



Statement of Provisional Findings

Mr Jim Shannon MP
Member of Parliament for Strangford
COM-1042

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Introduction

1. This Statement of Provisional Findings is issued in accordance with Section 9 and 9A of the Parliamentary Standards Act 2009 ('the Act') and the Third Edition of the Procedures for Investigations by the Compliance Officer for IPSA ('the Procedures').
2. On 11 January 2016, following the receipt of a request for an investigation from IPSA, the Compliance Officer opened an investigation into claims submitted by Mr Jim Shannon MP under the Fourth, Fifth, Sixth and Seventh Editions of the *MPs' Scheme of Business Costs and Expenses* ('the Scheme'). These claims relate to staff constituency mileage under Chapter Nine: Travel and Subsistence Expenditure.
3. The investigation has now been concluded. Prior to publication, and in accordance with the Act and the Procedures, both IPSA and Mr Shannon were given sight of the draft findings and provided with the opportunity to make representations. Following consultation with the DUP Chief Whip, Mr Shannon submitted representations which have been attached at Annex D. IPSA has chosen not to submit any representations.
4. The Procedures for Investigation also require that I provide each party with any documentation submitted by the other. However, the provision does not apply in this case as neither party has provided any pertinent documentation.
5. The MP was notified of his option under Section 9A of the Act and Paragraph 18 of the Procedures for a meeting in order to make any representations in person. Mr Shannon did request a meeting and this took place on 5 April 2016.
6. The Compliance Officer is grateful to Mr Shannon for the wholehearted cooperation he has consistently exhibited during the investigation and for the candid responses he has provided throughout. Furthermore, he wishes to thank Mr Shannon and all his constituency office staff, and in particular his Office Manager, for the warmth and hospitality shown during his visit to the constituency.

The Request for an Investigation

7. In September 2014, as a result of their internal assurance procedures, IPSA became aware that the level of mileage claimed by constituency staff employed by Mr Shannon was significantly above that which would normally be expected.

8. This was raised by IPSA with Mr Shannon and his proxy in February 2015, however no formal action was taken although he was warned that he would need to develop a plan to remain within a standard Office Costs Expenditure budget by 2015-16.
9. In September 2015, following a further review of constituency travel expenditure claimed by all MPs, it was identified that Mr Shannon was the highest claimant for staff constituency mileage in the financial year 2014-15. His claims were five times greater than the second highest claiming MP and 37 times greater than the average across all MPs. He accounted for 26.1% of all staff constituency mileage claimed by the entire House of Commons.
10. Mr Shannon did not claim for any staff mileage between May 2010, when he was first elected, and December 2012, although he did submit claims for his own constituency mileage. Claims for staff constituency mileage began in January 2013 and by the end of the 2014-15 financial year his staff had travelled 121,259 miles. A table showing a breakdown of these claims is contained at Annex A.
11. As a result of the above, IPSA formed the opinion that the “level of commitment of staff time to driving appears to be neither practical nor plausible”.
12. The mileage rate that can be claimed by constituency employees is the same as that for MP’s. The rates are standard and are set by the Scheme in line with HMRC guidance. Throughout the period under investigation the rates have remained the same at 45 pence per mile for the first 10,000 miles and 25 pence per mile thereafter.

Relevant Areas of the Scheme

13. The following areas of the Scheme¹ are relevant to the investigation:

Chapter Three: General Conditions of the Scheme

3.2 *In making any claim under the Scheme, an MP must certify that the expenditure was necessary for performance of his or her parliamentary functions, and that in incurring the expenditure he or she has complied with the Scheme.*

3.4 *The following are examples of activities that are not considered as necessary for the performance of MPs’ parliamentary functions:*

b. work which is conducted for or at the behest of a political party.

¹ The Sixth Edition of the Scheme has been used in this statement.

3.5 For the purposes of Chapter Seven, the activities at paragraph 3.4 are not considered necessary for the support of the performance of parliamentary functions by MPs' staff.

Chapter Nine: Travel and Subsistence Expenditure

9.1 Travel and subsistence claims may be made for the costs of travel, and travel-related subsistence expenditure undertaken by an MP or others, which are necessarily incurred in the performance of the MP's parliamentary functions.

9.7 The MP should always have regard to whether any particular journey is necessary and to the most cost-effective way to undertake it.

9.12 Private cars, motorcycles or bicycles may be used as an alternative to public transport where there is a specific need or it is cost-effective to do so. An MP undertaking a journey by private transport as the driver will be reimbursed in accordance with the rates set out in IPSA's guidance.

9.20 MPs may also claim for Travel and Subsistence Expenditure in respect of the following journeys made by members of their staff:

- a. travel within the constituency or within 20 miles of the constituency boundary; and
- b. travel elsewhere within the UK for the purposes of relevant training.

9.21 All of the conditions at paragraph 9.5 to 9.18 apply to travel by members of MP's staff.

Schedule 1: Fundamental Principles

1. Members of Parliament should always behave with probity and integrity when making claims on public resources. MPs should be held, and regard themselves, as personally responsible and accountable for expenses incurred, and claims made, and for adherence to these principles as well as the rules.
2. Members of Parliament have the right to be reimbursed for unavoidable costs where they are incurred wholly, exclusively and necessarily in the performance of their parliamentary functions, but not otherwise.

14. The Scheme stipulates limits to a number of the budgets, however, in the case of Travel and Subsistence Expenditure, no limits are prescribed. This means there is no cap on the claims that can be submitted.

Relevant Constituency Information

15. The constituency of Strangford is located immediately to the east of Belfast and is largely rural. The main urban centre is Newtownards with a population of 28,039². In June 2013, the total population of the constituency was 90,003 making it the second smallest in the province, with over 30,000 fewer people than the largest, Upper Bann.
16. The constituency has an older population profile than for Northern Ireland generally. 17.7% of residents are 65 or over compared with 15.3% in the wider population³. 11.9% of constituents are in receipt of at least one disability related benefit; this contrasts with 13.7% across the entire province⁴ and up to 21.9% in Belfast West. 4.3% of working age residents are in receipt of unemployment related benefits, which is lower than the general population, where the figure is 5.4%⁵. There is a similar pattern for other benefits with less residents in the constituency claiming Income Support⁶ (2.7% against 3.9%) and Housing Benefit⁷ (8.7% against 11.2%).
17. Strangford Lough divides the constituency. Portaferry is the most southerly centre of population on the Ards Peninsula, while Ballynahinch is on the southern edge of the constituency's western leg. To travel between the two towns requires either a 35 mile trip around the Lough or a ferry crossing from Portaferry to Strangford. The ferry costs a minimum of £2.50 for a single crossing and while it reduces the journey to 19.7 miles, due to crossing times, it makes the journey no quicker.

Relevant Information about the MP

18. Mr Shannon has been the MP for Strangford since the 2010 general election. Prior to that he has been both a local councillor and a member of the Northern Ireland Assembly over a period of 35 years.
19. The MP's Westminster portfolio is as follows:
 - a. Shadow Health spokesperson for the DUP;
 - b. Shadow Transport spokesperson for the DUP;

² Office for National Statistics, 2011 Census: Aggregate data (England and Wales) [computer file]. UK Data Service Census Support. Downloaded from: <http://infuse.ukdataservice.ac.uk>. This information is licensed under the terms of the Open Government Licence [<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/2>].

³ As at June 2013 (Research and Information Service, 2015, *Constituency Profile: Strangford*, Belfast: Northern Ireland Assembly)

⁴ As at February 2014, *ibid*.

⁵ As at December 2013, *ibid*

⁶ As at February 2014, *ibid*

⁷ As at June 2014, *ibid*

- c. Shadow Equalities spokesperson for the DUP;
- d. Member of the Defence Committee;
- e. Member of the Defence Sub-Committee;
- f. Member of the All Party Parliamentary Group (APPG) on Eggs, Pigs and Poultry; and
- g. Chair of Freedom Declared – APPG on international freedom of religion or belief.

