



The Administration of the House of Commons

Standard Note: SN/PC/6976

Last updated: 21 January 2015

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Section: Parliament and Constitution Centre

A motion agreed by the House on 10 September 2014 set up the House of Commons Governance Committee to consider the way the House was run and the allocation of responsibilities of the Clerk of the House and Chief Executive.

The previous Clerk of the House, Sir Robert Rogers (now Lord Lisvane), retired on 31 August. An open competition was launched over the summer but the Speaker 'paused' the competition on 1 September due to some Member concern over the process.

The Governance Committee's report [House of Commons Governance](#) was published on 17 December 2014. The Committee recommended changes to the role and composition of the House of Commons Commission and that the joint role of Clerk of the House of Commons and Chief Executive should be changed. A new Director General of the House of Commons should report to the Clerk of the House and have responsibility for resources and the delivery of all services. The changes to the Commission would require amendment of the [House of Commons \(Administration\) Act 1978](#).

The report will be debated on the floor of the House on 22 January 2015.

The House of Commons Commission made a written statement on 21 January 2015, welcoming the work of the Committee, noting that in line with the recommendations of the Committee the 'paused' process for the recruitment of the Clerk of the House had been formally terminated, and that if the House endorses the report on 22 January it will meet additionally on 26 January to take forward implementation.

This second part of this note sets out how the House of Commons is governed, managed and structured at the current time.

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1 The House of Commons Governance Committee

The [House of Commons Governance Committee](#) reported on 17 December 2014. It made recommendations to reform the administration of the House by Members through the House of Commons Commission and change to the senior staff structure through the creation of a Director General of the House of Commons reporting to the Clerk of the House.

A motion to be debated by the House on 22 January 2015 has been put down in the name of the Leader of the House, William Hague, and all the Committee Members; it is also supported by the Deputy Leader of the House, Tom Brake, and the Shadow Leader, Angela Eagle, indicating the support of the front-benches of the three largest parties in the House. The motion states:

That this House welcomes the report of the House of Commons Governance Committee; notes the priority it has given to agreeing a package of proposals which can both significantly improve the governance of the House and be capable of attracting support from Members on all sides of the House, in a timely manner and well before the House is dissolved; agrees to the recommendations in Chapters 6 and 7, with the proviso that, without changing the party balance of the Commission as proposed in the report, the recommendations relating to the composition of the Commission be implemented so as to allow the Chairs of both the new Finance Committee and the Administration Committee to be elected to these positions rather than appointed to them by the Commission; and encourages the appropriate bodies in both Houses of Parliament to address the Committee's remaining conclusions and recommendations.

The debate is being held in Government time and is the main business for the day. In recent years annual debates have been held on the floor of the House on the report of the Finance and Services Committee on the House's estimate for the following year. Apart from this debate on the floor of the House, discussion of the management and administration of the House is relatively rare apart from the regular slots for House of Commons Commission oral questions.

1.1 Establishment of the House of Commons Governance Committee

The Committee was established after Members raised concerns about the conclusions of an appointment panel in summer 2014 to appoint a new Clerk of the House. The retirement of the previous Clerk, the then Sir Robert Rogers (now Lord Lisvane), was announced on 30 April 2014 and he left the House Service on 31 August 2014.

A recruitment process was initiated using recruitment consultants (Saxton Bampfylde). Information on the recruitment process has been provided in response to Parliamentary questions.¹ The selection panel for the recruitment were: Mr Speaker, Rt Hon Andrew Lansley MP, Angela Eagle MP, John Thurso MP, Rt Hon Margaret Hodge MP and Dame Julie Mellor (Parliamentary and Health Service Ombudsman).²

The appointment of the former Clerk in 2011 was "the first time that a formal recruitment panel and process was followed":

Selection panels were not held for appointing the Clerk of the House and Chief Executive in 2006 and 2003. On both occasions the retiring Clerk of the House

¹ [HC Deb 18 June 2014 cc607W-608W](#)

² [HC Deb 19 June 2014 cc725W-726W](#)

recommended two names as potential successors and the then Mr Speaker decided which candidate to recommend.

The changes in approach to recruitment in 2011, and subsequently in 2014, when the opportunity was opened up to both internal and external applicants, is in line with the House's policy for fair and open competition in all House of Commons recruitment.³

The former Clerk was appointed, in 2011, following a limited open advertisement (to staff of the Commons, Lords and devolved Parliaments and Assemblies) and an interview by a panel.⁴

In the summer 2014 process, the recruitment panel reached a decision on 30 July 2014. Although there is no requirement for a vote in the House of Commons to confirm the appointment of the Clerk of the House, there had been some "disquiet" about the recommendation made by the panel. The Speaker made a statement to the House on 1 September 2014, announcing a pause in the process and the consequences of that pause. He also reported that two rounds of interviews had taken place. The Speaker's statement also noted the complexity of the post as it currently stood; combining the role of Clerk and Chief Executive of an increasingly complex organisation.⁵

On 2 September 2014, [Jesse Norman and Bernard Jenkin appeared before the Backbench Business Committee to bid for time for a debate](#) on "a motion relating to the creation of a time-limited Select Committee, provisionally to be called the House of Commons Governance Committee, the purpose of which is to examine the governance of the House of Commons, including the future allocation of responsibilities for House services currently exercised by the Clerk and chief executive of the House of Commons".

