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Summary

I investigated an allegation that Ms Claire Coutinho MP had breached paragraph 14 of the Code of Conduct for Members of Parliament, by failing to register her unpaid roles with three organisations:

- 5
- a) Senior Fellow at Policy Exchange.
 - b) Member of the One Surrey Growth Board.
 - c) Member of Advisory Board of Onward.

10 The Guide to the Rules requires Members to register interests under Category 8: Miscellaneous "*...if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest.*" In her response to my questions as to whether any of these three roles should have been registered, Ms Coutinho asserted, "*(t)hey do not - and I do not think could reasonably be considered to - influence my actions in the same way as a financial interest might do.*"

15 It is my opinion that when deciding whether to register these interests, Ms Coutinho applied the test of relevance as outlined in the Guide to the Rules and reached a reasoned conclusion that she was entitled to make. On that basis, I did not consider Ms Coutinho's omitting to register these roles to be a breach of paragraph 14 and did not uphold the complaint.

20

Ms Claire Coutinho MP: Resolution Letter

Letter from the Commissioner to the complainant, 18 October 2022

5 I wrote to you on 4 October 2022, to tell you that I had begun an inquiry into your allegation that Ms Claire Coutinho MP had breached paragraph 14 of the Code of Conduct for Members.

My investigation considered whether Ms Coutinho had breached paragraph 14 of the Code by failing to register under category 8: miscellaneous, her unpaid roles with three different organisations.

- d) Senior Fellow at Policy Exchange.
- 10 e) Member of the One Surrey Growth Board.
- f) Member of Advisory Board of Onward.

The Guide to the Rules relating to the Conduct of Members states:

Requirements for registration

55. Under this category Members must register:

- 15 a) ...
- 20 b) *Any other interest, if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest. This might include an unpaid employment or directorship, or directorship of a company not currently trading, non-practising membership of a profession, or a fund established to defray legal costs arising out of the Member's work, but from which no benefit has yet been received.*

25 Having considered the matter carefully, I have concluded that the evidence does not demonstrate that a breach of the rules has occurred, and I have not upheld your complaint. I will publish my full decision and the written evidence pack shortly on my webpages, and I will report the outcome to the Standards Committee in due course.

Thank you for bringing this matter to my attention. I confirm that the matter is now closed.

30 18 October 2022

Written evidence

1. Letter from the complainant to the Commissioner, 24 September 2022

New minister Claire Coutinho fails to register three other roles

- 5 2. I'm writing to you to complain about the conduct of Claire Coutinho MP in relation to registration of interests.
3. On 21 September 2022, Ms Coutinho, the Conservative MP for East Surrey, was appointed as a junior minister at the Department for Work and Pensions.
- 10 4. I refer to the latest update of the register of MPs' financial interests, as at 5 September 2022. There it appears Ms Coutinho has failed to register three other roles: "senior fellow" at thinktank Policy Exchange (screen shot in Figure 1); member of the One Surrey Growth Board (screen shot in Figure 2); and member of the "advisory board" of Onward, another thinktank (screen shot in Figure 3).¹
- 15 5. On 22 April 2021, Ms Coutinho wrote on her official website: "I was delighted to be appointed as a senior fellow of Policy Exchange this week." (screen shot in Figure 4).²
6. As you can see, at 22 September 2022 the MP is shown in post on the websites of all three entities.
7. It is unclear how many, if any, of the three roles is paid.
- 20 8. Tom Tugendhat, like fellow minister Ms Coutinho, is a member of the "advisory board" of Onward. But unlike Ms Coutinho, he has registered the role on the register of MPs' financial interests.
9. There Mr Tugendhat, the new security minister, makes the disclosure under category 8, "miscellaneous", where he says the post is unpaid.
- 25 10. The Guide to the Rules relating to the Conduct of Members, chapter 1, "Registration of Members' Financial Interests" tells MPs to register under category 8 several interests, including "any other interest, if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest." One of
30 the examples given is "an unpaid employment or directorship".

¹ See Appendix 1 for enclosures

² See Appendix 2 for enclosures

11. If Ms Coutinho, too, is unpaid as a member of the "advisory board" of Onward, it is interesting she disagrees with her ministerial colleague on the need to register the job.