20. Between 2010 and 2015, Mr Shannon spoke in the House of Commons on 723 occasions which places him 4th on the list of most vocal MPs. In 2015, he received answers to 894 written questions which was well above the average for the House of Commons and he also voted in 70.05% of debates which is slightly below the general average but joint second amongst Northern Irish MPs.
21. The MP does not employ anyone in his Westminster office preferring to use his entire Staffing Expenditure budget within his constituency offices.
22. A more general comparison of expenditure between Mr Shannon and the rest of the House shows that, in 2014-15, his total claims across every budget head were substantially more than any other MP, with a total expenditure of £265,315. This is significantly higher than the next highest claimant, also from Northern Ireland, who claimed £227,972. Within this overall spend, Travel and Subsistence expenditure accounts for £58,980, of which staff constituency travel contributes £30,431.20 and his own constituency mileage £5,865.75⁸. The next highest amount claimed for staff constituency mileage by any MP in 2014-15 was £9,425.40.

The Investigation

23. In the course of his investigation, the Compliance Officer has:
- a. obtained all relevant documentation and data from IPSA;
 - b. conducted extensive open source research;
 - c. visited all of the MP's constituency offices;
 - d. met with the MP and his proxy on three occasions;
 - e. met with the DUP Chief Whip;
 - f. interviewed all the available constituency office staff;
 - g. interviewed one volunteer; and
 - h. spoken with four key members of the local community.
24. During the meetings with Mr Shannon and his proxy, they provided the following by way of explanation for the mileage claims made by his staff.

⁸ This places Mr Shannon's own mileage claims in the upper quartile.

25. The Compliance Officer wished to understand why the MP had not claimed for staff constituency mileage until January 2013. Mr Shannon explained that until then, he had been unaware that his staff could claim mileage and, as a result, they had been undertaking journeys at their own expense. Staff continued to under-claim during 2013-14 as they would frequently forget to record the journey and thereafter forget to include it in their claim. In addition, the journeys undertaken by staff have increased exponentially as word spreads amongst constituents of the variety of support offered by the MP's office and the outcomes they achieve.
26. Mr Shannon said that his reputation within the constituency was built on hard work and that he demanded the same level of commitment and effort from his staff. He showed the Compliance Officer a page from his diary dated Friday 15 January 2016 which contained eleven appointments distributed throughout the working day and the evening. The appointments covered housing, immigration, planning and crime. He works 6 days per week but tries to avoid working on Sunday due to his religious beliefs.
27. The MP has three constituency offices⁹ and staff are required to travel between them in order to meet with residents. Only the offices at Newtownards and Ballynahinch are permanently staffed and therefore mileage claims are always incurred when travelling to the third office at Ballywalter. Two members of staff work from the office in Ballynahinch and his proxy, who is also his Office Manager, travels there twice each week in order to carry out her supervisory duties. This constitutes a round trip of approximately 37 miles.
28. His staff deal with a high percentage of older people who do not have transport and also have mobility issues. His staff will travel to their homes in order to deal with their cases. There is no rail network in the constituency and the door to door bus service for pensioners, previously provided by the Department of Regional Development, Northern Ireland, has been withdrawn. In addition, for a variety of reasons, many residents do not want to be seen in one of the constituency offices and therefore staff will again travel to their homes.
29. Mr Shannon said that he cannot say 'no' and whenever he is approached by a constituent, regardless of the issue, he will take it on. Matters that may fall within the purview of the local council or the relevant Member of the Legislative Assembly (MLA) will not be referred on.
30. The Citizens Advice Bureau (CAB) has reduced its coverage within the constituency and issues which would previously have gone to the CAB are now handled by the MP.

⁹ Two of these offices are funded personally by the MP.

31. Mr Shannon was involved in setting up the first foodbank in Northern Ireland which was subsequently taken over by the Trussell Trust. The office maintains a very good relationship with the charity and the MP is a registered voucher holder, permitting him to approve the provision of food vouchers in individual cases. The MP maintains that local social services will refer individuals to him as a result of this status.
32. Mr Shannon and his staff go further than merely providing food vouchers, they carry out food deliveries using their private cars for which they claim mileage. These deliveries can occur 2-3 times per week.
33. Staff handle claims for the Disability Living Allowance (DLA) and other welfare benefits. They will travel to the home of the applicant and assist them to complete the necessary forms. If required they will accompany the claimant to an appeal, all of which are held outside the constituency e.g. in Bangor and Belfast.
34. The MP is concerned for the safety of his staff given the political and historical situation in Northern Ireland. His staff are therefore encouraged to use private transport.
35. His staff handle a high volume of planning matters and will arrange site meetings with the planning authority and the applicant. In addition, both the planning office and road services are based in Downpatrick, outside the constituency, and staff will travel to attend meetings at both venues.
36. His proxy said that she can work seven days a week (often working from home on Sunday). She estimates that her average working week is around 60 hours for which she does not claim overtime due to their inability to manage within the Staffing Expenditure budget. She does however incur mileage during these additional hours.
37. Mr Shannon regularly prints leaflets containing his contact details and other relevant information and staff will travel to communities, farms and isolated properties across the constituency to deliver them. An example of the leaflets he circulates is contained at Annex C.
38. The House of Commons provides an annual budget to all MPs for the provision of postage paid envelopes and House of Commons stationery. The current allowance is £9,000 with all costs incurred being published at the end of each financial year. Should an MP utilise their House of Commons budget in full, further supplies can be purchased and the costs reimbursed from IPSA under the terms of the Scheme.
39. During the course of the 2010-15 Parliament, Mr Shannon spent the following amounts each year from his House of Commons allowance:

Financial year	2010-11	2011-12	2012-13	2013-14	2014-15
Envelope	£542.05	£639.76	£689.66	£3,763.19	£650.48
Paper	£325.51	£197.95	£406.70	£542.38	£185.96
Postage	£4,851.00	£6,113.00	£7,440.50	£4,170.00	£8,141.00
Total	£5,718.56	£6,950.71	£8,536.86	£8,475.57	£8,977.44
Annual allowance	£7,000.00	£7,000.00	£8,650.00	£8,650.00	£9,000.00
Underspend	£1,281.44	£49.29	£113.14	£174.43	£22.56

40. Mr Shannon explained that he writes to every constituent who contacts him and, in addition, all of his communication with public bodies and other service providers is by post. He therefore produces a prodigious amount of mail. Once his House of Commons allowance has been used, he is unable to purchase more stationary or postage and to claim reimbursement from IPSA as his Office Costs Expenditure budget is always overspent. Staff therefore deliver correspondence personally and in so doing incur mileage.

41. The budget for Office Costs Expenditure for a non-London area MP is currently set at £23,400¹⁰ and the Staffing Budget at £140,000. In circumstances where an overspend is allowed to occur, an MP is permitted under Chapter Ten of the Scheme¹¹ to apply for a Contingency Payment. The Scheme reads as follows:

10.11 Where an MP necessarily incurs expenditure or liability for expenditure related to the performance of the MP's parliamentary functions which is not covered by any of the budgets set out in the Scheme or, if it is covered by one or more of those budgets, it exceeds any financial limit that may apply, the MP may apply to IPSA to be reimbursed on an exceptional basis in respect of that expenditure.

10.12 IPSA may decide to accept or reject an application under paragraph 10.11 at its sole discretion, and in considering its decision shall take into account the following factors:

a. whether there are exceptional circumstances warranting additional support;

¹⁰ This figure relates to the 2015-16 financial year.

¹¹ Chapter 10, Independent Parliamentary Standards Authority, (2015), *MPs' Scheme of Business Costs and Expenses*. London: The Stationery Office.

