outside of Portcullis House, or the Tesco Express outside of their own house. In both cases they are volunteering, in both cases they need lunch, in all cases a lunch costs money, and therefore in both cases it should be reimbursed.

43. To further highlight that location is irrelevant, even to IPSA, and the key factor that matters is that it is a volunteer who is incurring a cost while volunteering, consider the answers from the Speaker's Committee on IPSA to two recent Written Parliamentary Questions:

44. Answer to [WPQ136594](#): On the 18<sup>th</sup> January 2021, in response to a Written Parliamentary Question ([PQ UIN 136594](#)), a representative from the Speaker's Committee for IPSA stated "There have not been any specific director meetings on volunteer expenses but the policy team and the Chief Executive of IPSA considered carefully the issue of food costs for volunteers who are working from home. A guiding principle in the stewardship of the use of public funds is that reimbursement is appropriate where there is a work-related expense that is additional to usual living costs. In this case, volunteers working on the parliamentary estate or in a constituency office would be incurring additional expense by needing to purchase food. This is not the case when the volunteer is at home as they would not incur additional food costs whilst working for an MP."

45. The answer to this question: a. Supports the view that IPSA are again exercising judgement on this issue (see Paragraph 35).

b. Suggests that the volunteer would not be "needing to purchase food" for lunch if they were not volunteering, or volunteering at home, which is clearly not the case.

c. Suggests that buying lunch on the parliamentary estate or in a constituency office is "a work-related expense that is additional to usual living costs."

46. Based on the answer above to Parliamentary Question 136594, and in particular to the point raised in Paragraph 45(c), [Tan Dhesi MP asked the Speaker's Committee on IPSA](#) "whether Members' staff working on the parliamentary estate or in a constituency office incur a work-related expense that is additional to usual living costs by needing to purchase food at that location."

47. Answer to [WPQ139115](#): In response to this question ([PQ UIN 139115](#)), on the 21<sup>st</sup> January, a representative from the Speaker's Committee for IPSA stated "As is common in most employment arrangements, Members' employees are expected to provide for their own nourishment and refreshment at work, whether they purchase that or bring it in from home. The position is different for volunteers as they are not employed and provided with a salary from which to provide that sustenance [emphasis added]. For that reason, volunteers can claim for the additional costs associated with volunteering for an MP, for example when on the parliamentary estate or in a constituency office (which includes food) which Members' staff cannot."

48. The answer to this question: a. Shows that MPs' staff cannot be reimbursed for buying lunch on the parliamentary estate or in a constituency office.

b. Makes clear that IPSA recognises that sustenance for volunteers is reimbursed because "they are not provided with a salary".

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49. The implication from the above answer is that because volunteers are not paid, they are not “expected to provide for their own nourishment and refreshment”. This is why volunteers can claim for lunch costs associated with volunteering and once again reinforces the position that it should be permissible for volunteers to claim appropriate lunch costs at home.

50. The fact that IPSA have stated that MPs’ staff cannot be reimbursed for lunch costs is, I think, significant. Although I am not suggesting that staff should be reimbursed for such costs, IPSA’s reply to this question suggests that IPSA do not consider the act of MPs’ staff buying lunch (in Parliament or elsewhere) to be a business cost. The act of buying lunch must therefore be a cost-of-living cost.

51. If IPSA did consider such an action to be a business cost then the implication is that MPs’ staff would be able to be reimbursed for it – after all we can see from Paragraph 39 that “The Scheme is designed to ensure that MPs, their staff and their volunteers are not out of pocket when working on Parliamentary duties” and so if it were a business cost, and MPs’ staff were incurring this cost, IPSA would not expect staff to pay for it from their own salaries, and be out of pocket in doing so.

52. Based on these answers, it may be helpful to consider the following situation: Two individuals, one an employee of a MP, the other a volunteer for an MP, are both in Parliament, and both buying the same lunch. For the employee this is not a reimbursable cost, but for the volunteer it is, yet the location and the activity where costs are being incurred is the same for both individuals. It is clear to IPSA, whether they realise it or not, that it is not the fact that it is a lunch cost in Parliament that makes this a reimbursable cost, but rather that it is a lunch cost by a volunteer which justifies the claim. The thing that matters is the status of the person having lunch, not where they have it, and with that in mind where that person incurs that cost is irrelevant. The only relevant factor is that they are a volunteer, and they are incurring a lunch cost while volunteering.

