

## **Guidance**

### **Supplementary Guide to Financial Support for Members (September 2020)**

#### **Introduction**

1. This Guidance is issued under paragraph 10 of the Resolution of the House of 22 July 2020 (“the Resolution”) and supplements the Resolution and the *Guide to Financial Support for Members (April 2019)*. The Commission may issue revised versions of this Guidance from time to time.
2. The *Code of Conduct for Members of the House of Lords* states that members must “act in accordance with any rules agreed by the House in respect of financial support for members.”<sup>1</sup> A breach of such rules constitutes a breach of the Code of Conduct and could lead to an investigation by the House of Lords Commissioner for Standards.
3. Members claiming are required to certify that they have undertaken Parliamentary work on the dates specified and to have had regard to the obligation in paragraph 8(b) of the Code to act on their personal honour.
4. The Resolution introduces a revised scheme of financial support for members to take effect from 1 September 2020 (“the September 2020 scheme”). A summary of the new scheme is set out in Annex 2 of this Guidance.

#### **Daily allowance: full and reduced rates**

5. The maximum rate of the daily allowance that may be claimed under the September 2020 scheme are as follows:

Chamber or Grand Committee: virtual participation	Reduced daily allowance (£162)
Chamber or Grand Committee: Westminster attendance	Full daily allowance (£323)
Committees of the House (and other designated business):	Full daily allowance (£323)
Remote Voting	Reduced daily allowance (£162)
Supplementary Parliamentary work allowance (designated opposition frontbench spokespeople)	Full daily allowance (£323)
Supplementary Parliamentary work allowance (designated Chairs of Committees and other groups)	Full daily allowance (£323)

6. Where members are eligible for the full daily allowance, that also engages eligibility to the reduced allowance, if members so opt, or none. This means that where the full daily allowance could be claimed it is also open to members to claim the reduced daily rate or not to claim at all.

<sup>1</sup> Code of Conduct for Members of the House of Lords, (2019-21), HL Paper 75, para 11(c)

## **Attendance and Participation**

### ***Chamber and Grand Committee***

7. The allowance may be claimed for attendance at Westminster. As the capacity of the Chamber and Grand Committee room are limited, attendance may also be verified in the public gallery and other places in the vicinity of the Chamber when the House is sitting.<sup>2</sup>

### ***Virtual participation in proceedings***

8. Members who participate in proceedings virtually may claim the allowance if:
- they attend the proceedings by being on the video-conference call or dialing into the proceedings, and
  - they participate in the proceedings or are in a limited category of members who are necessary to the proceedings.
9. Participating in proceedings means being on the Speakers' List and not withdrawing from that List during proceedings.
10. Eligibility for the allowance for virtual participation can only arise once for each item of business (including for a group of amendments at Committee or Report stage). Therefore if a member is on the Speakers' List for an item of business on Day 1, but not called to speak, and that item of business is taken on a subsequent day (Day 2), they may claim the allowance for either Day 1 or Day 2, but not both.
11. Those "necessary to proceedings" are:
- the members due to be on the Woolsack or in the Chair during the sitting day,
  - the Government and Official Opposition and Liberal Democrat Party Whips,
  - the Leader and Deputy Leader(s) of the Official Opposition and the Liberal Democrat Party, and
  - the Convenor of the Crossbench Peers.

### ***Committees***

12. The full allowance may be claimed for virtual or physical attendance at a meeting of a Committee of the House and other designated Parliamentary business.
13. Attendance at a meeting of a Committee of the House means attendance by a member of the Committee, or as authorised by the Chair of the Committee. Attendance under Standing Order 65<sup>3</sup> does not attract eligibility for the daily allowance.

### ***Designated Parliamentary Business***

14. Members may also claim the full daily allowance for virtual or physical participation in certain designated Parliamentary business, namely:
- appearing as a witness before a House of Lords committee,

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<sup>2</sup> These points will be in Princes' Chamber and Peers' Lobby when the House is sitting.

<sup>3</sup> At a Select Committee of the House any Lord, though not of the Committee, is not excluded from coming in and speaking, but he must not attend any meeting while the Committee deliberate, unless invited by the Committee to do so, and he must not vote.