12. Ms Coutinho didn't respond to requests for comment.

5 24 September 2022

2. Letter from the Commissioner to Ms Claire Coutinho MP, 4 October 2022

10 Following receipt of an allegation I have received from [name redacted] about your compliance with paragraph 14 of the House of Commons Code of Conduct for Members, I have decided to open a formal inquiry. I enclose a copy of [name redacted] submission and the enclosures sent with it.

The scope of my inquiry

15 My inquiry will focus on the allegation that you have acted in breach of paragraph 14 of the House of Commons' Code of Conduct for Members by failing to register the following three roles in the Register of Members' Financial Interests ("the Register"):

- a) Senior Fellow at Policy Exchange.
- b) Member of the One Surrey Growth Board.
- c) Member of Advisory Board of Onward.

20 I must stress that this is an allegation only, and no decisions have been made if a breach has occurred. If the scope of my inquiry changes, I will update you in writing.

The relevant rules of the House

The overarching rules are found in the House of Commons' Code of Conduct for Members.

Paragraph 14 of the Code states:

25 *Members shall fulfil conscientiously the requirements of the House in respect of the registration of interests in the Register of Members' Financial Interests. They shall always be open and frank in drawing attention to any relevant interest in any proceeding of the House or its Committees, and in any communications with Ministers, Members,*
30 *public officials or public office holders*

Chapter 1 of the Guide to the Rules states at paragraphs 4 and 5:

5 *"4. ...Members are also required to keep in mind the overall purpose of the Register, which is to provide information about any financial interest or other material benefit which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament. If a Member has any financial interests which meet that purpose but which do not fall clearly into one of the defined categories, he or she is nonetheless required to register them, normally under the Miscellaneous category.*

10 *5. The Miscellaneous category may also be used to register non-financial interests when the Member considers they meet the purpose of the Register."*

15 **Next steps**

I would welcome your comments on the allegation that your alleged actions have amounted to a breach of paragraph 14 of the Code of Conduct for Members. I would also be grateful for your answers to the following specific questions. It would be helpful to receive any evidence to support your responses when you reply to this letter. Any other points you wish to make to help me with this inquiry would also be welcome.

20

1. Please confirm when you commenced the following roles and whether they are still continuing:
 - a) Senior Fellow at Policy Exchange.
 - 25 b) Member of the One Surrey Growth Board.
 - c) Member of Advisory Board of Onward.
2. Please confirm if any of these roles are paid and the level of remuneration.
3. Please provide a description of your specific duties for all three roles.
4. Please explain why these roles have not been registered in the Register of Members' Financial Interests.

30

5. As this is an inquiry about the registration of interests, please could you also take this opportunity to review your Register entry and confirm that you are satisfied that it is otherwise complete and accurate.

Important information

5 My inquiries are conducted in private. However, following the decision taken by the House on 21 April 2021, I will shortly publish on my webpages the fact that I am conducting an inquiry about your alleged breach of the Code of Conduct. If contacted, my office will not comment on any aspect of this specific inquiry to third parties. They will answer direct factual questions about the processes I follow, and the standards system more generally, but will not provide any comment or details about the particulars of this inquiry.

10 This letter and any subsequent correspondence between us in connection with this inquiry is protected by parliamentary privilege. It should be kept confidential until the outcome of my inquiry is published. The same requirement extends to [the complaint].

15 The Members' Services Team (MST) can support and signpost you and/or your staff to appropriate support services. You can contact them confidentially on [details redacted] for a range of issues, including support with handling the impact of media attention.

Procedure

20 I enclose a copy of the Commissioner's Information Note, which sets out the procedure for inquiries. Please note that this has not yet been updated to reflect the changes flowing from the decision of 19 July 2018.

25 While I do not, at this stage, know whether it will be necessary to interview you about this matter, it would be open to you to be accompanied at any such interview. I am, of course, very happy to meet with you at any stage if you would find that helpful.

I should say now, as a matter of courtesy, that I may seek the advice of the House authorities and others as part of this inquiry. If I do so, I will share that correspondence with you.