**53. One can conclude that based on IPSA’s comments and the points raised in Paragraphs 39 - 51, that the act of having lunch must be a cost-of-living expense. That IPSA does not reimburse Members’ staff for this cost-of-living because they earn a salary but does reimburse volunteers while volunteering because they do not earn a salary, which means that the location of the lunch is therefore irrelevant, and that as a result the claim in question should have been paid.**

**Point 3: If the Independent Compliance Officer does not agree with any arguments made in Point 2, and concludes that IPSA are permitted to decide this matter and that IPSA have decided correctly and in accordance with their rules, then my next point is that these rules are fundamentally wrong and unfair.**

54. Related to some of the previous arguments in Point 2, it is clear from the answer to [WPQ139115](#) that IPSA is considering what is “common in most employment arrangements” when determining the rules for employees of MPs. If it is looking at common practice when establishing its procedures, then it is also common practice for organisations to cover volunteer lunch costs.<sup>4</sup>

<sup>4</sup> <https://knowhow.ncvo.org.uk/your-team/volunteers/keeping/volunteer-expenses>

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55. It is unreasonable for IPSA to decide what is common practice only when it seeks to reduce what can be legitimately claimed. If IPSA accepts common practices in what it should not accept, it should also accept common practices in what it should accept.

56. The reality is that our volunteer, like many other volunteers for MPs, is a student who is doing a huge amount of voluntary work – they are an unpaid, security cleared, public servant. On a very basic level it seems unfair for IPSA to be withdrawing this support to students and discouraging them from volunteering, instead of supporting them to spend their time not volunteering for the public good. While I have mentioned that there is no such thing as a free lunch, this also recognises that volunteers are under no obligation to give up their time and indeed are incurring an opportunity cost for doing so – they could be earning instead. IPSA should be working to support volunteers, not turning them away, and this action may result in many students choosing to end their volunteering because they cannot afford to personally incur these additional costs, or cause some students from certain socio-economic backgrounds to avoid applying to volunteer with an MP for financial reasons.

57. Based on the rules of the Scheme, the Model Volunteer Agreement, Government guidance, and many of the points outlined previously, it was reasonable for the volunteer to expect that lunch costs from home would be claimable, and for the Office of Tan Dhesi MP to advise that this would be the case too. IPSA's decision unfairly and unreasonably risks not just a breakdown in trust between this volunteer and our office, but between all volunteers who sign Model Volunteer Agreements with MPs. Based on this reasonable expectation, IPSA should honour this claim.

58. Related to some of the previous arguments in Points 1 and 2, if IPSA are permitted to use judgement on such issues, then IPSA should not have complete freedom in how they exercise their discretion or judgement, including disagreeing with decisions that were previously accepted. As expenses are retrospective (i.e. you incur the cost before you are able to get it back from IPSA) and because MPs are best placed to know the needs of their office, then IPSA should be looking to exercise their judgement in a way which recognises the impact of any ambiguity in such situations on Members, the costs that Members, their staff or volunteers will have personally incurred, and gives Members reasonable discretion to act in a way they consider is in the best interests of their office. In essence, where there is some ambiguity or an issue is not clear-cut, IPSA should presume a claim does comply rather than it does not comply, unless there are compelling reasons not to do so. Determining that claims do not comply for unpublished reasons introduced retrospectively from when costs were incurred is fundamentally unfair, and nobody can be expected to adhere to rules that did not exist (or could not be reasonably known to be in existence), and yet this is what is happening in this case.

**Point 4: If the Independent Compliance Officer does not agree with Point 3, then my final argument is that it for several reasons is not in the public interest to decline this claim, and that the public interest would be best served by approving this claim.**

59. During the coronavirus pandemic, Government advice is that you should work from home if you are able to do so, but instead of creating a framework to allow volunteers to undertake their voluntary work from home, IPSA are instead creating a set of rules during the pandemic which incentivise volunteers to travel to Parliament or a constituency office, so that they are able to be reimbursed for the same lunch costs they could be incurring near home instead. This is wholly inappropriate and not in the public interest. Such action is also more costly to the taxpayer who would be paying for travel

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costs too. A reasonable policy would be for IPSA to support volunteers working from home by allowing lunch costs, in line with the Model Volunteer Agreement and evidenced with receipts, to be claimed.

60. IPSA should be making it easy to support volunteers during a pandemic because, if nothing else, it is the right thing to do.

61. While I am aware that many public services are under strain, and I sincerely do not wish to imply that we are in a worse position than others, because I do not think that, the reality is that many MPs' offices are also under huge pressure and are chronically under-resourced by IPSA. Our office was struggling in 2019 to deal with workload, however 2020 saw our caseload increase by 147%, and the start of 2021 is even higher than average 2020 levels. IPSA provided us with an 8% increase in staff costs to deal with this 147% increase in workload. Multiple members of our very small team are struggling with mental health and stress because of work volumes and a substantial lack of resource from IPSA.