Bernard Jenkin told the Committee that:⁶

I would just emphasise that the motion very much welcomes the Speaker's statement yesterday suggesting a modest pause in the recruitment process of the Clerk in order to accommodate a consultation on how and whether the roles of the Clerk should be split. He invited the House to be involved and was almost outspoken in his confidence that hon. and right hon. Members would want to be involved in the conversation. We gave some thought as to how the conversation should be conducted and to the House electing a Select Committee to look at all the evidence of the two previous studies—the Braithwaite report from some 20 years ago and the Tebbit review of some six or seven years ago—that considered such issues, but also to bring into the equation this very major project to which the Speaker referred: the refurbishment of the House. It really is time to have a root-and-branch look at how we run the facilities of this House in support of the work that Members undertake on behalf of their constituents and on behalf of the country.

The Backbench Business Committee provided time for a debate and the motion was agreed by the House, without division, on 10 September 2014:⁷

That this House welcomes the Speaker's announcement on 1 September of a pause in the process of appointment of a new Clerk of the House and Chief Executive, to give time for further consideration; and accordingly determines that:

³ [HC Deb 2 September 2014 cc196W-197W](#)

⁴ [HC Deb 30 June 2011 c1106](#)

⁵ [HC Deb 1 September 2014 c1](#)

⁶ [Representations made before the Backbench Business Committee on Tuesday 2 September 2014](#)

⁷ [HC Deb 10 September 2014 c1048](#)

(a) there shall be a select committee, called the House of Commons Governance Committee, to consider the governance of the House of Commons, including the future allocation of the responsibilities for House services currently exercised by the Clerk of the House and Chief Executive;

(b) the Committee report to the House by 12 January 2015;

(c) the Committee shall have the powers given to select committees related to government departments under paragraph 4(a) and 4(b) of Standing Order No. 152;

(d) Mr Jack Straw be the Chair of the Committee;

(e) the Committee shall consist of seven other backbench members, to be elected by parties in the proportion of three Conservative, two Labour and one Liberal Democrat, together with one representative of the other parties represented in the House; the parties shall forward their nominations to the Chair of the Committee of Selection by 14 October and any motion made in the House on behalf of the Committee of Selection by the Chair or another member of the Committee shall be treated as having been made in pursuance of Standing Order No. 121(2) for the purposes of Standing Order No. 15(1)(c).

The Committee was therefore created for a single inquiry and was time limited. The other Members nominated to serve on the Committee were agreed to by the House on 16 October 2014, and were as follows:

- Sir Oliver Heald QC (Conservative)
- Mr David Heath (Liberal Democrat)
- Jesse Norman (Conservative)
- Ian Paisley (Democratic Unionist)
- Jacob Rees-Mogg (Conservative)
- Valerie Vaz (Labour) and
- Dave Watts (Labour)

2 Recommendations of the Committee

The Committee reported on 17 December 2014 [noting in the summary that:](#)⁸

We were asked to report by 12 January, but to ensure that the House had as much time as possible to consider and act on our report before dissolution at the end of March, we set ourselves the tighter timetable of reporting by Christmas. We have set out a timetable for implementation which we believe is realistic and practicable, but will require support from across the House.

The Committee held 13 evidence sessions and received 91 written submissions; it heard from 59 individuals, of whom 16 were staff of the House and 21 were Members. It held a meeting with over 60 members of staff and PICT and had individual meetings with the Speaker, the three Deputy Speakers, the Lord Speaker and Paul Martin, the Parliamentary

⁸ House of Commons Governance Committee, [House of Commons Governance](#), 17 December 2014, HC692

Security Director. The Committee also received submissions from each of the devolved legislatures and seven other Parliaments.⁹

The Committee identified the challenges facing the House in the future, highlighting four:

- [Political and Constitutional change](#);
- [Public engagement](#);
- [The efficient use of resources](#); and,
- [Restoration of the Palace of Westminster](#).

The Committee prefaced its proposals by setting out their context:¹⁰

111. Before we set out our proposals in detail it is important to note the unique challenges which any governance arrangements will face in the particular context of the House of Commons. In the words of Sir Kevin Tebbit, who spent six months as ‘a sort of temporary Officer of the House’,

It is very difficult to say anything emphatic about the House of Commons and the way it operates. ... there is an alchemy here—a curious combination of effects which produces a unique result—and you tamper with it, to some extent, at your peril.

112. As we noted above, the House is sovereign. It may change its procedures at any time in ways which have significant resource consequences. Issues of apparently minor importance may suddenly be escalated to a question in the Chamber or a news item in the national media. Alongside individual Members there are a wide range of variously engaged and variously influential groups with a stake in how the House is run. Governance structures are important but they can only be part of any solution. At best they may, in Sir Robert Rogers’s phrase, provide the organisational framework which the ‘organism’ that is the House of Commons will inhabit.

113. There is a short term problem which needs to be resolved: how the responsibilities currently exercised by the Clerk of the House as Chief Executive should be allocated in future. But that question cannot sensibly be answered in isolation. The responsibilities and authority of a Chief Executive are defined and constrained by the governance structures in which s/he operates. We have heard compelling evidence that the governance structures in the House of Commons are themselves in need of reform. There are challenges and opportunities ahead which it has been argued will be met successfully only if Parliament-wide governance structures are overhauled.