- b. *whether the MP could reasonably have been expected to take any action to avoid the circumstances which gave rise to the expenditure or liability; and*
- c. *whether the MPs performance of parliamentary functions will be significantly impaired by a refusal of the claim.*

42. Mr Shannon has been granted the following Office Costs Expenditure contingency payments:

Office Costs Expenditure¹²				
Financial year	2011-12	2012-13	2013-14	2014-15
Annual Budget	£21,500	£22,200	£22,750	£23,250
Contingency uplift	£10,480	£9,697	£9,147	£9,284.94
Total	£31,980.00	£31,897.00	£31,897.00	£32,534.94

43. Mr Shannon again applied for an Office Costs Expenditure contingency payment for 2015/16, however this was rejected by IPSA who wrote to the MP in the following terms:

I am writing to notify you that after careful consideration the Panel has decided not to grant the uplift. I understand that this is not the outcome you would have wanted. The Panel noted that you provide high levels of quality services to your constituents due to the cuts in other public services, however it also concluded that the services were often outside the remit of an MP and that it is not IPSA's role to support the provision of services that are usually the reserve of other organisations.

Uplifts granted in previous years were provided on the basis of exceptional circumstances to assist the running of two constituency offices and you were advised to manage within the standard budget for 2015/16 and not make any commitments on the assumption that contingency funding would be available in the future. The Panel concluded that increased workload was not an exceptional circumstance.

44. Mr Shannon appealed this decision, however, his appeal was rejected.

45. In addition to the uplifts received by Mr Shannon to his Office Costs Expenditure budget, he has also received uplifts to his Staffing Costs Expenditure budget, as follows:

¹² There was no Office Costs Expenditure budget within the Scheme in 2010-11.

Staffing Costs Expenditure				
Financial year	2011-12	2012-13	2013-14	2014-15
Annual Budget	£115,000.00	£137,200.00	£137,200.00	£138,600.00
Contingency Uplifts	£5,049.15	£9,245.24		
Payroll uplifts	£7,809.72	£11,071.65	£1,479.58	£25,747.48
Offsetting reductions				- £4,394.64 ¹³
Total	£127,858.87	£157,516.89	£138,679.58	£159,952.84

46. Contingency payments to the Staffing Expenditure budget may be paid in two ways:
- On an annual basis following application by the MP to IPSA stating the grounds for the request, shown as contingency uplifts in the above table:
 - On a monthly basis, automatically applied when a member of staff is on sick leave or family leave. Shown as payroll uplifts in the above table.
47. As of January 2016, Mr Shannon had received £20,221.44 in payroll uplifts for the current financial year.
48. The Compliance Officer has carried out meetings with six members of constituency office staff and was impressed by their work ethic and dedication. What follows are the salient points arising from those meetings:
- A member of staff is almost exclusively engaged in planning applications. The majority of time is spent in the pre-submission stage of the planning process providing advice to potential applicants and liaising with the relevant authorities. The employee arranges site meetings where he meets the applicant and the local council. In addition he arranges site meetings with Transport NI over issues such as pot holes, car parks and traffic management more generally.

The Compliance Officer was informed that planning matters in Northern Ireland became the responsibility of local councils in April 2015. Prior to that they were the responsibility of the Department of the Environment, although during 2014-15 officers from local councils took on a 'shadowing' role.

¹³ In 2013-14 the MP overspent his Staffing Costs Expenditure and this was offset against his budget for 2014-15.

Mileage is incurred travelling to site meetings, visiting applicants and relevant agencies. The staff member handling planning matters is also a local councillor but does not sit on the Planning Committee. As a councillor, he is allowed to claim mileage for attending council meetings but for no other purpose.

- b. A member of staff works purely on benefits cases with other employees providing support. The staff member referred to handling claims for Disability Living Allowance (DLA), Employment Support Allowance (ESA), Community Care Grants¹⁴ and Attendance Allowance. Assistance is provided to constituents in completing forms; this is always at the home of the applicant due to the view that the applicant may feel stigmatised and also on the grounds of ill health, restricted mobility or other personal issues.

Appeals cases are handled for all the above benefits, all of which take place outside the constituency at Bangor, Downpatrick and Belfast. It is possible for the employee to attend four appeals per week and prior to each appeal the applicant will receive a further home visit. On occasions, the applicant is transported to the hearing.

The staff member described a benefits case that has been ongoing for two years. The recipient of the benefit gets assessed every three weeks and she attends all the assessments.

- c. No central staff diary is maintained and therefore it is impossible for the MP or the Office Manager to know the location of constituency staff or to verify their mileage. The Compliance Officer was informed in one case that the staff member recorded mileage on scraps of paper and called the Office Manager either daily or weekly with the totals. It was commonplace amongst all staff incurring mileage to merely inform the Office Manager of their daily total without a requirement for verification.

They maintain their own paper or computer based diaries which are not scrutinised.

The Office Manager retains a paper diary in which each member of staff is allocated a colour and the daily mileage totals are recorded for later submission to IPSA.

- d. The highest claiming member of staff in 2013-14 and 2014-15 submitted claims for 14,116 miles and 20,145 miles respectively, albeit they are employed on a part-time contract working 16 hours per week. The Compliance Officer was informed by the

¹⁴ This relates primarily to recently released offenders and house moves

Office Manager that the reason for the size of the claims was that the employee habitually works 35 to 40 hours per week.

During his meeting with the staff member, the Compliance Officer was informed that part of the role they performed was administration, a function that does not require travel.

- e. There was general agreement amongst constituency office staff that if the MP was contacted by someone from outside the constituency they would respond and, as a result, would incur mileage. One staff member commented that requests were received for help from people in neighbouring constituencies and that she felt “obliged to help” without recourse to the MP.
- f. Most of the staff said that they worked substantially more hours than required by their contract. One staff member on a thirty hour contract believed their working week was closer to fifty hours, only a small proportion of which was ever claimed.

A further staff member was on a forty hour contract but said she worked considerably more. She did not claim overtime but did receive informal time off from the Office Manager upon request.

Another staff member was unsure of her contracted hours and said the amount of time she worked “just depends”.

49. Overtime, annual leave and time off in lieu (ToiL) records and kept by the Office Manager in the same manner as described earlier in this report; using a paper diary with a colour coding specific to each member of staff.

50. A number of community representatives were spoken to and one, who lived in the proximity of the Newtownards Constituency Office, said it was common to pass the constituency office at 7.30pm and still to see activity within.

51. Other salient points raised by the community representatives were:

- a. A local business owner said that Mr Shannon will take ownership of a range of minor housing matters and will call site meetings, thus incurring mileage. He believed that increasingly, local residents were bringing an ever wider range of issues to the MP due to his reputation for obtaining timely results. Councillors and MLA’s were being bypassed in favour of the MP.

Corroboration was obtained from a senior public sector figure who stated that older people in the constituency will only deal with Mr Shannon as they have known him and grown to trust him over so many years.

- b. A public sector housing professional stated that his department had one of the largest mileage budgets in the province, despite having one of the smaller populations, due to the geography and demography of the local area.
- c. A prominent figure in the third sector commented that:
 - the MP still regards himself as a local councillor and “needs to let go”;
 - the success of the MP is based upon the efforts of his staff; and
 - the local transport network is not fit for purpose.
- d. A senior police officer commented that he constantly receives correspondence from Mr Shannon but very little from councillors or MLA’s. The MP will contact him regarding neighbour disputes and parking problems and will always seek a site meeting.

He went on to say that he meets the MP’s Office Manager at a range of multi-agency meetings.

52. Having been based within the MP’s main constituency office at Newtownards for two days, it was possible for the Compliance Officer to gain an insight into the activity taking place. The office was a hive of industry almost to the point of being manic. Telephones rang incessantly and there was a constant flow of people giving the impression of a hospital casualty department as opposed to a constituency office. Appointments were necessary in order to speak with constituency staff due to their busy schedules.