- b. meetings as a member of the Board of the Parliamentary Office of Science and Technology,
- c. meetings of the Ecclesiastical Committee,
- d. meetings of the Audit Committee,
- e. meetings of the Lord Speaker's Advisory Panel on Works of Art,
- f. meetings of the Sponsor Board for Restoration and Renewal, and meetings of formal committees of the Sponsor Board,
- g. meetings of the Intelligence and Security Committee of Parliament, and
- h. meetings of the Steering Group for Change.

15. Attendance and, where relevant, participation will be verified by the House authorities. Members may self-certify attendance and participation on one occasion each year. Any further self-certification will be referred to the Finance Director, and any appeal beyond that will be referred to the Clerk of the Parliaments whose decision is final.
16. The Resolution does not affect the ability of members to claim financial support for certain other Parliamentary activities as set out in paragraph 3.3.1 of the *Guide to Finance Support for Members (April 2019)*.

### **Supplementary allowances**

#### ***Committees and other groups***

17. Chairs of the following Committees and other groups may claim the supplementary work allowance under paragraph 8(b) of the Resolution:
- a. Communications and Digital Committee,
  - b. Constitution Committee,
  - c. Covid-19 Committee,
  - d. Delegated Powers and Regulated Reform Committee,
  - e. Economic Affairs Committee and its Finance Bill Sub-Committee,
  - f. Sub-Committees of the EU Select Committee,
  - g. International Relations and Defence Committee,
  - h. Public Services Committee,
  - i. Science and Technology Committee,
  - j. Secondary Legislation Scrutiny Committee,
  - k. HS2 Committee,
  - l. Conduct Committee,
  - m. Finance Committee,
  - n. Services Committee, and
  - o. Steering Group for Change.

The Commission may add other Committees, Sub-Committees, and groups to this list from time to time.

18. Where a member is the Chair of more than one Committee or other Group in paragraph 17, they may claim the supplementary allowance for each group, subject to paragraph 20.

### **Opposition Spokespeople**

19. Designated spokespeople from the Official Opposition and Liberal Democrat Party<sup>4</sup> may claim the full daily allowance for a maximum of 10 days each calendar month.

### **Restrictions on claims for the supplementary allowance**

20. For Committee chairs and opposition spokespeople the supplementary daily allowance can be claimed when the Member has not claimed for another, i.e. for Chamber or Grand Committee business (virtual or Westminster), a committee attendance, or having been recorded as voting. However, if the supplementary daily allowance is claimed the maximum amount of allowances that can be paid, including the supplementary daily allowance, must not exceed the days the House sat in any calendar month (starting on the first of each month). For example, if the House sat for 15 days in a calendar month and the applicable Member claimed the daily allowance for 12 qualifying attendances, the maximum supplementary daily allowance that can be claimed is for an additional 3 days.

### **Travel**

21. Travel expenses may be claimed for:
- a. attendance at Westminster as set out in paragraph 7 of this Guidance, and
  - b. physical attendance at a meeting of a Committee of this House, or other designated Parliamentary business as set out at paragraph 14 of this Guidance, held at Westminster.
22. Travel expenses cannot be claimed for:
- a. virtual participation in proceedings,
  - b. virtual participation in Committee meetings or on designated Parliamentary business,
  - c. remote voting, or
  - d. any work arising from the supplementary allowances,
- even if the virtual participation or Parliamentary work takes place at Westminster.
23. All claims for travel expenses must be in accordance with section 5 of the *Guide to Financial Support for Members (April 2019)*.

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<sup>4</sup> The Official Opposition and Liberal Democrats shall provide the Head of Finance with a list of designated spokespeople on the first working day of each month and this allowance shall only be payable to members on that list.

