



Spotlight on Parliaments in Europe

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RECRUITMENT OF FAMILY MEMBERS AS PARLIAMENTARY ASSISTANTS?

No common line in EU national Parliaments

On 13 March 2017, the French *Assemblée Nationale* submitted a request (number 3358) to the ECPRD network concerning the allowances, material means and benefits in kind provided by each parliament to its members. The second part of the request focused on the assistance available to the members of each assembly as support in the exercise of the parliamentary mandate, the personnel recruited, the rules governing the recruitment of staff by members, namely asking whether family members were banned and to what degree of kinship. Specific questions referred to the scrutiny and publicity of such information, to the monitoring of the accomplished work and incompatibilities with other offices for MPs staff. The Parliaments/Chambers of twenty Member States and the European Parliament, replied.

The situation appears to be quite even with an equal distribution of Parliaments/Chambers that provide specific allowances for MPs' personal assistants and ban the recruitment of family members, Parliaments that do not ban it and Parliaments that do not assign personal assistants to their MPs. What follows is a summary of the replies relative to the second section of the request, dealing with the human means at the disposal of the Members.

The replies show that in the majority of Parliaments/Chambers, Members have the possibility to recruit personal assistants of their choice, and receive for this purpose a specific allowance. Many of those Parliaments/Chambers have set specific rules for the recruitment of staff. Some ban the recruitment, as personal assistants, of spouses or stable partners, children, brothers or sisters or other people that could give rise to any possibility of a conflict of interest. Such a ban is enforced by the European Parliament, the Parliament of Austria, both Houses of the Belgian Parliament, the Hungarian National Assembly, the Latvian *Saeima*, Romania's Chamber of Deputies and Senate, the Slovak National Council. In the German *Bundestag*, although such recruitments are not banned, they are not entitled to funding from the institution.

There are exceptions to this general set, namely the Czech Chamber of Deputies where the Act on Rules of Procedure (No. 90/1995 Coll.) does not indicate any restriction regarding the recruitment of assistants. No restriction is foreseen by the Danish *Folketinget*, nor by the Lithuanian *Seimas*, where such a ban, otherwise valid in the case of civil servants, is not applied to civil servants of political (personal) confidence. Another exception is the one of the Finnish *Eduskunta*, which otherwise regulates, quite in detail, the recruitment.

The French *Assemblée Nationale*, that initiated the request, provides a monthly allowance to each of its Members for the employment of staff and sets no limits to the recruitment of family members. The Polish *Sejm* does not allocate a specific amount of money for MPs personal assistants. Polish MPs can employ people on the basis of a private contract (and can in this case use funds available to MPs to cover the costs for the functioning of their offices) or as unpaid voluntary assistants. There is no legal ban on the recruitment of family members.

Each member of the UK House of Commons has a maximum annual budget for employing staff. As far as recruitment is concerned, MPs can recruit no more than one “connected party”¹ as staff. Assistants to MPs in the Portuguese *Assembleia da República* are hired by the political groups, whose budget are included in the budget of the Assembleia. Political groups can recruit people of their own choice without restrictions. A similar situation is the one of the Swedish *Riksdag*, where each party represented receives financial support to cover the costs of political advisers (one political adviser per member). The advisers are employed by the party and there is no public supervision of how the funding is used. In the Dutch *Tweede Kamer*, assistance to MPs “is up to each and every parliamentary group, paid for by the finances of the Party”. Recruitment of family members “is not banned, but it is frowned upon by each and every party”.

In some Parliaments/Chambers personal assistants do not exist. In the Croatian *Sabor*, for example, MPs are assisted in their works either by civil servants employed in the Staff Service of the Parliament, or by civil servants employed in the members’ clubs. Temporary civil servants can be employed by the clubs. The Act on Preventing of the conflict of interest states that, in exercising public offices, officials shall not place private interests above public ones. The Members of the Estonian *Riigikogu* do not have personal assistants. They are assisted by advisors of the different political groups, committees and by the legal and research departments. No political staff is available for the Members of the German *Bundesrat*, where members of the Secretariat are responsible for the affairs of the Chamber. The same applies to the Slovenian National Council and National Assembly, where only professional assistants are assigned to each group and are employed by the National Assembly and to both Houses of the Spanish Parliament.

As for the publicity of the name of people assisting MPs, the situations vary. Transparency is the norm in the case of the European Parliament, the Czech Chamber of Deputies, the Danish *Folketinget*, the Finnish *Eduskunta*, the Lithuanian Seimas and the Portuguese *Assembleia da República*. Data are not published in the case of the parliaments of Austria, Belgium, Germany, Hungary, Slovakia, the Dutch Parliament, and the Parliament of the UK. The Latvian *Saeima* publishes only the allowances for staff. In some cases it is not clear if the information is public, as in the case of the Polish, Romanian and Swedish Parliaments.

Monitoring the work of employed assistants is a very rare practice. Only few respondents have indicated that they carry such a scrutiny. It is namely the case of the European Parliament (sample monitoring based on risk assessment) and of the Finnish *Eduskunta*. In the Latvian *Saeima*, assessment of the work of assistants is documented annually by means of evaluation forms.



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¹ Defined as:

- a. a spouse, civil partner or cohabiting partner of the member;
- b. parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew or niece of the member or of a spouse, civil partner or cohabiting partner of the member; or
- c. a body corporate, a firm or a trust with which the MP is connected as defined in section 252 of the Companies Act 2006.