114. It is nearly 40 years since the governance of the House of Commons was last considered by a committee of its Members. That was the Bottomley Committee whose recommendations led directly to the introduction of the House of Commons Administration Act 1978. Starting with Sir Robin Ibbs in 1990 there have been successive reviews of services by eminent external experts. Their recommendations have been instrumental in shaping the modern House service which we have today.

115. Our remit is to consider the governance of the House of Commons in the round. It is wider than the specific question of the roles of the Clerk and Chief Executive. Consequently our responsibility is to look further ahead than its resolution alone: it is to

⁹ Paras 4-5

¹⁰ [Paras 111-117](#)

respond to the challenges which the House will face in the future and to propose governance arrangements fit to meet them. It is for this reason that we set out those challenges in some detail in the previous chapter.

116. We have been counselled against delaying necessary, if limited, reforms that could be achieved now in the hope of delivering a comprehensive package at some future date. This is sound advice. But equally we should not take actions now which might prejudice or obstruct our longer term objectives. As Sir Amyas Morse, Comptroller and Auditor General, told us:

It is important to have a mid-term picture. I have two things that I could easily throw in as an observer: first, the refurbishment of the Palace of Westminster; and, secondly, the possibility of achieving more efficiency by combining what I would describe as the back-office administration, and so forth, of the House. Those are big prizes, where significant things might happen. Whatever you decide now should keep the pathway open to achieving those things. If I were advising you, I would advise you to think about that.

117. Our proposals are therefore designed to address the immediate issues facing the House and its governance arrangements, but to do so in a way that sets a path to our longer term objectives. We have accordingly set them out in two parts: longer term objectives and actions to be taken now. We then describe how we believe the latter should be implemented...

2.1 Proposed Governance Structure

The Commission

The Committee raised a number of concerns with the way the House of Commons Commission works, particularly around the way it considered strategic issues and the engagement of Members with it.¹¹

The Committee proposed that the Commission should be reformed to widen its remit and to change the membership. First, they recommended that the Commission 'should be additionally responsible under statute for setting the strategic framework for the delivery of services to Members, staff and the public, without prejudice to the right of the House to control its own procedures'.¹² [Paragraph 37 of the report](#) sets out the Commission's current responsibilities.

It also recommended that the membership should be updated to include:

- The Speaker, the Leader of the House and the Shadow Leader of the House (as at present);
- Four further Members of the House, one from each of the largest three parties and one from the remaining membership and that each of them should be elected by the whole House (the Commission currently has three additional Members, but they are not elected);
- Two external members (the Commission currently has no external members/non-executives, but the Management Board does);

¹¹ See paras 38-42

¹² Para 140

- Two official members, who are expected to be the Clerk of the House and the (new post of) Director General of the House of Commons.

The report noted that formal votes of the Commission are likely to be rare but in such cases the external and official members should not be able to vote but be allowed to have any dissent recorded.¹³

These changes would require legislative changes. The Committee's report contains, in [Annex B](#), instructions for the drafting of the required amendments to the [House of Commons \(Administration\) Act 1978](#).

Member Committees and Portfolio responsibilities

The Committee proposed changes to the Committees which support the House's decision-making and involve Members in it. It proposed that the Finance and Services Committee be re-named the Finance Committee, while the membership of the Administration Committee should be no more than 11 Members (the Committee found that the current membership of 16 was too large to be effective; this is in line with recommendations of the Wright Committee). The chairs of both Committees, it argues, should be drawn from the elected backbench members of the Commission and should have portfolio responsibilities of finance (Chair of Finance Committee) and services to Members and their staff (Chair of the Administration Committee).¹⁴

The portfolio responsibilities of the other two backbench Members should, the report states, be allocated by the Commission and vary over time but the report makes two suggestions: one could have a role in the preparations for Restoration and Renewal and the other could cover the interests of constituents and other members of the public.¹⁵

The Committee proposed a motion in [Annex C](#) of the report; the motion tabled for debate on 22 January 2015 varies slightly and amends the recommendations on the Commission membership by stating that the Chairs of the Finance and Administration Committees should be directly elected to those specific posts rather than being allocated them by the Commission.

The Clerk of the House and Director General of the House of Commons

The Committee recommended that the 'paused' recruitment process should be terminated immediately.¹⁶

A key issue the Committee considered was the joint role of the Clerk of the House as both Clerk and as Chief Executive of the House of Commons (see [paras 58 to 68](#) and [160 to 171](#)). It heard a range of views on whether the post should be split, and if so how (in particular see paragraph 68).