## **Annex I: Resolution**

**House of Lords Allowances** - The Lord Privy Seal (Baroness Evans of Bowes Park) to move that:

1. The Resolution of the House of 6 May 2020 (House of Lords Allowance) shall have effect, and shall be deemed to have had effect from 8 June 2020, as follows –
  - a. For paragraph 5, substitute –

“5. In respect of attendance at a physical sitting or virtual proceeding of this House Members should only be entitled to an allowance if –

    - a) they speak during the sitting or proceeding, or
    - b) they are otherwise necessary to the sitting or proceeding, or
    - c) they are on the Speaker’s List for the item of business and present when that business is taken (but that entitlement only arises to claim once in respect of that item).“; and

b. At the end, insert –

“7. Notwithstanding the previous Resolutions of the House, travel and related expenses can only be claimed by Members attending physically to whom paragraph 5 applies.”
2. The Resolution of the House of 6 May 2020 (House of Lords Allowance) (as amended) shall cease to have effect on 1 September 2020, and the Resolution of the House of 20 July 2010 (House of Lords Allowance) shall temporarily cease to have effect in respect of attendances after 1 September 2020.
3. Members of this House, except any Member who receives a salary under the Ministerial and other Salaries Act 1975 and the Chairman and Principal Deputy Chairman of Committees, should be entitled to an allowance in respect of each day of attendance on or after 2 September 2020 as provided for below.
4. “Attendance” means virtual or physical attendance –
  - a. at a sitting or virtual proceeding of this House,
  - b. at a meeting or virtual meeting of a Committee of this House, or
  - c. on such other Parliamentary business as may be determined by the House of Lords Commission.
5. In respect of virtual attendance at a sitting or proceeding of this House Members should only be entitled to an allowance if –
  - a) they speak during the sitting or proceeding, or
  - b) they are otherwise necessary to the sitting or proceeding, or

- c) they are on the Speaker's List for the item of business and present when that business is taken (and in that case, the entitlement is only to claim once in respect of that item).
6. In respect of attendance under paragraph (4)(b), only Members of that Committee, or Members authorised to attend a meeting of such a Committee by the Chair, should be entitled to claim an allowance.
  7. The amount of the allowance payable to a Member should be –
    - a. £323, or
    - b. £162, if paragraph 5 applies or if the only attendance of the Member is to vote using the remote voting system pursuant to the Resolution of this House of 4 June 2020.
  8. Members of this House specified in paragraph 3 may be entitled to a supplementary daily allowance for Parliamentary work as –
    - a. a designated spokesperson for the Official Opposition or the Liberal Democrat Party, or
    - b. the chair of such committee of the House, or such other body, as may be determined from time to time by the House of Lords Commission.
  9. The maximum entitlements applicable for the purposes of paragraph 8 are –
    - a. 10 additional days per month (if paragraph 8(a) applies), and
    - b. 5 additional days per month (if paragraph 8(b) applies),

provided that for any month the total number of days claimed for does not exceed the total number of sitting days of the House in that month.
  10. The provisions of this Resolution shall be applied in accordance with guidance issued under the authority of the House of Lords Commission.

**Annex 2: September 2020 Scheme Summary.**

	Name	Rate	Eligibility for the allowance	Travel
<b>I</b>	<b>Attendance and participation allowances</b>			
A	Chamber or Grand Committee: virtual participation	Reduced (£162)	Attends <u>and participates</u> virtually in proceedings in the House or Grand Committee.	No
B	Westminster attendance	Full (£323)	Verified attendance in the Palace of Westminster.	Yes
C	Committees: virtual or Westminster participation	Full (£323)	Attends virtually or physically a Committee either as a member of that Committee or as authorised by the Chair.	Yes, if at physical attendance at Westminster No, if virtual
D	Remote Voting	Reduced (£162)	Votes in a remote division. It is anticipated that divisions will continue to be conducted remotely.	No
<b>2</b>	<b>Supplementary allowances</b>			
A	Supplementary Parliamentary work allowance (designated opposition frontbench spokesperson)	Full (£323)	Designated frontbench spokespeople may claim the full rate for up to 10 days of Parliamentary work per month with a ceiling that a Member's overall claims must not exceed the days the House sits over the course of that calendar month.	No
B	Supplementary Parliamentary work allowance (Chairs of designated Committees and Groups)	Full (£323)	Designated Chairs may claim the full rate for up to five days Parliamentary work per month with a ceiling that a Member's overall claims must not exceed the days the House sits over the course of that calendar month.	No