

Compliance Officer for IPSA

Statement of Provisional Findings

Ms Nadine Dorries MP
Member of Parliament for Mid Bedfordshire
(CO2012-A021)

24 July 2013

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Compliance Officer for IPSA
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A. Introduction

1. This Statement of Provisional Findings is issued in accordance with Section 9 and 9A of the Parliamentary Standards Act 2009 (as amended) and the Second Edition of the Procedures for Investigations of the Compliance Officer for IPSA.
2. On 15 February 2013, following a complaint from IPSA, the Compliance Officer opened an investigation into claims submitted by Nadine Dorries MP under the Third and Fourth Editions of the MPs' Scheme of Business Costs and Expenses ('the Scheme'). These claims related to Accommodation Expenditure and Travel and Subsistence Expenditure.
3. The investigation has now been concluded. In accordance with the Procedures for Investigation, both IPSA and Ms Dorries have been provided with the documentation submitted by the other party and the MP has taken the opportunity to submit her representations.

B. Summary of the investigation

4. The MP has waived her right under Paragraph 36 of the Procedures for Investigation to a public hearing of the case.
5. The allegations can be summarised as follows:
 - a) Claims for utilities increased in a three month period during spring and summer 2012 and raised the question as to whether the costs had been incurred necessarily and wholly with respect to the MPs' parliamentary functions. This required an explanation by the MP.
 - b) Ms Dorries' occupancy of the IPSA-funded accommodation was significantly less than other sitting MPs, leading to the view that she was not 'routinely resident' as required by the Scheme.
 - c) Whilst Parliament was sitting, the MP was submitting claims for daily return journeys to her constituency when IPSA-funded accommodation was available to her and she was claiming the cost of that accommodation.
6. The allegations made by IPSA were supported by research, which included details taken from Ms Dorries' own claims for travel; the research concluded that the MP had only

stayed overnight at the rented accommodation on 40 occasions between November 2011 and February 2013. Claims for utility bills were similarly provided to demonstrate the rise in usage during the period referred to in paragraph 5 (a) above.

7. In response to the documentation provided by IPSA, Ms Dorries did not contest the details of her travel claims but provided the Compliance Officer with the following explanations and rebuttals:
 - a) Whilst undertaking her parliamentary duties, the MP and a dependent family member used the premises during the period when utility bills increased.
 - b) Ms Dorries is a single parent with an elderly pet dog and a dependent family. During the period subject of the complaint, the MP returned to her constituency home to attend to family commitments, including times when a family member and the pet dog suffered illness.
 - c) At the time of taking out a twelve month lease on her current IPSA-funded property, Ms Dorries was not able to predict her level of occupancy and viewed its use as the most effective way of facilitating her parliamentary function. Further, Ms Dorries states that parliamentary business and government legislation had substantially reduced with a commensurate reduction in the number of late night votes. As a result, and with the location of Ms Dorries' constituency being within a two hour travel, on occasions the MP was able to travel back home unplanned or at short notice when family circumstances have dictated.
 - d) Ms Dorries believes that she can better perform her parliamentary function through the use of fixed accommodation close to Parliament, as opposed to the use of hotels, and further, that this accords with the intention of the Scheme.
 - e) Ms Dorries believes that she has acted within the principles of the Scheme and that there has been no deliberate wrongdoing.
8. During this investigation, the role of the Compliance Officer for IPSA has been to determine whether claims made by Ms Dorries under the MPs Scheme of Business Costs and Expenses (Third and Fourth Editions) were wrongfully claimed and, thereafter, paid.

C. Provisional Findings

9. Having considered the information provided by IPSA, the submissions made by the MP and all other supporting evidence, the Compliance Officer finds that:

- a) There is no evidence to suggest that the explanation given by the MP for the rise in utility costs during recess is incorrect. Further, following dialogue with the MP, the Compliance Officer is satisfied that occupation was by Ms Dorries, whilst carrying out her parliamentary duties, and a dependant. As a result, she may also have qualified for an 'uplift' to her accommodation budget (£2,425 per annum), which was not claimed.

- b) The Scheme provides MPs with the flexibility to travel, where practicable, from Parliament to their constituency or alternatively to stay in London accommodation to facilitate their Parliamentary business. It is not the intention of the Scheme to support both options.

Claims by Ms Dorries for daily return journeys to her constituency during periods when Parliament was sitting were, on her own admission, for family reasons and not in support of her parliamentary duties. The journeys are therefore not allowable under the Scheme.

The Compliance Officer notes that the MP has made no claims for travel between her constituency and Parliament since March 2013 and will not do so in the future.

Whilst acknowledging that there has been no deliberate attempt to profit from the Scheme, the Compliance Officer finds that:

Aside from the weekly return journey envisaged by the Scheme, the return travel claims made by Ms Dorries between Westminster and her constituency during the period November 2011 and February 2013 were not in accordance with paragraph 3.2 of the Scheme (Third and Fourth Editions), were wrongfully made and should not have been allowed.

- c) The Compliance Officer has received evidence and representations from the MP and has formed the view that her occupancy of the premises was greater than the figure referred to in paragraph 6 above, however, corresponding claims for travel were not always submitted.

The term "routinely resident" in Chapter 4 of the MPs' Scheme of Business Costs and Expenses (Third and Fourth Editions) is open to differing interpretations.

The Compliance Officer holds the view that, to make adverse findings in relation to both travel and accommodation costs would be disproportionate.

The Compliance Officer therefore makes no finding in relation to the level of occupancy by the MP.

He notes that the MP has stated her intention not to submit further claims for accommodation in the future.

Conclusion

10. The MP has accepted the provisional findings in this document and has made a repayment in the sum of £3,000.72, representing the value of the journeys referred to in paragraph 9(b) above. This is acceptable to the Compliance Officer.

D. Representations and case resolution

11. Section 9(5) of the Parliamentary Standards Act and paragraph 26 of the investigative procedures permit Ms Dorries and IPSA a further opportunity to make representations in writing to the Compliance Officer in respect of these provisional findings. Whilst the MP has accepted the 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 representations.

12. If representations are received, the Compliance Officer will consider these before preparing a Statement of Findings.

13. In accordance with Section 9(8) of the Parliamentary Standards Act and paragraph 29 of the Procedures for Investigation, the Compliance Officer may determine not to prepare a Statement of Findings if no further representations are received.

A handwritten signature in black ink, appearing to read 'Peter Davis', is written over a light grey rectangular background.

Peter Davis
Compliance Officer for IPSA

24 July 2013