53. IPSA were consulted regarding the range of work being undertaken by the MP to establish if it complied with the Scheme. In particular they were asked to comment on the extensive use of staff on planning, benefits and the delivery of food relief. The response received from IPSA’s Director of Regulation is contained in its entirety at Annex B however, in relation to the delivery of food relief he commented that:

“It would be difficult to construe work conducted by an MP’s staff members on behalf of a third party as parliamentary, regardless of how commendable that work might be it is questionable whether their [the MP’s] role extends to paying staff time and travel costs to conduct the work of the charity.”

54. On the subject of planning, IPSA has considered the contextual information regarding the status of the staff member as a local councillor and the stage in the planning process when the majority of the advice is provided. The Director of Regulation made the following comment:

“Whether a councillor providing advice on planning applications prior to submission would be considered proper by the council is not for IPSA to determine, but simply saying that advice on planning applications is given as a member of the MPs’ staff rather than a councillor would be questionable, given that the person in question is a councillor. In fact there could be a risk of conflict of interest between the two roles if this were the case.”

55. In relation to the work provided by the constituency office in support of prospective benefits claimants and those who wish to appeal against a decision regarding a benefits claim, IPSA made the following remarks:

“The Scheme only permits claiming for costs that are incurred wholly, exclusively and necessarily in performance on an MP’s parliamentary functions. The third of these criteria is considered to exclude costs for which there is an alternative source of funding.

In this instance, to show that the costs of attending appeals and on occasion transporting claimants is permissible, the MP would have to demonstrate that it is more appropriate for this to be undertaken by his office, rather than other public and third sector bodies and officials, including, as you have stated, social services, Citizens Advice Bureau and others who can provide these services.

In the case of Northern Ireland, benefits are a devolved issue and benefit appeals are managed by The Appeals Service (TAS). The TAS will cover expenses for claimants attending tribunals and provide on their website a list of possible sources of free and paid advice, including ‘local advice centres, welfare rights groups, trade unions, law centres, solicitors and charities’. The TAS website does not specifically direct applicants to MPs as a source of advice.”

Summary of the Provisional Findings

56. The records kept by the MP’s office are completely inadequate and make it impossible to conduct a viable external audit of the activities undertaken by constituency office staff and therefore the mileage incurred. The Office Manager has told the Compliance Officer that IPSA has not directed her to maintain records; this is irrelevant and good business practice should dictate that accurate and timely records are maintained. In addition, an office diary is required to ensure that the Office Manager is aware of the location of staff and is able to cross-reference the diary with mileage claims when they are submitted.

57. The methods for the submission and collation of mileage claims by individual staff members are equally woeful. Every staff member has a separate system none of which support good record keeping. There should be a common system applied across the constituency offices and, as a minimum, staff should all record individual destinations, the reason for the journey and the total mileage with returns being sent to the Office Manager weekly.
58. While not the subject of this investigation annual leave, ToiL and overtime records (whether for time-off or payment) should also be subject to a thorough overhaul. In future, nothing should be agreed on a casual basis with accurate and timely records being maintained for each member of staff.
59. The Compliance Officer is aware that many MPs employ staff who are also local councillors. In this instance however there are matters which call into question whether the employee is engaged entirely in parliamentary functions. His role handling planning matters draws him into an area which is more frequently the domain of the local council and, as he is a councillor for the area in which he works, begs the question as to whether he is acting as a councillor or an employee of the MP.
60. The employee is permitted to claim mileage when engaged in his work as a caseworker for the MP but would not be entitled to do so if he were carrying out his duties as a local councillor.
61. Responses given by the employee during his interview with the Compliance Officer left him unsure whether the employee knew in which capacity he was acting when carrying out his daily tasks. There was no clear demarcation and the Compliance Officer suspects that much of the work could have been undertaken in either his capacity as a councillor or as a caseworker for the MP.
62. As a result, the Compliance Officer must question whether the mileage is incurred *wholly, exclusively and necessarily* in the performance of the MPs parliamentary function. If, as the employee states, he works around fifty hours per week in his paid employment, it leaves a minimum amount of time to carry out his duties as a councillor. In addition, as IPSA state in their correspondence; *“simply saying that advice on planning applications is given as a member of the MPs’ staff rather than a councillor would be questionable, given that the person in question is a councillor”*.
63. It is imperative that Mr Shannon and his employee are able to provide visible and demonstrable evidence of the demarcation between his parliamentary duties and his role as a local councillor. The MP must provide clear and unequivocal instructions to his employee, which should be monitored by the Office Manager, to ensure that there is no

room for doubt and that all work undertaken and therefore all mileage incurred is exclusively and necessarily parliamentary.

64. The employee also said he frequently attended meetings in Downpatrick. If this takes him further than 20 miles beyond the constituency boundary, the journey is not allowable under the Scheme.

65. The work undertaken on benefits payments equates to at least the equivalent of two full-time members of staff. While the Compliance Officer has no business interfering with what Mr Shannon determines to be casework, he would make the following observations:

- a. There is a default position that all contact with potential claimants is undertaken at their home and not one of the constituency offices. While he acknowledges that there are a number of reasons why this may be necessary, each case should be judged on its merits and, where appropriate, meetings should take place at one of the constituency offices. Surely the rationale for running three offices is to provide ease of access to constituents. The Scheme provides that *“the MP should always have regard to whether any particular journey is necessary”*¹⁵;
- b. There was evidence of numerous journeys taking place outside the constituency whether to attend tribunals or to visit people in other constituencies. The MP is again reminded that staff constituency mileage should only be claimed for journeys *“within the constituency or within 20 miles of the constituency boundary”*¹⁶ and in the case of journeys to visit the constituents of other MPs, should not be claimed at all.
- c. The Compliance Officer has only a limited understanding of the availability of support from other agencies such as Social Services, the Citizens Advice Bureau, the Department of Health and the Third Sector within the constituency. Nevertheless, the information provided to the Compliance Officer on a number of occasions suggests that, regardless of their availability, Mr Shannon would not consider referring the case.

The Compliance Officer firmly believes that there is scope to engage with other agencies in the constituency and to apportion casework more evenly and appropriately, thus reducing the mileage incurred by his staff. The Compliance Officer notes the remark made by IPSA that:

“The Scheme only permits claiming for costs that are incurred wholly, exclusively and necessarily in performance on an MP’s parliamentary functions. The third of these criteria is considered to exclude costs for which there is an alternative source of funding”.

¹⁵ Paragraph 9.7, Independent Parliamentary Standards Authority, (2015), *MPs’ Scheme of Business Costs and Expenses (Seventh Edition)*. London: The Stationery Office.

¹⁶ Paragraph 9.2c, *ibid*.

66. More broadly, the Compliance Officer saw little evidence of engagement between the MP, local councillors and any of the six MLAs in the constituency. He questions whether there is scope for dialogue over a more even distribution of casework, with MLAs and councillors taking on a greater role in certain areas which appear currently to be the exclusive domain of the MP. In doing so there is an obvious potential to achieve a reduction in staff constituency mileage.
67. Due to his diligence and the length of time he has been an elected official in the area, Mr Shannon has become a single point of contact for a growing array of issues, but instead of acting as a conduit to other more appropriate agencies, he is taking on ever more casework. The situation is unsustainable.
68. The Compliance Officer notes that the constituency of Strangford has a smaller population than most in Northern Ireland and has a smaller percentage of claimants for disability benefits and for unemployment related benefits. It would be more understandable therefore if constituency mileage were higher in those larger constituencies with greater levels of deprivation. This is countered somewhat by the age profile of the population, a poor transport network and the local geography.
69. The work undertaken by staff in support of the Trussell Trust is not parliamentary, therefore, neither the time nor the mileage claimed in this regard is allowable under the Scheme. If staff choose to support the charity, then this should be carried out in their own time. There is an obvious reduction in staff constituency mileage to be achieved in this area.
70. Mr Shannon will also need to be cognisant of his own work for the Trussell Trust when submitting his mileage claims in the future.
71. Mr Shannon currently runs three constituency offices only two of which are permanently staffed. This requires staff to incur mileage travelling to the third office at Ballywalter on the two occasions each week when the office is opened. The Compliance Officer notes that the population of Ballywalter is around 2,000¹⁷ and while he acknowledges that this is the only office serving the Ards Peninsula, he would ask the MP to examine the footfall within the office to ensure that attending it remains a viable use of staff time and staff mileage.