30 Information provided to me during the course of my inquiry will be retained, and disposed of, in accordance with the House of Commons' Authorised Records Disposal Policy.

Potential outcomes

35 Inquiries are generally concluded in one of three ways. If the evidence does not substantiate the allegation, it will not be upheld. If the evidence demonstrates a breach of the rules, I may, in circumstances defined by Standing Order No. 150,

uphold the allegation and conclude the inquiry using the rectification procedure, without making a referral to the Committee on Standards. Where an allegation is not upheld or is rectified, the investigation material, including our correspondence, will be published on the Parliament website.

- 5 If I uphold the allegation, and it is either unsuitable for the rectification procedure, or you do not accept my decision, I must make a referral to the Committee on Standards with my recommended outcome of the investigation. The Committee will either accept my recommended outcome or could come to a different decision. My memorandum to the Committee will be published as an appendix to the Committee's
10 own Report.

Regardless of the outcome of my inquiry, I must emphasise that all the relevant evidence, including our correspondence, will be published when this inquiry is concluded. I routinely redact the personal data of third parties unless it is relevant to my decision(s). Please tell me if you provide sensitive material that you think I
15 should redact. I will consider carefully any such request.

Action

I would be grateful to have your response to this letter as soon as possible and no later than 4pm on 14 October 2022. Please let me know before that date if you require more time to respond.

- 20 If you would prefer me to communicate with you by email, or via a different postal address, please give the details when you reply to this letter. It would also be helpful if you were willing to provide a telephone number through which I might contact you.

Due to the current restrictions in place in Parliament, my team are largely working
25 from home, so I would be grateful if you could send your response electronically to; standardscommissioner@parliament.uk

Thank you for your cooperation with this matter.

4 October 2022

3. Email from Ms Claire Coutinho MP to the Commissioner, 10 October 2022

- 30 Thank you very much for your email. Please see my response to your questions below:

1. Please confirm when you commenced the following roles and whether they are still continuing.

a) Senior Fellow at Policy Exchange.

I began this role on 19th April 2021. I no longer hold this role.

b) Member of the One Surrey Growth Board.

I began this role on 3rd July 2020. I continue to hold this role.

c) Member of Advisory Board of Onward.

5 I began this role on 27th January 2020. I continue to hold this role.

2. Please confirm if any of these roles are paid and the level of remuneration.

None of these roles are or were paid at any stage; nor, for the avoidance of doubt, did I receive any benefit-in-kind.

10 **3. Please provide a description of your specific duties for all three roles.**

15 For my role at Policy Exchange, I was not required to carry out any specific duties, asked to advocate for any particular views, speak to any particular people or attend any particular events. I fed my views to them on a policy area of interest to me, trade with the Indo Pacific, and I used the position to influence them with my views. It is a voluntary position.

20 For my role on the One Surrey Growth Board, I was not required to carry out any specific duties, asked to advocate for any particular views, speak to any particular people or attend any particular events. This is a forum focussed on the economic growth of the area that I represent, led by Surrey County Council representatives, at which I represent the interests of my constituents. It is a voluntary position.

25 For my role at Onward, I was not required to carry out any specific duties, asked to advocate for any particular views, speak to any particular people or attend any particular events. I have used this role to influence policy areas of interest to me and my constituents including education, childcare and loneliness. It is a voluntary position.

4. Please explain why these roles have not been registered in the Register of Members' Financial Interests.

30 I have not registered these roles in the Register of Members' interests because I have not derived any financial or material benefit which triggers a registration requirement pursuant to the Rules relating to the Conduct of Members.

Paragraph 55(b) of the Rules states that I am required to register "any other interest, if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest."

They do not - and I do not think could reasonably be considered to - influence my actions in the same way as a financial interest might do. It therefore does not in my view meet the requirements of paragraph 55(b).

5 Members routinely hold these types of unpaid, voluntary roles with think tanks, charities and constituency groups in order to influence national and local issues on behalf of their constituents. Many Members have such roles which are not registered and therefore a great many Members would be inadvertently in breach of the Rules if they were considered to trigger a registration requirement.

10 Further to that, the unpaid roles which may meet the requirement to register listed as examples in the Rules are “an unpaid employment or directorship, or directorship of a company not currently trading, non-practising membership of a profession, or a fund established to defray legal costs arising out of the Member's work...”.