It recommended that the Clerk should remain Head of the House Service, but that a new role of Director General of the House of Commons should be introduced, reporting to the Clerk. The Committee recommends that this new post would be:¹⁷

¹³ [Para 141](#)

¹⁴ [Para 145](#)

¹⁵ [Para 146](#)

¹⁶ [Para 186](#)

¹⁷ [Para 157](#)

...responsible for the delivery of the resources needed to support the House in its work, including its parliamentary and outward facing functions. The Clerk would retain responsibility for the quality of support for parliamentary functions, and for development of the skills, experience and expertise to maintain the professionalism of the parliamentary service. This distinction has similarities with the division of responsibilities between the Cabinet Secretary and the Chief Executive of the Civil Service, with that operating in the NAO between the Comptroller and Auditor General (C&AG) and the Chief Operating Officer, which was described to us by Michael Whitehouse, and with the arrangements in many professional services firms. The role of Director General of the House of Commons has some elements of a Chief Executive and some of a Chief Operating Officer. But it does not exactly mirror either. It is a solution which responds to the particular challenges of the unique parliamentary environment of the House of Commons. It is for this reason that we have proposed a different title, one that emphasises the authority of the post and will also allow it to evolve unburdened by preconceptions. Consideration might be given to whether s/he should be an additional Accounting Officer on the model which was adopted in the Crown Prosecution Service

The report goes on to conclude that:¹⁸

...the Clerk should continue to be the Head of the House service (and thus formally the line manager of the Director General). However, since delivery will be the responsibility of the Director General of the House of Commons, s/he should chair the Executive Committee and take lead responsibility for its agenda. Membership of the Commission will also give him or her direct access to the Speaker and other Commission members. S/he should be a very visible presence to Members. We recommend that the Commission consider what arrangements might be made to enable the Director General of the House of Commons to be visibly present in his or her official capacity in the Chamber when business relating to his or her responsibilities is under consideration.

The report sets out [draft job descriptions for the posts of Clerk of the House and Director General of the House of Commons in Annex A of the report](#). Broadly, the Clerk of the House has responsibility for strategic leadership, parliamentary and procedural advice, staff development, diversity, stakeholder relations on parliamentary business and is the accounting officer. The Director General would be responsible for the operational delivery of 'the full range of services', for the effective use of resources, including assurance to the Commission and the Clerk (as Accounting Officer), would chair the Executive Committee (see below) and is a member of the Commission, jointly responsible with the Clerk for 'developing a strategic framework for service delivery' and leads preparations for Restoration and Renewal.

The report states that the titles of the existing Director General posts in the House of Commons might be renamed 'Directors'.¹⁹

A new Executive Committee

The Governance Committee noted that it received clear evidence of increased professionalism in the most senior levels of the House Service in recent years and that the Management Board had delivered successes, such as a 17 per cent real terms reduction in resource budgets since 2010.²⁰ However it also raised concerns noting that the 'the Board

¹⁸ [Para 166](#)

¹⁹ [Para 158](#)

²⁰ [Paras 52-3](#)

still has the characteristics of a representative rather than a functional body' and that there can be problems with the implementation of decisions of the Board across the House.²¹ The Committee noted three factors which contribute to these issues: the relationship between the Board and the Commission, a 'lack of a clear focus on implementation or delivery' and a lack of clarity on delegations.²²

The Committee proposed replacing the current Management Board with an Executive Committee which would act as a sub-Committee of the Commission. The Executive Committee would consist of the Clerk of the House, Director General of the House of Commons, the Director of Finance and up to 3 other members drawn from the House Service and selected by the Commission. The Director General would chair it.

The Committee took note that overall costs should not increase and recommended that following the introduction of the Director General role, the Executive Committee should submit proposals to the Commission to restructure the senior management of the House including reductions in the number of senior posts in the Department of Chamber and Committee Services and elsewhere. They set a target that the changes should be cost neutral within one year of implementation.²³

Other issues

The Committee made a number of other recommendations, including:

- Widening the involvement of the Deputy Speakers in non-Chamber issues ([para 138](#));
- Support for the objective of a fully unified House Service ([para 163](#));
- Clear and published delegations ([para 177](#));
- Recommendations around staff development and diversity ([para 179](#));
- That the Procedure Committee should consider the allocation of Chamber time to House business ([para 200](#));
- Members of the Finance and Administration Committees, Commission and Executive Committee should hold regular staff events to engage with the House Service ([para 204](#)).

Key Benefits

The Committee identified the following key benefits of their proposals:²⁴

- A coherent management and strategic leadership structure in which the Member and official elements are properly integrated for the first time;
- Clarity in the respective roles of Members and officials;
- The Clerk and Director General of the House of Commons are explicitly a leadership team;

²¹ [Para 56](#)

²² [Para 56](#)

²³ [Para 207](#)

²⁴ [Para 172](#)

- The small size of the Executive Committee will require a clearer and more transparent system of delegations to individuals including heads of departments with responsibility for particular services;
- They can be implemented without immediate organisational restructuring: the Executive Committee would be expected to review structures and implement any changes within a specific timescale;
- An Executive Committee focused on corporate leadership should reinforce the message that the House is supported by a unified service (and the Clerk and Director General of the House of Commons should give a joint commitment to moving staff between departments and to collaborative working).

2.2 Implementation

The Committee made recommendations for the implementation of these proposals. The recommendations include arrangements during the transitional period before the relevant appointments are made.²⁵ It also notes that legislative change is required and this 'should be passed in the current Parliament allowing the new structure to take effect from the start of the new Parliament'.²⁶ Standing Order changes are also required and are recommended to be implemented in this Parliament.²⁷

The Committee suggests a recruitment method for the Clerk of the House role and the Director General of the House of Commons. For the Clerk it states:

191. The House's endorsement of our report should be the trigger for the new process for the appointment of the Clerk of the House. It should be conducted with a view of drawing on best practice for public appointments, leading to selection on merit by a fair, open and transparent process. The full process, including the Job Description, Person Specification, advertisement for the vacancy and membership of the Appointment Panel, should be agreed by the full Commission.