¹⁷ Office for National Statistics, 2011 Census: Aggregate data (England and Wales) [computer file]. UK Data Service Census Support. Downloaded from: <http://infuse.ukdataservice.ac.uk>. This information is licensed under the terms of the Open Government Licence [<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/2>].

72. Mr Shannon has spent his entire House of Commons stationery allocation in the last four financial years¹⁸ and has been unable to fund further postage from his Office Costs Expenditure budget due to persistent overspends. His staff are therefore required to deliver mail by hand. In his contingency application of June 2013, he stated:

“When there are large amounts of letters or leaflets for one area, my staff use their time to personally deliver these to save envelopes and postage”.

73. Where staff are being used to hand-deliver mail due to a shortfall in the Office Costs Expenditure budget, this is extremely inefficient and an abuse of the uncapped Travel and Subsistence Expenditure budget. The Compliance Officer would question whether it was allowable under the Scheme.

74. This situation cannot be sustained and Mr Shannon must consider the use of electronic communication to reduce both his Office Costs Expenditure and staff constituency travel.

75. During interviews with staff and discussions with the MP there were clear references to staff engaging with and travelling to meet people in other constituencies. If this relates to casework which should be the purview of another MP then any staff constituency mileage incurred is not allowable.

76. At Annex C is a copy of a leaflet provided by Mr Shannon as an example of his efforts to communicate with his constituents. As was noted earlier in this report, these are frequently hand delivered by constituency staff.

77. Having examined the leaflet, it clearly constitutes a newsletter. On the subject of newsletters, the Scheme states:

Office Costs Expenditure may only be claimed for the performance of parliamentary functions. It may not be claimed for:

c. newsletters

In addition, the leaflet contains the DUP logo and is therefore party-political¹⁹.

78. For both of the above reasons, the leaflet is not allowable under the Scheme and therefore postage should not be claimed in connection with it, staff should not be used to deliver it and staff mileage should not be incurred.

79. In dialogue with Mr Shannon, the Compliance Officer formed the opinion that the MP was not completely clear about the difference between casework that was purely

¹⁸ See paragraph 39 above

¹⁹ Mr Shannon personally meets the cost of producing these leaflets and does not reclaim the cost from IPSA

parliamentary and that which could be construed as either party-political or undertaken in support of his membership of the Defence Select Committee or APPGs. Mr Shannon needs to be sure that his constituency staff are used exclusively in support of his parliamentary function and that all constituency mileage is incurred accordingly.

80. The Compliance Officer has no reason to disbelieve constituency office staff when they inform him of the additional hours they work, albeit that it is hard to verifying this from staff records. The Compliance Officer has observed their efforts which he applauds and has had the opportunity to interview them all. He is cognisant that overspends in the Staffing Expenditure budget and the resultant contingency applications mean there is little likelihood of paid overtime.
81. The additional hours worked are equivalent to at least one additional member of staff and account, in some part, for the level of staff constituency mileage.
82. Mr Shannon chooses not to employ anyone in his parliamentary office which allows him to utilise his entire Staffing Expenditure budget in his constituency offices. He currently has six members of constituency staff, five of whom claim mileage. The unusual number of staff deployed by the MP in positions requiring travel in the constituency is another factor in the level of claims.
83. The Compliance Officer is uncertain of the accuracy of the mileage claims submitted by the part-time member of staff who has been the highest mileage claimant in the last two financial years. He accepts that the employee works considerably more than her contracted hours for little or no additional remuneration and is not questioning the authenticity of the journeys. However, more thorough and timely records need to be maintained which are subject to regular verification by the Office Manager.
84. The Compliance Officer is aware that IPSA first identified unusually high claims made by Mr Shannon for staff constituency mileage in September 2014. In February 2015, IPSA met with the MP and his Office Manager where the subject was discussed. In terms of his Office Costs Expenditure budget, they wrote to him in the following terms:

“Although we have granted you an uplift to your budget this year on a similar basis as previous years, you should be aware that we will look at all contingency applications afresh after the election. You should therefore develop a plan to manage within the standard budget from 2015-16 onwards”.
85. However, no formal action was taken until 9 November 2015 when the matter was referred to the Compliance Officer.

86. Mr Shannon has made successful Office Costs Expenditure contingency applications to IPSA in the previous four financial years totalling £38,607.94. In addition, he was granted contingency uplifts to his staffing budget in 2011-12 and 2012-13 totalling £14,294.39. These are discretionary payments and are only granted by IPSA after consideration of the following:
- a. *whether there are exceptional circumstances warranting additional support;*
 - b. *whether the MP could reasonably have been expected to take any action to avoid the circumstances which gave rise to the expenditure or liability; and*
 - c. *whether the MPs performance of parliamentary functions will be significantly impaired by a refusal of the claim.*
87. In approving the applications, IPSA must have believed that one or more of the above criteria applied. From his own observations, the Compliance Officer suspects that the additional payments have merely permitted Mr Shannon to take on an ever increasing amount of casework, entailing ever more staff constituency mileage.
88. In addition, IPSA's policy of providing an MP with additional funding when a member of staff is on sick leave or family leave, permits a diligent MP such as Mr Shannon to continually work to his optimum staffing level. By providing Mr Shannon with an additional £46,108.43 through payroll uplifts, he has been able to replace staff who are absent, ensuring that there is no reduction in staff deployment or mileage claims.

Conclusions

89. All of the available evidence leads the Compliance Officer to conclude that the mileage claims are genuine, insofar as there has been no dishonesty. There is nothing to suggest that each staff member has not undertaken the journeys claimed nor is there any evidence that the journeys were undertaken for any purpose other than complying with the role assigned to them by the MP.
90. Notwithstanding the above, a number of errors, all previously highlighted in this report, have been made by Mr Shannon leading to claims for constituency office mileage that would not be allowable under the Scheme. These are as follows.
- a. Instructing staff to deliver food aid;
 - b. There is no clear demarcation between the casework performed by the employee who is a local councillor and his duties as a local councillor. Leading to the conclusion that, in part, the mileage claimed is incorrect;

- c. Staff were travelling to meetings and tribunals beyond the constituency boundary. In many instances these journeys are not necessary and, if they are more than twenty miles beyond the constituency, not allowable;
- d. Permitting staff to engage in casework in neighbouring constituencies;
- e. One staff member who must improve record keeping to ensure claims can easily be subjected to management audit;
- f. Delivering leaflets which are party-political and which are classified as newsletters under the Scheme; and
- g. Using staff to hand deliver mail when the relevant allowances and budget have been spent.

91. Constituency staff work a significant number of additional hours. In addition, they are being directed by Mr Shannon to engage in an ever increasing range of work, to ever greater depths. As a result, and notwithstanding the areas of concern highlighted above, the exponential increase in claims is, to an extent, understandable.

92. Breaches of the Scheme have become increasingly widespread amongst constituency office staff, when claiming constituency mileage, during a period of over three years. As the number of staff members claiming mileage has increased, so has the value of the mileage being incorrectly claimed.

93. As mileage claims have increased, so has the disparity between the overall Travel and Subsistence Expenditure claimed by Mr Shannon and every other MP. Taken in their entirety the travel and subsistence claims made by Mr Shannon in 2014-15 were £14,289 greater than any other MP.

94. During his investigation, the Compliance Officer has rigorously scrutinised all staff constituency mileage claims and has cross referenced these with the limited mileage records provided by Mr Shannon's constituency office manager. Thereafter, anomalies and discrepancies were discussed in detail with Mr Shannon and his proxy.