15 These examples are very different in nature to my own voluntary, unpaid roles which are directly related to my role as a Member. This was a material part of my decision not to register these roles, as such roles with think tanks, outside voluntary bodies and constituency groups are near ubiquitous compared to the examples listed in the Rules. If it was expected for Members to include these unpaid, voluntary roles which are directly related to their parliamentary role in their register, then not only would I expect them to be listed as examples, or made clear to Members in their
20 initial briefing on how the rules function, but I also believe the majority of other Members would register these types of roles which they do not currently.

5. As this is an inquiry about the registration of interests, please could you also take this opportunity to review your Register entry and confirm that you are satisfied that it is otherwise complete and accurate.

25 I am satisfied that my Register entry is complete and accurate.

Thank you again for your email and I look forward to hearing from you.

10 October 2022

4. Letter from the Commissioner to Registrar of Members' Financial Interests, 12 October 2022

30 You may recall that you previously provided me with advice on 6 January 2022, in relation to my investigation into Sir Edward Davey's registration under category 8 (see below). A similar issue has arisen about a different Member, and whether they should have registered their unpaid roles with the following three
35 organisations.

- Senior Fellow at Policy Exchange.
- Member of the One Surrey Growth Board.

- Member of Advisory Board of Onward.

The advice you previously provided was as follows:

5

“Set out below is a summary of the requirements for registration under Category 8: Miscellaneous and the advice that we give to Members.

Paragraph 55(a) of the Guide to the Rules states that a Member must register:

10

Any relevant financial interest or material benefit which does not clearly fall into one of the other categories, including any shareholding which falls below the relevant threshold, or any other financial asset, including an asset held in trust, if the Member nevertheless considers that it meets the test of relevance; in other words, that it might reasonably be thought by others to influence his or her actions or words as a Member.

15

...

Paragraph 55(b) of the Guide to the Rules states that a Member must register:

20

Any other interest, if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest. This might include an unpaid employment or directorship, or directorship of a company not currently trading, non-practising membership of a profession, or a fund established to defray legal costs arising out of the Member’s work, but from which no benefit has yet been received.

25

...

30

The test for registering such an interest is “if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest”. Had Sir Edward sought advice, the Registry Office would have highlighted this to him and make clear that the decision on that test was a matter for him.”

35

I intend to re-use your earlier advice to inform my decision, but, before I do so, please can you confirm if this would be appropriate in relation to this Member’s three roles.

It would be very helpful to have your reply as soon as possible and no later than 19 October 2022.

Thank you for your assistance.

5 12 October 2022

5. Letter from the Registrar of Members' Financial Interests to the Commissioner, 13 October 2022

Thank you for your letter dated 12 October 2022.

10 I can confirm that the advice given by the Registry Office in relation to Sir Edward Davey would apply to all Members registering unpaid roles under *Category 8: Miscellaneous*.

I hope this is helpful.

13 October 2022

6. Letter from the Commissioner to Ms Claire Coutinho MP, 17 October 2022

15 Thank you for your email dated 10 October 2022, and the information you provided. I now have sufficient evidence to reach a decision on the allegation that you acted in breach of paragraph 14 of the House of Commons' Code of Conduct for Members, by failing to register the following three roles in the Register of Members' Financial Interests:

- 20
- a) Senior Fellow at Policy Exchange.
 - b) Member of the One Surrey Growth Board.
 - c) Member of Advisory Board of Onward.

25 On 12 October 2022, I wrote to the Registrar to ask whether advice he had given in relation to a similar inquiry, in December 2021, might also apply to your three roles outlined above. I enclose a copy of my letter and the Registrars reply dated 13 October 2022.

My decision

30 Having carefully reviewed all of the evidence available I am of the view that a breach of paragraph 14 of the Code of Conduct did not occur and, therefore, I have not upheld the allegation.

Rationale

35 When registering interests under Category 8: Miscellaneous, the Guide to the Rules states the following:

Requirements for registration

55. Under this category Members must register:

a)...