192. Longlisting for the post should be the responsibility of a Sifting Panel, against the pre-determined attributes in the Job Description and Person Specification. The composition of the Sifting Panel would be determined by the Commission. It should be chaired by an independent non-executive Chair (potentially someone with recent experience with the Civil Service Commission, or similar) and there would be four other Members of Parliament. The shortlisting and final interviews should be conducted by an Appointment Panel, chaired by the Speaker, and which would have three other Members of Parliament chosen by the Commission, and a non-executive member and would be advised by an external expert on parliamentary procedure. The independent Chair of the Sifting Panel should be an observer. It is expected that this process would start with an Executive Search Agency, which will be used to manage the recruitment and produce a list of candidates who meet the minimum requirements for the post.

A pre-appointment hearing, proposed by some, is not needed, according to the Committee, as this process provides Members with enough involvement to provide assurance of suitability.²⁸

²⁵ [Para 187](#)

²⁶ [Para 188](#)

²⁷ [Para 190](#)

²⁸ [Para 195](#)

The Committee also recommended that the Management Board, working with the Commission, 'should swiftly establish an implementation team'. They highlighted that:

200. As a package, our recommendations represent a significant reform of the House's governance structures. This report sets out the high level structural changes that need to take place but these alone will not deliver the full benefits of that reform. There are many other essential elements that must be taken forward by the Commission and the House Service. In particular by extending the responsibilities of the Commission and expanding its membership, our recommendations will increase its importance and visibility to Members. The House will need to take a more active interest in its work [...]

2.3 Arrangements in the Long Term

The Committee reported that shared services (services provided to both Houses by one body) 'already account for nearly half the annual resource spend of each House' and that there was 'wide support, in principle' for extending these further, but what was included would need 'careful consideration'.²⁹ The report also notes that there is often 'close co-operation between the Houses' for functions which are not shared.³⁰ The Committee supports the 'development of plans for a single services Department supporting both Houses' but warned that one House cannot dictate to the other on what should happen. They recommended³¹

- Joint meetings of the House of Commons Commission and House Committee (the equivalent body in the House of Lords), at least every six months;
- They 'encourage the two Houses to begin the process of drawing up a phased medium term programme towards a single bicameral services department supporting the primary parliamentary purposes of each of the two Houses.'
- The report notes that the Restoration and Renewal programme may create some form of delivery authority. The report states that: 'The delivery authority itself may be a model for the provision of services to both Houses following R&R and this should be considered as part of the review of shared services suggested by the Clerk of the Parliaments. Legislation might allow for the delivery authority's continuation, subject to the agreement of both Houses, as a statutory body providing certain defined services to both Houses on the basis of a series of detailed Service Level Agreements.'

2.4 Reaction

The report was welcomed by Members at Business Questions on 18 December 2014, including the Leader of the House of Commons, William Hague, and the Shadow Leader, Angela Eagle, who noted:³²

...I welcome yesterday's unanimously agreed report from the House of Commons Governance Committee, which was presented to the House ahead of the extremely challenging schedule that the House laid down in its motion of 10 September...The report sets out a series of sensible reforms that have the potential to move the administration of this place into the 21st century. It is right to conclude that the role of Clerk and chief executive should be split; it is right that we should reform the House of

²⁹ [Para 118; 121](#)

³⁰ [Para 124](#)

³¹ [Para 128-134](#)

³² [HC Deb 18 December 2014 c1575-6](#)

Commons Commission and the Management Board; and it is right that we should explore quickly how we can share more services between the Commons and the Lords. Does the Leader of the House agree that it is important that the House debates and acts on the report swiftly? Will he therefore confirm that it is his intention to move with alacrity to call a debate on it? Perhaps he even has a date in mind.

The Leader of the House responded stating:³³

... It is for the House to reach a view and take a decision—there is no fixed Government view, but I welcome the report and judge that it will be well received in the House and that there will be a great deal of support for its recommendations. We will indeed move with alacrity, as the hon. Lady put it, to have a debate. Although I have not been able to announce a specific debate in the first week back, I will certainly facilitate a debate on the report in January so that if its recommendations are supported by the House—as I said, I think they generally will be—they can be taken forward expeditiously.

In response to a question from Jack Straw, chair of the House of Commons Governance Committee, Mr Hague also commented on the need to amend legislation:

On legislation and the possible amendment of the House of Commons (Administration) Act 1978, we will of course have to listen to the views of the House in the debate. If, as I expect, there is a great deal of support for the Committee, it will be important to be able to get on with the legislation. The right hon. Gentleman will appreciate better than most how difficult it might be to ensure proper scrutiny at this stage of a Parliament. The House has a record of wanting to scrutinise legislation on House of Commons matters, as indeed on most other matters. I cannot guarantee that, but I am happy to discuss the matter further with him and the other members of the Committee.³⁴

Sir George Young, Bernard Jenkin, Dr Julian Lewis and Christopher Pincher also welcomed the report during business questions.³⁵

The report was widely reported the day after publication, for example in the [Guardian](#), [Telegraph](#) and [The Times](#) (requires subscription). *The Guardian* article reported David Blunkett noting his preference for a Chief Executive separate to the Clerk.³⁶

A Committee member, Jesse Norman, wrote an [article for The Telegraph](#) summarising the findings of the Committee and the circumstances around its establishment.³⁷

The report was also the subject of a [blog by Mark D'Arcy](#), the BBC's Parliamentary correspondent, who also mentions the debate on 22 January 2015 in [his summary of the week's forthcoming business](#).