95. As a result of this process, total overpayments of £13,925.86 have been identified and must be repaid²⁰.

96. In addition, the Compliance Officer would recommend that IPSA place a cap on staff constituency mileage spending by Mr Shannon for the financial year 2016-17 of £10,000 and continue to review the requirement for a cap in future years.

²⁰ In reaching this figure, the Compliance Officer has also examined claims submitted during 2015-16.

97. **Finally, the current situation is unsustainable, and Mr Shannon must engage with IPSA with a view to conducting a fundamental review of his constituency office management and staff deployment.** He is already in 'offsetting'²¹ within his Staffing Expenditure budget and with the failure of his contingency application for 2015-16, will shortly overspend on his Office Costs Expenditure budget.
98. Mr Shannon faces the prospect of both his Staffing Expenditure budget and Office Costs Expenditure budget being in 'offsetting' in 2016-17. The practical consequences of which are that he cannot sustain the current level of casework. Added to the Compliance Officer's finding, without intervention and without an agreed strategy for managing his debts, the situation can only deteriorate further.
99. Finally, during the impending review of the Scheme, the Compliance Officer would encourage IPSA to consider the practicalities of placing a cap on constituency mileage and Travel and Subsistence Expenditure more generally.

Representations and case resolution

100. Section 9(5) of the Parliamentary Standards Act and Paragraph 26 of the Procedures for Investigative by the Compliance Officer for IPSA permit Mr Shannon and IPSA a further opportunity to make representations in writing to the Compliance Officer in respect of these provisional findings. In order to comply with this requirement, both parties will be given fifteen working days from the date of this statement to submit any further representations. These must be received by the Compliance Officer by 16 June 2016.
101. If further representations are received, the Compliance Officer will consider these before preparing a Statement of Findings.
102. Further, in accordance with Sections 9(5), 9(7) and 9(8) of the Parliamentary Standards Act and the Notes for Guidance and Information of the Procedures for Investigation by the Compliance Officer for IPSA, the Compliance Officer may determine not to prepare a Statement of Findings if:
- a. *The member accepts a provisional finding that the member was paid an amount under the MPs' allowances scheme that should not have been allowed;*
 - b. *Such other conditions as may be specified by the IPSA are, in the Compliance Officer's view, met in relation to the case, and*

²¹ See paragraph 45.

c. *The member agrees to repay to the IPSA, in such manner and within such period as the Compliance Officer considers reasonable, such amount as the Compliance Officer considers reasonable (and makes the repayment accordingly)*²².

103. If Mr Shannon is unable to repay the total amount stipulated immediately, then IPSA and the MP will be required to enter into dialogue with a view to agreeing a repayment plan. If a plan can be agreed which is satisfactory to the Compliance Officer then this may form the basis for his Repayment Direction²³.

104. If such agreement is not possible then the Compliance Officer will be required to impose a Repayment Direction, in which he must *“specify the period before the end of which that amount is to be paid”*²⁴.

105. If Mr Shannon is able to make the repayment immediately, as he has suggested in his representations²⁵, and the other conditions referred to above are met, then Section 9(8) of the Parliamentary Standards Act 2009 will have effect. As a result, the Compliance Officer will have a discretion not to publish a Statement of Findings and a brief Closure Report will instead be published.



Peter Davis

Compliance Officer for IPSA

compliance@theipsa.org.uk

²² *Parliamentary Standards Act 2009* s.9(8), Chapter 13, London : The Stationery Office, Available at: <http://www.legislation.gov.uk/ukpga/2009/13>, (Accessed 15 March 2016)

²³ Schedule 4, *ibid.*

²⁴ Section 1(5), Schedule 4, *ibid.*

²⁵ See Annex D

Name	Financial year					
	2012/13		2013/14		2014/15 ²⁶	
	Miles	Reimbursed	Miles	Reimbursed	Miles	Reimbursed
[redacted]	-	-	14,116	£5,529.00	20,145	£7,036.25
[redacted]	2,154	£969.30	11,513	£4,878.25	19,531	£6,882.75
[redacted]	-	-	9,055	£4,074.75	19,239	£6,809.75
[redacted]	1,143	£514.35	2,802	£1,260.90	9,411	£4,234.95
[redacted]	-	-	-	-	9,492	£4,271.40
[redacted]	-	-	-	-	2,658	£1,196.10
TOTAL	3,297	£1,483.65	37,486	£15,742.90	80,476	£30,431.20

²⁶Ongoing mileage claims for 2015/16 are £18,975 as of 14 March 2016



John Sills
Director of Regulation
Independent Parliamentary Standards Authority

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26 May 2016

Dear Mr Davis,

COM-1402: Investigation into Staff Mileage Claims made by Jim Shannon MP

I am grateful for your note and for the opportunity to provide comments on the eligibility of specific activities undertaken by Mr Shannon's staff which have been identified in the course of your review.

As you have stated, these questions are complex and there are no straightforward answers. All three relate to the role of MP, and by extension the role of their staff, in supporting their constituents. This is not a role that is formally defined.

It is sometimes suggested that MPs should principally handle constituents' concerns that fall within the remit of UK Government departments or Parliament, with councillors and devolved assembly members dealing with concerns relating to local government and devolved assemblies respectively. This is, however, convention and the decision over which casework to take is solely at the MP's discretion. The nature and volume of casework can vary widely by constituency, as can the manner in which MPs organise their constituency work.

You refer, correctly to the requirement that costs which are claimed for should be wholly, exclusively and necessarily parliamentary. MPs have discretion in determining whether this is so (as does IPSA) but, as paragraph 3.3 of the Scheme states, such discretion is not absolute, and at all times should be exercised reasonably. What is reasonable is not defined; however, it may be argued that claiming for activities which result in Mr Shannon's claims being five times higher than any other MP anywhere in the UK, and 36 times higher than the average, is not reasonable.

Each of the specific queries in your note are considered in turn below.

1. The use of Mr Shannon's office as a voucher holder for the Trussell trust

The use of the office in this respect is compliant with the Scheme. The Trussell Trust requires those using its service to have a voucher confirming assessment of their need by a care professional. They include public sector professionals such as GPs, social workers and teachers. Acting as a registered voucher holder clearly relates to Mr Shannon's responsibility to provide support to constituents, assess their problems and direct them towards the appropriate solution.

However, regarding delivery of food parcels, it would be difficult to construe work conducted by an MP's staff members on behalf of a third party as parliamentary, regardless of how commendable that work might be. There would be no issue with MPs' staff voluntarily supporting charitable endeavours in the constituency or MPs advocating on a charity's behalf in the interests of constituents, but it is questionable whether their role extends to paying staff time and travel costs to conduct the work of the charity.

2. Advice on planning applications

It is not uncommon for MPs to employ councillors as members of their staff. Where this does not present a conflict of interest and where the councillor has the right skills and capabilities for the role, there is nothing inappropriate about such an arrangement. However, MPs should only fund the cost of their parliamentary work and not the councillors' duties.

It is for the MP to determine at which point they believe it is appropriate to intervene in a case to support a constituent. This is not a matter about which the Scheme determines criteria for eligibility.

In an instance where the work falls within the responsibilities of the councillor, and especially if it is undertaken in support of the councillor's own constituents, it suggests that this is done in the capacity as a councillor, rather than as a member of parliamentary staff. Councillors do receive an allowance from the Council on which they serve to cover the costs involved in exercising their responsibilities and employment with an MP should not be a means to supplement this.

Whether a councillor providing advice on planning applications prior to submission would be considered proper by the council is not for IPSA to determine, but simply saying that advice on planning applications is given as a member of the MPs' staff rather than a councillor would be questionable, given that the person in question is a councillor. In fact there could be a risk of conflict of interest between the two roles if this were the case.