- 5 *b) Any other interest, if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest. This might include an unpaid employment or directorship, or directorship of a company not currently trading, non-practising membership of a profession, or a fund*
- 10 *established to defray legal costs arising out of the Member's work, but from which no benefit has yet been received.*

15 In his advice the Registrar confirmed that the Guide to the Rules sets out, *"the test for registering such an interest is "if the Member considers that it might reasonably be thought by others to influence his or her actions or words as a Member in the same way as a financial interest."*

20 In your email dated 10 October 2022, you said you had not registered these roles because you had not, *"...derived any financial or material benefit which triggers a registration."* When considering your own roles in relation to the examples set out in the guidance for registration under category 8: miscellaneous, you explained that *"(t)hese examples are very different in nature to my own voluntary, unpaid roles which are directly related to my role as a Member. This was a material part of my decision not to register these roles"*

25 The decision on whether the test of relevance has been met for registering interests under Category 8: Miscellaneous, is one that each Member must carefully consider. In relation to the three roles that have been the subject of my investigation you state, *"(t)hey do not - and I do not think could reasonably be considered to - influence my actions in the same way as a financial interest might do."*

30 It appears that, when making your decision you applied the test of relevance as outlined in the Guide to the Rules and reached a reasoned conclusion that you were entitled to make. On that basis, I am of the opinion that your omitting to register these roles is not a breach of paragraph 14.

35 **Next steps**

40 I enclose a copy of the written evidence pack, which includes the correspondence exchanged during the investigation. In this pack you will find a draft copy of the letter I plan to send to the complainant; it is the first item in the pack, after the summary. While the content of the letter is a matter for me alone, I would welcome any comments on the factual accuracy of this and the written evidence pack. The complainant's name will be redacted from the published pack; please let me know if there are any further redactions you think should be made, and I will consider your request.

I would be pleased to receive any comments you wish to make on these items as soon as possible, and no later than 24 October 2022.

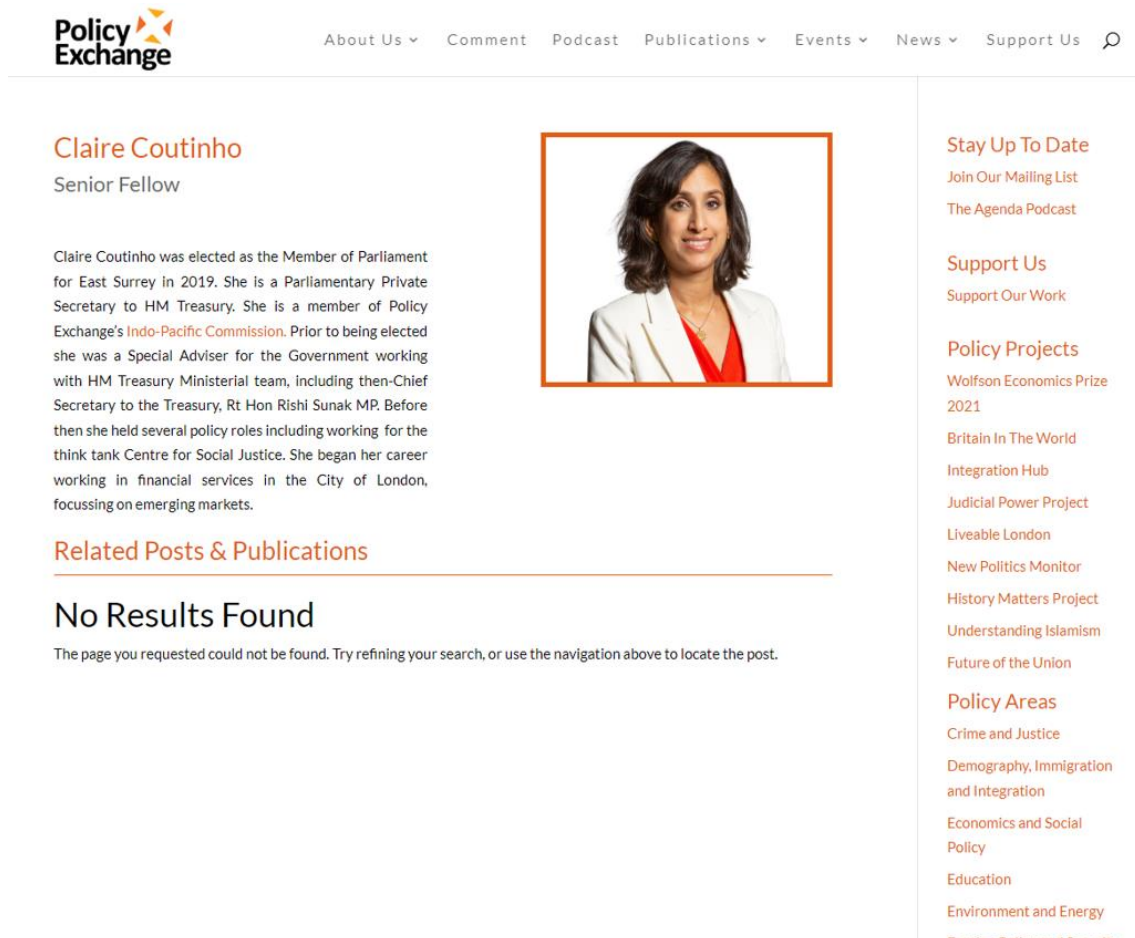
- 5 Once I have any comments you wish to make, I will finalise the pack, which will then be published on my webpages. I will notify you of the publication of the pack. I will also notify the Committee on Standards of the outcome of my inquiry in due course.
- 10 In the meantime, our correspondence continues to be protected by parliamentary privilege. Until I send you and the complainant letters concluding the inquiry, this matter should remain confidential.