At business questions on 16 January 2015, the Chair of the Committee, Jack Straw, indicated that the motion for debate on 22 January 2015 was agreed by the Committee and the two front-benches:³⁸

...May I express my gratitude to the Leader of the House and his private office, as well as to my hon. Friend the shadow Leader of the House, for their very active co-

³³ [HC Deb 18 December 2014 c1577](#)

³⁴ [HC Deb 18 December 2014 c1579](#)

³⁵ [HC Deb 18 December 2014 c1575-86](#)

³⁶ "MPs call for role of Commons clerk to be split in two", *The Guardian*, 17 December 2014

³⁷ "How we've brought the House of Commons into the 21st century", *The Daily Telegraph*, 22 December 2014

³⁸ [HC Deb 15 January 2015 c1013](#)

operation in working with my Committee to agree the motion—he has tabled motion 91, to which I have added my name—for debate on Thursday? I hope, if there is agreement, that we can indeed make rapid progress towards implementing the House of Commons Governance Committee’s recommendations, including for pushing the minor changes in legislation through both Houses.

In response the Leader of the House indicated he was looking how the required legislation could be implemented:

I pay tribute again to the right hon. Gentleman and his Committee for putting together such a well thought out report that commands a great deal of support across the House. It is on the governance of the House, and Opposition Members who were paying attention would have been able to follow that. As he may know, I am also looking at how, even this Session before the end of this Parliament, we can pass the small piece of legislation required by the report.

House of Commons Commission Reaction

The Commission made a written statement on 21 January 2015:³⁹

The House of Commons Commission discussed the report of the Committee on House of Commons Governance at its meeting on 19 January. In line with the Committee’s recommendations, the Commission invited the existing external members of the Management Board to the meeting.

The Commission welcomed the work that the Governance Committee had undertaken and the dedication and rigour with which it had scrutinised the important matters before it.

The Commission noted that, as recommended by the Governance Committee, the paused process for recruiting a Clerk of the House had been formally terminated.

The Commission is now awaiting the House’s debate on the Committee’s report on 22 January. If the House endorses the report, the Commission will act swiftly to implement its recommendations, starting at an additional meeting on Monday 26 January.

It is of vital importance to the Commission that the House Service is able effectively to meet the changing needs of a modern Parliament. It is also right that the Commission is able to shine light on itself to ensure that it too can meet these needs and more importantly, those of the UK public whom the House exists to serve.

Subject to the House endorsing the Governance Committee’s report, the Commission expects to be discussing implementation of the Committee’s recommendations at future meetings, and will issue periodic reports on progress.

³⁹ [House of Commons Commission, *House of Commons – Governance*, 21 January 2015, HCWS212](#)

3 Background: Current governance and administration of the House

The framework for the governance of the House of Commons was established by the *House of Commons (Administration) Act 1978* ('the 1978 Act') which set up the House of Commons Commission in its current form.

The Commission is advised by two Member committees, appointed under Standing Orders of the House.

The day to day administration of the House is delegated to the House of Commons Service, organised in five departments and one joint department with the House of Lords. The House of Commons Service is headed by the Clerk of the House in his role as Chief Executive.⁴⁰

3.1 House of Commons Commission

The Commission employs the staff of the House and ensures that their terms and conditions remain broadly in line with those of civil servants; appoints an Accounting Officer; approves and lays the Administration Estimate (budget) for House of Commons services; and determines the structure and functions of the departments of the House.⁴¹ It has, in the past, agreed changes to the structure of the House.

The Commission provides the non-executive governance of the House by Members, but it does not manage day to day operations.⁴² It has delegated this power to the senior officials who make up the House of Commons Management Board.⁴³ The Commission is advised by two committees of MPs, the Finance and Services Committee and the Administration Committee.⁴⁴ In addition, the Administration Estimate Audit Committee (and the Members Estimate Audit Committee) supports the Clerk of the House and Chief Executive by advising him in relation to his responsibilities as Accounting Officer.⁴⁵

Membership

The membership of the Commission is specified in section 1(2) of the *House of Commons (Administration) Act 1978*:

The Commission shall consist of—

- (a) Mr. Speaker,
- (b) the Leader of the House of Commons,
- (c) a member of the House of Commons nominated by the Leader of the Opposition,
- (d) three other members of the House of Commons appointed by the House of Commons, none of whom shall be a Minister of the Crown.

At present the membership of the Commission is:

⁴⁰ Further detail is available at: <http://www.parliament.uk/business/commons/governance-of-the-house-of-commons-/house-governance-structure/>

⁴¹ House of Commons, *Thirty-sixth report of the Commission, and annual report of the Administration Estimate Audit Committee, Financial Year 2013-14*, 30 July 2014, HC 596 2014-15, p8; House of Commons, *The House of Commons Administration explained*

⁴² An organogram illustrating *The Governance structure of the House of Commons Administration* is available on the parliamentary website and is provided in Appendix 1.