3. Casework relating to benefits cases

There is no reason why casework relating to constituents' benefits is not in principle allowable in the same way as other casework conducted on behalf of constituents. It would be at the discretion of the MP to decide at what point to intervene to assist a constituent. However, in doing so the MP should give consideration to other bodies to whom it may be more appropriate to refer cases.

The Scheme only permits claiming for costs that are incurred wholly, exclusively and necessarily in performance on an MP's parliamentary functions. The third of these criteria is considered to exclude costs for which there is an alternative source of funding.

In this instance, to show that the costs of attending appeals and on occasion transporting claimants is permissible, the MP would have to demonstrate that it is more appropriate for this to be undertaken by his office, rather other public and third sector bodies and officials, including, as you have stated, social services, Citizens Advice Bureau and others who can provide these services.

In the case of Northern Ireland, benefits are a devolved issue and benefit appeals are managed by The Appeals Service (TAS). The TAS will cover expenses for claimants attending tribunals and provide on their website a list of possible sources of free and paid advice, including 'local advice centres, welfare rights

groups, trade unions, law centres, solicitors and charities'. The TAS website does not specifically direct applicants to MPs as a source of advice.

I hope that this information provides some clarification on the points you raise. I recognise that these relate to work conducted by Mr Shannon that has a clear public interest and the intention is to serve the interests of his constituents. However, I must also emphasise our responsibility to ensure that in conducting such work due consideration is given to the appropriate use of public money and that where MPs exercise discretion in making claims, they do so reasonably.

Yours sincerely,

JOHN SILLS

Director of Regulation

As well as working at a higher level in Westminster, I am also proud to be still working hard on the ground in Strangford. I continue to work closely with government departments and agencies to resolve the issues that affect the everyday life of my constituents.



Contact me for help & advice

Office opening times:

Newtownards Office 34a Frances Street 028 9182 7990	Monday to Friday 9.30am - 5pm Email: Jim.shannon1@btopenworld.com Jim.shannon.mp.parliament.uk
Ballynahinch Office 36a Main Street 028 9756 0811	Monday, Tuesday 9.30am - 1.30pm Wednesday - Closed (Simon Hamilton's MLA Surgery) Thursday, Friday 9.30am - 4.00pm
Ballywalter Office 028 4275 7840	Thursday, Friday 9.30am - 1.30pm {Michelle McIlveen MLA and Simon Hamilton MLA carry out surgeries on other days}

Surgeries:

Carrowdore Carrowdore Community Centre	1st Saturday of the month 10am - 12 noon
Portavogie 2 Coastguard Cottages	2nd Saturday of the month 10am - 12 noon
Killyleagh Resource Centre, High Street	Last Saturday of the month 10am - 12 noon



Jim Shannon MP



Dear Constituent,

I am now half way through my term as your MP and believe that this is a good time to provide you with an update of what I am doing at Westminster and at home.

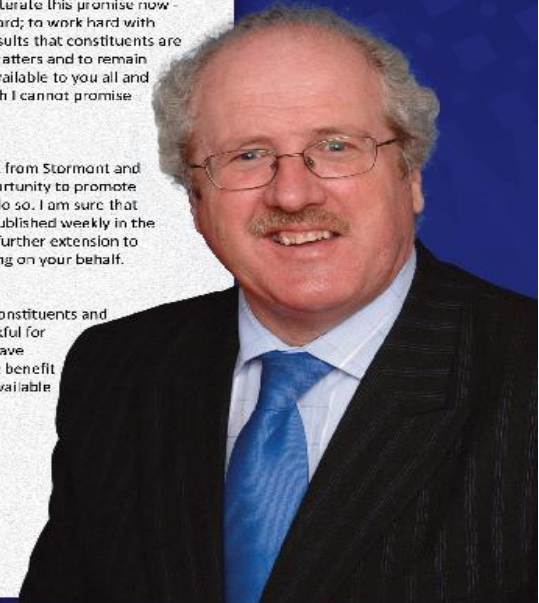
When you elected me I made a promise and I reiterate this promise now - I promise to work hard for the people of Strangford; to work hard with colleagues at all levels to achieve the tangible results that constituents are seeking; to remain above reproach in personal matters and to remain accountable in public matters; to make myself available to you all and to listen and respect your viewpoint, even though I cannot promise to always agree.

I knew that Westminster would be very different from Stormont and have found this to be the case. I have every opportunity to promote Strangford at Westminster and will continue to do so. I am sure that some of you have read my Westminster Diary, published weekly in the Newtownards Chronicle and this leaflet is just a further extension to ensure that you are fully aware of what I am doing on your behalf.

It is an honour to represent Strangford and my constituents and I do not take this position for granted. I am thankful for your support and appreciate the trust that you have placed in me. I will continue to work hard for the benefit of Strangford and remind you that I am always available to help you.

Yours sincerely,

Jim Shannon MP



Working at Westminster for Strangford

Standing Up For Our Service Personnel

I am very vocal in my support of our troops - from training to prepare them, equipment to protect and sustain them, to fulfilling our side of the covenant in taking care of our service personnel and their families when they return and later in life.

I have personally visited Afghanistan, Canada and Cyprus to find out firsthand how I can support our troops in Westminster. I secured a meeting with the Prime Minister to discuss the implementation of the military covenant in Northern Ireland.



Recently I held my 5th annual fundraiser for Soldiers, Sailors, Airmen and Families Association in the Town Hall in Newtownards. The constituency excelled yet again and raised over £4,000 bringing our total to over £10,000. This is a compliment to everyone who took part and I give you all my sincere thanks, we are leaving a legacy of support for our troops that means a lot to them.

Protecting The Vulnerable

- Welfare** - 15,000 people in Northern Ireland are currently claiming Incapacity Benefit or Employment and Support Allowance with a further 180,000 people receiving DLA. Northern Ireland has endured a 30 year terrorist campaign and with Welfare Reform now looming, I have asked the Secretary of State to assure us that Northern Ireland's unique position be taken into account in relation to the benefits system.
- Suicide** - I have raised the issue of Suicide Prevention at Prime Minister's Questions. The Prime Minister highlighted the shocking statistic that more than six times as many people have lost their lives to suicide than in road traffic accidents. He also said, "There is no doubt that even by raising the issue publicly, it helps to reduce the stigma associated with not only talking about suicide, but of the many contributory factors."
- Sexual Exploitation** - I arranged a public meeting to raise awareness of the horrors of Child Exploitation which is happening in our own country and indeed even here in Strangford under our very noses. I spoke in Westminster on Child Exploitation and when I was preparing for the debate my heart broke at reading some of the experiences of the victims. More must be done to actively highlight the dangers to children and this is something we can help to promote and it is my belief that we should have a concerted strategy in place for this.
- Silver Saver** - With rising heating costs and the price of food going up every week, this campaign calls on food retailers to introduce a pensioner 'Discount Day' aided by the government. A small discount may mean someone not having to choose between heating or eating. I fully support this campaign and believe it could also be beneficial to participating local retailers.



"Thank you for all your hard work Jim."
John Bercow - Speaker of the House of Commons

Addressing the Rising Costs of Living

Electricity - I have used PMQs to tackle the Prime Minister on spiralling electricity costs. Businesses are struggling and one of the biggest issues is rising costs. As the Government attempts to guide the UK out of recession, they should be seeking to mitigate the spiralling costs and given their commitment to rebalancing the economy in Northern Ireland, it is especially important here.

The Government has taken some action for homeowners in terms of available tariffs, there has not been a concerted action in regards to the wider issue of energy costs. Motorists have only seen rises in fuel duty delayed instead of reduced and it is time to see a real and concerted effort from the Government to help both businesses and households across the UK.

Fuel - The UK has the second highest diesel price in Europe. Rural isolation and the ongoing decline in rural bus services combined with the progressive closures of local services means that a car is a necessity in rural areas. The unprecedented rise in fuel costs has undoubtedly placed a disproportionate burden on rural people.