I would also like to thank you for your prompt and full co-operation with my inquiry.

15 17 October 2022

Appendix 1

- Figure 1



The screenshot shows the profile page for Claire Coutinho on the Policy Exchange website. The page includes a navigation menu at the top with links for About Us, Comment, Podcast, Publications, Events, News, and Support Us. The profile section features a portrait of Claire Coutinho, a Senior Fellow, and a detailed biography. Below the biography is a section for 'Related Posts & Publications' which displays 'No Results Found' with a message: 'The page you requested could not be found. Try refining your search, or use the navigation above to locate the post.' On the right side of the page, there are several menu items: 'Stay Up To Date' (with links for Mailing List and Podcast), 'Support Us' (with link for Support Our Work), 'Policy Projects' (listing Wolfson Economics Prize 2021, Britain In The World, Integration Hub, Judicial Power Project, Liveable London, New Politics Monitor, History Matters Project, Understanding Islamism, and Future of the Union), and 'Policy Areas' (listing Crime and Justice, Demography, Immigration and Integration, Economics and Social Policy, Education, Environment and Energy, and Foreign Policy and Security).

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Claire Coutinho
Senior Fellow

Claire Coutinho was elected as the Member of Parliament for East Surrey in 2019. She is a Parliamentary Private Secretary to HM Treasury. She is a member of Policy Exchange's [Indo-Pacific Commission](#). Prior to being elected she was a Special Adviser for the Government working with HM Treasury Ministerial team, including then-Chief Secretary to the Treasury, Rt Hon Rishi Sunak MP. Before then she held several policy roles including working for the think tank Centre for Social Justice. She began her career working in financial services in the City of London, focussing on emerging markets.