⁴³ The *Instrument of Delegation* is available on the parliamentary website

⁴⁴ House of Commons, *The House of Commons Administration explained*

⁴⁵ House of Commons, *Administration Estimate Audit Committee*

- The Speaker, the Rt Hon John Bercow MP (by virtue of his office) (Chairman);
- The Leader of the House, the Rt Hon William Hague MP (by virtue of his office);
- Ms Angela Eagle MP (Shadow Leader of the House of Commons, nominated by the Leader of the Opposition);
- John Thurso MP (Commission spokesman) (also Chair of the Finance and Services Committee);
- Sir Paul Beresford MP;
- Frank Doran MP.

The Commission is attended by the Clerk of the House, who is the Chief Executive of the House of Commons Service and Accounting Officer. Sir Robert Rogers KCB served in this capacity, until 31 August 2014.

Members of the Commission are also members of the Members Estimate Committee (MEC), which is responsible for oversight of certain expenditure in respect of Members, for which a separate Estimate is laid by the Treasury on behalf of the House. Reports and accounts for both Estimates are published on the Parliament website.⁴⁶

Information about the work of the Commission

The Commission meets approximately monthly when the House is sitting; records of its meetings and notes for Members on its decisions are posted on its website.⁴⁷ Both Commission and MEC business are conducted at the same meeting. The minutes indicate with which body the responsibility for any decision lay.

Under the 1978 Act, the Commission is required to publish an annual report. The Commission's 36th annual report was published just after the House rose for the summer recess.⁴⁸

John Thurso MP answers both oral and written questions for the Commission. There is a regular slot for oral questions to the House of Commons Commission in the five weekly cycle of parliamentary questions in the House of Commons.

3.2 Advisory committees

Finance and Services Committee

The Finance and Services Committee of the House of Commons is established by Standing Order No. 144. The main functions of the Committee are:

- to prepare the Administration Estimate and Members Estimate for submission to the House of Commons Commission and the Members Estimate Committee respectively;
- to monitor the financial performance of the House Administration; and

⁴⁶ House of Commons, *House of Commons Annual Accounts*

⁴⁷ House of Commons Commission, *Decisions and Bulletins to Members*

⁴⁸ House of Commons, *Thirty-sixth report of the Commission, and annual report of the Administration Estimate Audit Committee, Financial Year 2013-14*, 30 July 2014, HC 596 2014-15

- to report to the House of Commons Commission, the Members Estimate Committee or the Speaker on the financial and administrative implications of recommendations made to them by other Committees of the House.

In November 2010 the Committee and Commission agreed a new remit for the Committee, within the terms of the standing order, setting out specific areas for the Committee to monitor during the 2010-2015 Parliament including the Savings Programme, major programmes and progress towards meeting environmental targets.

Since the 2012-13 Session, the Committee has published an annual report on the House's financial plan and the draft Estimate for the forthcoming financial year. These reports have been debated in Backbench Business Time.⁴⁹

Administration Committee

The Administration Committee of the House of Commons is established under Standing Order No. 139. Its main functions are:

- to consider the services and facilities provided by and for the House of Commons to Members and to the public; and
- to make recommendations to the Finance and Services Committee, the Commission and the Speaker regarding House services and facilities.

The Committee's remit covers areas such as: catering services; visitor services; the education service; retail services; IT services; the broadcasting of Parliament; rules of access; and the management of the buildings and facilities which make up the parliamentary Estate. A Memorandum of Understanding was agreed with the Chair of the Finance and Services Committee in December 2013 to clarify the roles of both Committees.

3.3 The House Service

The House of Commons Service provides a politically impartial service to all Members of Parliament. It supports, informs and records the work of the House of Commons as an elected parliamentary Chamber. It makes the House's work and information about that work accessible to the general public, while maintaining the heritage of parliamentary buildings and documents in trust for the public and future generations. The House of Commons Service also contributes to parliamentary democracy by sharing knowledge with parliaments and assemblies worldwide.

The House of Commons Service is organised in five House of Commons departments and one department which is managed jointly with the House of Lords. The work of each department is described briefly below.⁵⁰

Chamber and Committee Services: provides secretariat, advice, procedural, reporting and other services to support the work of the Chamber and committees (for example, procedural offices such as the Table Office, Journal Office, Public Bill Office; Select Committees and Hansard), and supports the House's international relations. It also has operational responsibility for security within and access to the House of Commons part of the

⁴⁹ HC Deb 8 November 2012 cc1043-1079; HC Deb 21 November 2013 cc1386-1433; and a debate is scheduled to take place on 11 November 2014

⁵⁰ Organograms are available at: <http://www.parliament.uk/site-information/foi/transparency-publications/human-resources/organograms-of-house-of-commons-departments-and-parliamentary-ict/>

Parliamentary Estate (Serjeant at Arms), working closely with the Parliamentary Security Director.

Facilities: provides the accommodation, logistics, catering, estate and asset management, environmental management, fire safety and other facilities required by the House; and develops and maintains the infrastructure and fabric of the buildings of both Houses.

