

Unite Parliamentary Staff Branch
Response to Consultation on Amendments to the MPs' Expenses Scheme
Rules
7 July 2010

1. The Unite Parliamentary Staff Branch is a trade union representing over 400 members of MP's staff from all political parties, based in Westminster and constituency offices. The branch also runs a non-partisan Interns' Network to help both people already interning in Parliament, and those who want to.

MPs to claim for incidental expenses of interns

2. Section 3.3 of the consultation document states that the initial informal advice IPSA received was that all those engaged in Parliamentary work should have a contract of employment to demonstrate clear compliance in particular with the National Minimum Wage (NMW) legislation. The branch believes this advice was correct. What was required following this advice was for the IPSA to dedicate funds to allow interns to have a contract of employment and be paid at least the NMW. This would have finally allowed Parliament to become a blue-ribbon place of employment. Unfortunately this approach was dropped when the full expenses scheme was published in May 2010. The branch believes this needs to be looked at again in the forthcoming review of the scheme in the autumn.
3. Section 3.4 of the consultation document states that IPSA has received representations in later stages that:

"The practice of engaging interns in Parliamentary work is largely based on those interns being unpaid but receiving basic expenses, principally lunch and travel expenses."

The consultation also asks how many MPs operate safely within the exemptions provided from paying the minimum pay rates within NMW legislation (Q2).

The branch's position is that although the majority of MPs' engage interns in this way, as 'voluntary workers' as detailed in Section 44 of the National Minimum Wage Act 1998, in practice there is often an expectation that interns will work certain hours or days and that they will perform certain work or provide certain services. Therefore in practice many interns in Parliament may be defined as 'workers' and the NMW should apply. We know that interns have been laxly monitored by the House authorities in past years and that many have been exploited by their employers. The IPSA needs to think about the legal implications of allowing this situation to continue.

4. In line with the branch's belief that Parliament should become a blue-ribbon place of employment, we urge the IPSA to create a separate fund to allow MPs to employ interns and pay them fairly through a Living Wage or London Living Wage.
5. The branch welcomes the statement in section 3.6 that being called an 'intern' does not exempt someone from qualifying for NMW. This is helpful in combating what is a common misconception.

6. The branch would also like to direct the IPSA's attention to the w4mp website (www.w4mp.org) to see how the term 'volunteer' is now also being used to exempt staff from the NMW, even when the job description indicates that the position is for a 'worker'. A recent job advertisement placed by an MP on the website asks for a 'Casework Volunteer' to work for 3 months without a wage (Appendix A). There is no explanation in the advertisement that the voluntary nature of the role means the successful applicant will be able to work the hours they choose, which is a legal requirement. In many job advertisements of this type it is often what is not said that is most important. The job description given clearly shows that the successful applicant will be expected to perform high-level work usually undertaken by a paid member of staff, for example:

- Drafting letters to constituents
- Talking to constituents on a daily basis about their problems and difficulties, both on the phone and in person at MP advice surgeries
- Working to help constituents in urgent situations, including eviction and deportation issues;
- Liaising with the local authority, government departments, and other agencies;
- Playing an important role in facilitating the MPs' advice surgery
- Administrative duties

There are many more advertisements like this on the website, for 'volunteers', 'voluntary workers' and 'interns' and they are placed by MPs across all political parties. Additional examples are given in Appendices B and C. The branch believes the IPSA needs to take a closer look at how Parliamentary internships work in practice and consult with the union branch and other MPs' staff associations. The IPSA needs to recognise that there is a standard three-month unpaid internship model adopted by MPs that is viewed by many as a prerequisite to working in Parliament and for which NMW law should apply.

7. The branch therefore urges the IPSA to consider giving the Compliance Officer the powers to audit and spot check intern and volunteer advertisements and placements to ensure that NMW law is being followed.
8. Where it is established that voluntary workers or interns are not eligible for the NMW, we believe expense payments should be made to them through the separate 'interns fund' proposed in section 4 of this submission. It is important that no further strain is placed on the staffing budgets of MPs, which have already suffered an effective cut of at least £5,000 under the new expenses scheme.
9. The branch believes that any genuine expenses-only voluntary workers or interns should also have a written agreement with the MP. Appendix D contains a copy of the standard Unite Intern Contract for this purpose. A written agreement of this type should be required for any expense payments to be made from the interns fund and must be logged with the IPSA. This will allow us to see how many interns are engaged in Parliament and would facilitate auditing for the NMW. Under the previous system it was difficult to keep track of how many interns were engaged by MPs as in many cases there was no record kept and no standardisation across the House.
10. However the branch also urges the IPSA to consider the recent Reading judgement in December 2009 against London Dreams Motion Pictures. In this case the Employment Tribunal ruled that workers engaged on an expenses-

only basis are entitled to payment at least in line with the NMW, in addition to payment for the holiday they accrue, even when they respond to advertisements offering work on an expenses-only basis.