62. While resourcing of MPs' offices is not in the scope of the Compliance Officer, what hopefully is in scope is the ability to determine whether paying for the claim made is in the public interest, and the issues within Paragraph 61 set context for this. At the moment, the volunteer in question is managing all of our campaign casework (over 50% of all our casework by volume), allowing staff to deal with the more complex casework where people are in need of direct assistance.

63. To continue this voluntary relationship with this student, we must retain the ability to pay them these costs. This is for three reasons:

64. Firstly, we have undertaken an agreement with this student that we would accept them as a volunteer under the conditions where we would cover their lunch costs with evidence in line with the Model Volunteer Agreement. While either I or Tan Dhesi MP will personally reimburse this student out of our own pocket for costs already incurred if this complaint is not upheld, we would not be able to personally incur these costs long term, and nor do I think we should have to.

65. Secondly, I would find it very hard to justify having an unpaid student personally incurring subsistence costs to volunteer in our team. It is not just unfair to that individual student, but it also perpetuates privilege whereby only individuals from wealthy backgrounds can afford the costs of getting the in-demand experience of volunteering for an MP in Parliament. I am disappointed to see that IPSA's policies are making it more difficult for people from underprivileged backgrounds to volunteer with MPs, and I would argue that this is not in the public interest.

66. Finally, the political risks and adverse reputational impact that would likely arise should we continue to allow a student to incur costs to volunteer for us would be too great. Although we need help, this cannot be at the expense of Tan's public or professional reputation or doing what we think is right, and we will not be pushed into morally questionable actions by IPSA for the price of a daily lunch.

67. Therefore, should this complaint not be upheld, and IPSA permitted to decline this claim and claims of a similar nature, then we consider that we would have little option for the reasons outlined in Paragraphs 64-66 but to terminate our voluntary relationship with this university student.

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68. In taking the disappointing but necessary step of terminating this volunteering relationship, one must ask the question, who benefits from this decision IPSA have effectively forced upon us?

a. The office of Tan Dhesi MP: We are now down a valued volunteer who was dealing with more than half of our constituency cases by volume, putting more pressure on staff at a time where our workload has more than doubled.

b. The student: They are now no longer getting the experience they wanted as part of their degree course. They presumably incurred costs to move to London just to help our office. I doubt this will leave a positive impression of public service, Parliament or IPSA.

c. The public or the taxpayer: They are getting less support for their issues, and many issues will be unresolved for a significantly longer time, damaging their view of their elected representative and our democratic institutions. They will not be getting better value for money than only having a to pay for a hard-working volunteer's lunch.

69. I note the first Fundamental Principle of the Scheme which states: "In claiming for public funds through the scheme, MP's must adhere to the following principles. 1. Parliamentary: MPs may only claim for expenditure for Parliamentary purposes. 2. Value for Money: MPs must have regard to value for money when making claims. 3. Accountability: MPs are legally responsible for all money claimed and for managing their budgets and staff. 4. Probity: When making claims, MPs must adhere to the MP's Code of Conduct including the seven principles of public life". To be clear, I consider that this claim was solely for Parliamentary purposes, was outstanding value for money, and meets all elements of accountability and the MP's Code of Conduct including the seven principles of public life.

70. One clear impression I have as to why IPSA is rejecting this claim, is because it considers that paying this cost would not be good stewardship of the use of public funds. If true, this position is so perverse that it is difficult to comprehend. The taxpayer is getting a full day of high-quality voluntary work from a hard-working student, and all we are asking is to cover evidenced subsistence costs not exceeding £7.50. I would expect that IPSA would struggle to find a claim or cost it approves which provides better value for money than this one.

71. Section 3A of the Parliamentary Standards Act 2009 states that "(1) In carrying out its functions the IPSA must have regard to the principle that it should act in a way which is efficient, cost-effective and transparent. (2) In carrying out its functions the IPSA must have regard to the principle that members of the House of Commons should be supported in efficiently, cost-effectively and transparently carrying out their Parliamentary functions." Linked to arguments throughout this document, in my view our office has not been supported efficiently, with a dispute which, because of IPSA's actions and inflexibility, has cost (and continues to cost) significantly more to the public purse than approving the expenses in question, and with no transparency as to how this claim fails to comply with the Scheme or any published IPSA policy. Working in this manner, against the statutory General Duties that IPSA has been entrusted with, cannot be in the public interest.

Ross McLaren  
Office Manager to Tan Dhesi MP  
January 2021