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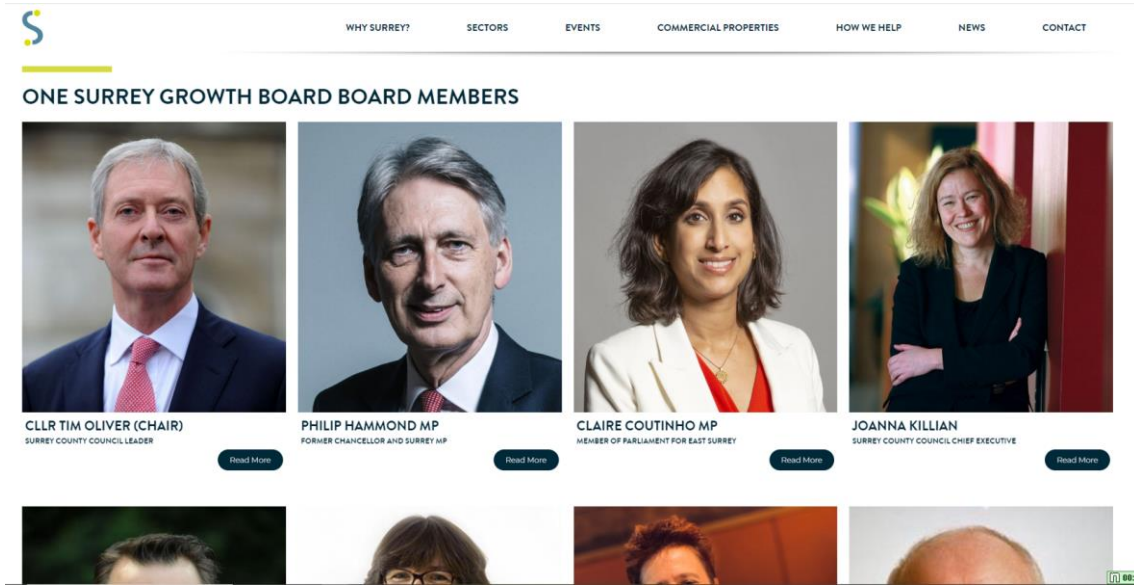
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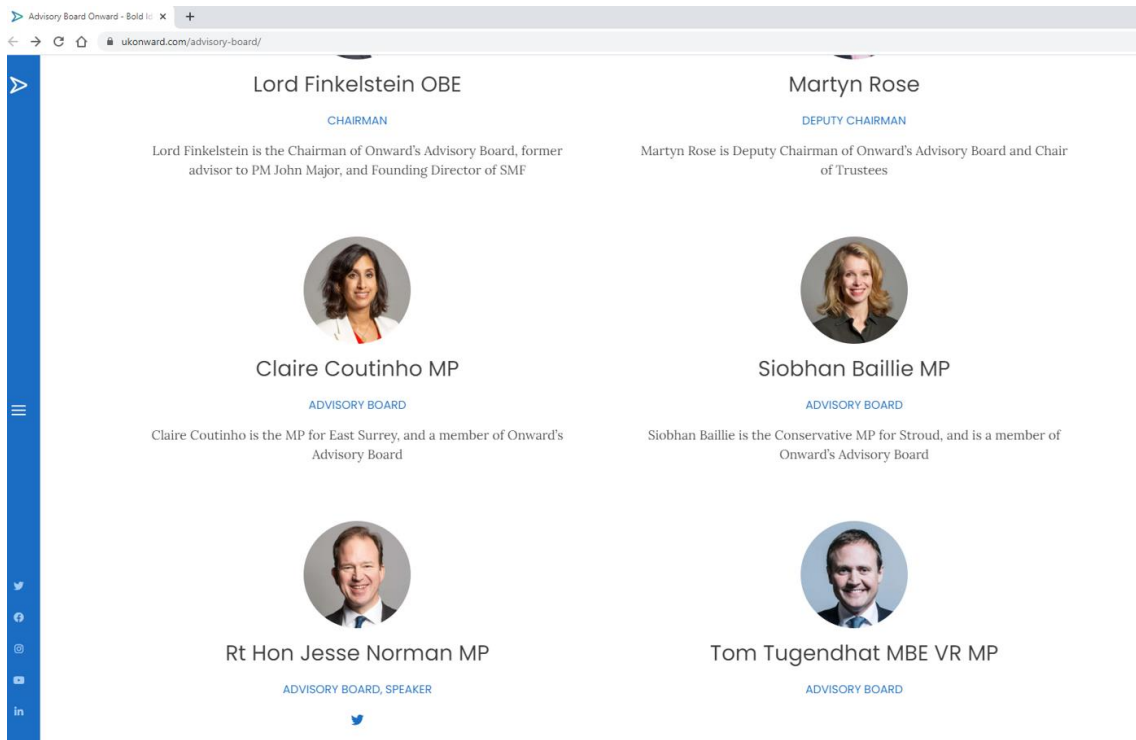
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- Figure 2



5

- Figure 3



Appendix 2

- Figure 4