11. Section 3.7 of the scheme states that “evidence suggests that there is a mutual benefit in the relationship between interns and MPs”. The branch would like the IPSA to consider that it is a specific group of people who can become interns in Parliament and therefore benefit from this relationship with an MP. Because of the lax approach to enforcing the NMW and stretched staffing budgets, internships in Parliament are mainly the preserve of those with high financial support from their families. This arrangement excludes people from less affluent backgrounds from working for an MP.
12. The branch reminds the IPSA of their principle of “not unduly deterring representation from all groups of society” as outlined in section 226 of the ‘Report on the Consultation: *MPs’ Expenses: A Consultation*’. We believe this principle should apply to those who work for MPs, including interns. The primary function of the IPSA is to create and administer the MPs’ expenses scheme. However, the IPSA must also consider the wider implications of the decisions they make in regards to the scheme.
13. The branch would like to clarify that the comments we have expressed above should in no way prevent the continuing practise of ‘academic interns’ who work in Parliament for a period as part of their degree.

MPs’ staff to be allowed to claim for hotels and subsistence

14. The branch agrees with the proposal (Q6) outlined in section 3.19 to allow MPs’ staff to be allowed to claim for hotels and subsistence, in addition to travel expenses, in respect of the journeys made in relation to their job and to be paid out of the General Administrative Expenditure budget. It is important that there should not be any financial disincentive for MPs to train their staff. Experienced and well-trained staff of MPs provide constituents with a good level of service and therefore represent good value for money for the taxpayer.

MPs’ staff to be paid from the date they begin work

15. The branch agrees with the proposal (Q9) in section 3.30 to change the scheme to pay MPs’ staff from the date they began work. We are pleased that the IPSA has recognised that there are members of staff who have been working for MPs prior to receiving their contracts and wish to pay them for the time they have worked. We understand this has already been happening in practice and believe the scheme should be updated to reflect this. During the early stages of the new MPs’ expenses scheme it has taken some time for contracts to be given and agreed with members of staff. The branch believes that any sanction should fall on the employer rather than the employee in this situation.

APPENDIX A



Casework Volunteer

Working for

Salary

none

Details

<MP> is offering a series of short volunteer opportunities to people who wish to gain new skills and strengthen their employment prospects by completing a period of work experience in her <CONSTITUENCY>office.

<MP>is recruiting a casework volunteer to join her office in June 2010 for ideally three months. The role would suit someone with excellent written and verbal communication skills, a strong sense of social justice and a desire to help change local people's lives for the better.

This is a great opportunity to experience life in a busy MP's office during an exciting post-election period.

Casework volunteers are encouraged to get involved in a wide range of projects and undertake various tasks, for example:

- Drafting letters to constituents;
- Talking to constituents on a daily basis about their problems and difficulties, both on the phone and in person at MP advice surgeries;
- Working to help constituents in urgent situations, including eviction and deportation issues;
- Liaising with the local authority, government departments, and other agencies;
- Playing an important role in facilitating the MP's advice surgery;
- Administrative duties.

Volunteers will also offered the chance to spend time shadowing <MP> in <CONSTITUENCY> and to join a tour of the Houses of Parliament.

Person specification:

- An interest in current affairs and a commitment to the aims and values of the Labour Party;
- Strong organisational skills;
- Good phone manner;

- Excellent administrative and IT skills;
 - Excellent research and communication skills;
 - Educated to degree level (or currently studying);
 - Knowledge of the constituency an advantage;
- Enthusiastic and willing to carry out day-to-day tasks.

Upon appointment you will be required to comply with the Baseline Personnel Security Standard, undertaken by the Members' Staff Verification Office (MSVO). See www.w4mp.org/html/msvo/main.asp for further info.

Closes

Contact

To apply, please send your CV and a covering letter explaining why you would like to volunteer for <MP> to <MP EMAIL ADDRESS>

Please mark your email 'Casework Volunteers' in the subject line.

Unfortunately we cannot acknowledge every application. Only those candidates short-listed for interview will be contacted.