Our fishermen and truckers are restricted by working time and now further by the cost of fuel. The government are urging small businesses to diversify while taxing them elsewhere for the privilege. I was glad to see the 3p rise deferred and I am working closely with other members to ensure the next rise is also deferred until we are on a firmer economic footing.

"Thank you for your diligence during committee."
David Burrowes MP

Persecution of Christians

I have over 90 pages in speech notes regarding the persecution of Christians. I have highlighted persecution in 12 countries through parliamentary questions, contributions in debate and also tabling EDMs and my own adjournment or Westminster Hall debates. Uganda, Sri Lanka, North Korea, Sudan, South Sudan, Zimbabwe, Chechnya, Israel and specifically Jerusalem, Algeria, Iran, Columbia, Azerbaijan and Pakistan, and this is only the tip of the iceberg. Persecution is wide ranging and I feel it is an essential aspect of my role at Westminster to bring about change for my Christian brethren throughout the world as well as standing for Christian values in my own country. In November, the DUP again highlighted this issue in the House of Commons with a debate which was well received.

Facts & Figures:
Spoken in 274 debates
Received answers to 207 written questions
Hold the record for most contributions in one day

Agriculture

There have been many reasons for the decline in agricultural income. Supermarkets continue to push prices down while maintaining their own profit margin, weather conditions including the heaviest rainfall in some years and the spring snow blizzards restricted slurry spreading, the ability to harvest crops and caused the deaths of thousands of animals. For farmers with livestock the lack of winter forage, low live weight gain and some animal fertility issues have been difficult to overcome.

I have met with the DARD Minister several times and also raised the issue in Westminster with the DEFRA Minister. I am continually working with Diane Dodds MEP to try and cut the European red tape and free farming to be successful once more.



Annex D

It was good to meet with you on 5th April regarding your investigation into staff mileage claims. Thank you for the courtesy and professionalism that you have displayed throughout this investigation. It was helpful to be able to comment on your statement of provisional findings and I am pleased to reiterate the key points discussed with you as follows:

1. One of the challenges faced by MP's in submitting claims to IPSA is to ensure that such claims are compliant with the Scheme of Business Costs and Expenses and that sums claimed are "for unavoidable costs where they are incurred wholly, exclusively, and necessarily in the performance of their parliamentary functions". The scheme offers some guidance to Members on this key principle but there remain some grey areas in terms of what constitutes the performance of parliamentary functions in the context of work in one's constituency and assisting constituents with individual problems and local issues. As I explained, Northern Ireland had a serious democratic deficit from 1972 - 2007 in the period between the collapse of the previous devolved legislature and the reinstatement of stable devolved institutions established under the Belfast and St Andrews Agreements. During this extended period of direct rule from Westminster, in contrast to other parts of the UK, Northern Ireland had only very limited local government powers (bins, recreation and burials) and this meant that the local MP was regarded as the main port of call for any and every kind of issue pertaining to government. Clearly, the fact that such an arrangement lasted for over 30 years has created a culture in Northern Ireland that regards the role of an MP as being much more extensive than would be the case in other parts of the UK. It is very difficult to change this culture and to turn away constituents who come looking for help on matters that properly fall under the purview of either the Northern Ireland Assembly and Executive or the new and more powerful Local Government authorities here. Personally, I have known constituents to become very offended when it is suggested that their problem be referred to a local MLA or Councillor as they feel the MP is the 'senior person' in the constituency and jolly well ought to be dealing with their problems, even if they are not related to parliament.

The Compliance Officer has witnessed at first hand direct evidence of this and the fact that a local MP can become overburdened due to the genuine expectations of constituents who request his/her assistance. This places an enormous strain on the MP and their staff and is at least a contributory factor that ought to be taken into account in reaching conclusions in this investigation.

The DUP would wish to see IPSA give further consideration and recognition to the reality of the political legacy in Northern Ireland, to the particular problems we have inherited from some very dark years and to assist us in our transition to a more 'normal' form of political representation. We need greater clarity on what constitutes the performance of parliamentary functions and what constitutes party political activity in the particular context of Northern Ireland. We contend that consideration ought to be given to some

regional variation in the scheme that goes beyond simply recognising the higher cost of living in London. We are happy to meet with IPSA to discuss this further.

2. The Compliance Officer has raised concerns about the fact that my staff have sometimes claimed mileage for undertaking visits to meet people who live outside the boundary of the Strangford constituency. I am a member of the House of Commons Defence Select Committee and as such, I am recognised by serving members of the armed forces and veterans in Northern Ireland (there are some 100,000 such persons in the province) as a parliamentarian who may assist them with issues related to their military service. Many of these individuals live in constituencies represented by MP's who do not take their seats in the House of Commons and may have a past association with the Northern Ireland conflict that makes it impossible for a serving or former member of the armed forces to confide security sensitive and personal details to their local MP. Often, I am the 'go to person' in Northern Ireland politics for such issues, including the large number of veterans who suffer from Post-Traumatic Stress Disorder (PTSD). The same applies to many former police officers who suffer from similar illness or need help with service related matters. Such individuals often require assistance with a wide range of issues, including access to healthcare and support with benefits claims and pension entitlement. Again, in light of the aforementioned circumstances, it would be very difficult for me to turn these people away. Given their health issues, meeting at their homes is often the only viable option for the staff dealing with such cases. The DUP would wish this factor to be taken into account by IPSA in coming to their conclusions on this investigation.

The DUP will also be drawing up a new protocol for our elected representatives on how to respond to requests for assistance from armed forces members, veterans, retired police officers and others who live outside their constituency boundaries and we would welcome engagement with IPSA on this sensitive matter, taking account of the current conventions operating in parliament.

3. The Compliance Officer has raised concerns about the role of a member of staff employed by me who is also a local Councillor. The member of staff in question represents only a small proportion of the Strangford constituency (currently 5 wards out of 27) and I have an understanding with my employee that when they are dealing with Local Government matters such as planning applications, care will be taken to avoid any potential conflict of interest. Appointments with constituents for this member of staff come through my office and we are assured that the Councillor is not submitting mileage claims to IPSA for work that he is asked to carry out by or on behalf of the Council or in connection with his representative work as a local Councillor.

The DUP recognises and endorses the existing rules and regulations that govern the conduct of elected representatives and will put in place a new protocol for all our elected representatives to guide them on the avoidance of potential conflicts of interest in the

specific circumstances where a local Councillor is employed as a member of staff by either an MLA or an MP. Again, we would welcome engagement with IPSA on this proposed protocol. We will also be promoting even greater collaboration between our elected representatives in constituencies to ensure that the burden of case work is more evenly shared on the basis of the responsibilities and powers of each of the elected bodies in Northern Ireland, notwithstanding the need to recognise the particular legacy we have inherited and for constituents to exercise greater discretion in who they go to for assistance.

4. On the further points contained within your statement, I have attached herewith a summary of the draft restructuring plan that I propose to put in place in response to concerns raised about the administration of my constituency offices and the deployment of my staff²⁷. This will be implemented with the full cooperation of my staff. We are happy to engage with IPSA on the implementation of this and any other suggestions or recommendations that may arise from the investigation.

My staff and I work tirelessly for our constituents and this has been acknowledged by the Compliance Officer in his report and in the meetings held with the MP. It is most unfortunate that the industriousness of the MP and his staff has resulted in staff mileage claims that are well above the average for Members and have given rise to this investigation. We welcome the conclusion reached by the compliance officer that ***'all the available evidence leads the compliance officer to conclude that the mileage claims are genuine, insofar as there has been no dishonesty'***. This is important for my integrity and reputation and that of my staff.

Nevertheless, having met with you and discussed the statement of provisional findings, I agreed to the proposed repayment figure and arrangements will be made for this sum to be repaid to IPSA.

²⁷ The Compliance Officer has seen the restructuring plan, the contents of which he commends. He will not be publishing the document as the content does not affect the findings in this case and may compromise the anonymity of office staff.