Website

Additional notes

APPENDIX B



Intern

Working for <MP>

Salary None

Details <MP> is looking to recruit a capable and enthusiastic intern to work in his busy Westminster office.

The internship will begin in September 2010 and last for up to six months.

Candidates should have a particular interest in <LISTS MINISTERIAL RESPONSIBILITIES>

Candidates should possess:

- Excellent oral and written communication skills;
- The ability to prioritise tasks and work well under pressure;
- An interest in and knowledge of politics and political processes;
- Sympathies with the aims and values of the Liberal Democrats.

The successful candidate will have the opportunity to:

- Assist on long running media initiatives and general press work;
- Help with preparation for speeches, appearances in Parliament and <MINISTERIAL> related meetings;
- Liaise with key stakeholders;
- Attend Select Committee hearings and <MINISTERIAL> related events;
- Respond to correspondence and enquiries on <MINISTERIAL> related issues and assist with various administrative tasks.

Upon appointment you will be required to comply with the Baseline Personnel Security Standard, undertaken by the Members' Staff Verification Office (MSVO). See www.w4mp.org/html/msvo/main.asp for further info.

Closes

Contact Please send a CV and one page covering letter to <MP EMAIL>

Website

APPENDIX C



Intern

Working for

<MP>

Salary

Unpaid

Details

The job is located in Westminster.

Skills required:

- drafting press releases
- dealing with media enquiries
- handing casework enquiries
- conducting research.

Upon appointment you will be required to comply with the Baseline Personnel Security Standard, undertaken by the Members' Staff Verification Office (MSVO). See www.w4mp.org/html/msvo/main.asp for further info.

Closes

Contact

It will not be possible to acknowledge unsuccessful applicants.

Website

Additional notes

Unite Interns Contract

The [Unite interns contract](#) aims to establish a fairer system for internships in Parliament through a clear set of guidelines. Some political employers like the EU already offer well structured, resourced and transparently advertised internship programmes. Our aim is for interns contract to provide the structure for the House of Commons to do the same.

The contract provides clarity on pay, ensures interns have a diverse workload, guarantees they have access to trade union representation, makes sure they receive the support and feedback they need, and ensures they have the time and freedom they need to apply for jobs or engage in further study.

AGREEMENT BETWEEN MEMBER OF PARLIAMENT AND INTERN

1 DEFINITION

1.1 Interns work for Members of Parliament and their staff. They receive no payment other than reimbursement for expenses incurred as is reasonable in the circumstances of their employment. Interns have no formal contractual obligation with the Member of Parliament.

2 OBJECTIVES

2.1 Interns provide an important service for Members of Parliament and their staff.

2.2 This Agreement exists to ensure that their work in Parliament is diverse and fulfilling and is to the mutual benefit of both the intern and the Member of Parliament.

3 PROFESSIONAL DEVELOPMENT

3.1 Internships provide an important opportunity for professional development.

3.2 I will ensure that interns are aware of and have access to training and development opportunities.

3.3 I will also ensure that interns are provided with the information and advice that they need to train for and apply for paid employment.

3.4 I will ensure that there is flexibility in the hours of internships so that interns are able to access training and developmental opportunities, attend job interviews and complete study requirements for any educational courses they participate in.

4 DIVERSITY OF WORK

4.1 To ensure that interns benefit from their experience in Parliament it is important that they have a diverse workload.

4.2 My staff and I will ensure that interns work on a variety of tasks.

4.3 I will ensure that interns are given tasks that will help them develop the skills and abilities that they need for future employment.

5 EVALUATION

5.1 Regular evaluation is an important part of professional development.

5.2 I will ensure that interns are given regular feedback either by my staff or me.

5.3 I will also ensure that interns have regular opportunities to provide feedback to the office.

5.4 I will ensure that interns receive a formal evaluation at the end of their time in office.

6 PAYMENT

6.1 I will ensure that interns are informed before they start their placement of any payment and/or expenses that they will receive.

6.2 I will ensure that interns are informed in advance of any changes to their payment and/or expenses during their placement.

7 REPRESENTATION

7.1 I will ensure that interns have access to representation in Parliament through Unite the Union or through other advocacy organisations.

7.2 These organisations will represent the interests of interns in Parliament in accordance with this agreement.

8 ASSURANCES

8.1 These assurances exist to ensure that interns have a diverse and fulfilling experience in Parliament and are able to develop professionally.

8.2 In response to these assurances the intern will work in a professional and timely manner and will abide by expectations of confidentiality.

Signed by the Member of Parliament

Date.....

Signed by Intern Date.....