Finance: leads on financial strategy, financial management, and continuous improvement; and provides pension, payroll, payment and income collection services to the House Service and Members. The Department supports the Accounting Officer, Members on the Finance and Services Committee and the Audit Committees and Pension Trustees.

Human Resources and Change: supports the House Service in managing its staff capability, including recruitment, pay and conditions, learning and development, diversity and inclusion, and change management. The separate Departments for Finance and Human Resources were created in April 2011 from the previous Department of Resources.

Information Services: informs the work of the House and its Members; and seeks to engage the public in the work Parliament does. Through the House of Commons Library it provides research and information services to Members and their staff. It also provides public outreach, engagement and education services, visitor and retail services.

Parliamentary Information and Communications Technology (PICT): a joint department with the House of Lords which provides information and communications technology services to Members and staff of both Houses of Parliament.

There are three further offices which support the work of the House but are not part of a Department:

The Office of the Chief Executive supports the Chief Executive and Management Board. It carries out a number of corporate functions, including risk management, internal audit, strategic planning and central communications. The Head of the Office is the Secretary to the Management Board.

The *Parliamentary Security Director* (PSD) has executive responsibility for security for Parliament, including the physical security of both Houses, working with Black Rod, the Serjeant at Arms and the Metropolitan Police Service (MPS). The PSD is accountable to, and works under the political direction of, Mr Speaker and the Lord Speaker, and is line managed jointly by the Clerk of the House and the Clerk of the Parliaments.

The *Office of the Speaker* provides direct support to the Speaker across the full range of his official duties. Its staff are appointed directly by the Speaker.

Management Board

Management of the House of Commons Service is delegated by the Commission to the House of Commons Management Board under the leadership of the Clerk of the House and Chief Executive.⁵¹ He is Accounting Officer, Corporate Officer and Data Controller, and he is responsible for ensuring proper stewardship of resources and for maintaining an appropriate system of internal controls.

⁵¹ Erskine May, the authoritative guide to parliamentary practice and procedure, states that "The Management board is chaired by the Clerk of the House in his capacity as Chief Executive of the House service" [Erskine May, *Parliamentary Practice*, 24th edition, 2011, p104]

The Management Board's role is to lead the House of Commons Service by setting its strategic aims, priorities, values and standards, in accordance with the decisions of the House of Commons Commission; approving business and financial plans, ensuring controls, managing risk, monitoring performance and making corporate policy decisions.

In addition to the Clerk, the other members of the Management Board are the heads of the five House Departments and Parliamentary ICT. In addition, the Management Board has two external non-executive members (following a decision of the Commission in 2011/12 to increase non-executive representation on the Board).

Minutes of Management Board meetings are available on its pages on the Parliament website.⁵²

4 Previous reforms to the management of the House of Commons

Since the passage of the *House of Commons (Administration) Act 1978*, there have been two significant legislative changes to the governance of the House of Commons but no significant reform or pressure for reform of the Commission itself. In addition, the House of Commons Commission has commissioned a number of reviews of the management of the House service.

4.1 Legislative changes

In 1992 the House took over responsibility for maintenance of the fabric of the Palace from the Property Service Agency which was being privatised and for the cost of printing and publishing which had previously been provided on an "allied service" basis. The *Parliamentary Corporate Bodies Act 1992* made the Clerks of both Houses Corporate Officers of their respective Houses and made them responsible for signing contracts and holding property on behalf of their respective Houses.

The *Parliament (Joint Departments) Act 2007* gave the Corporate Officers of the two Houses the power to establish joint departments, subject to the approval of the House of Commons Commission and the House of Lords on the recommendation of its House Committee.

The Act was passed to allow the formal establishment of PICT (Parliamentary Information and Communications Technology) as a joint department. However, the way in which the legislation was drafted allows the establishment of other joint departments, without further legislation. As a legal entity PICT "came into being on 1 April 2008".⁵³

The Act provides that the "Corporate Officers' functions in connection with joint departments are exercisable by them only jointly". The Act provides that staff of a joint department are appointed by the Corporate Officers, not by either House.

A House of Commons Library Research Paper was produced before the second reading of the Bill that went on to become the *Parliament (Joint Departments) Act 2007*. The Research Paper provided some background information on the Bill but also provided some information on the management of the House of Commons at the time the legislation was introduced.⁵⁴

⁵² House of Commons, *Management Board*

⁵³ House of Commons Commission, *Thirtieth report of the House of Commons Commission*, Financial Year 2007/08, 16 June 2008, HC 710 2007-08, p23

⁵⁴ House of Commons Library Research Paper, *Parliament (Joint Departments) Bill [HL] 2006-07*, RP 07/44, 18 May 2007

4.2 Reviews of the management of the House service

The principal elements of the governance structure of the House of Commons were set out in the *House of Commons (Administration) Act 1978*, although they have been the subject of reviews in 1990, 1999 and 2007, commissioned by the Commission:

- in 1990, Sir Robin Ibbs, reported to the House of Commons Commission on House administration;⁵⁵
- in 1999, Michael Braithwaite undertook a review of the system of management and decision-taking responsibilities for services to the House;⁵⁶ and
- in 2007, Sir Kevin Tebbit reviewed the implementation of the recommendations of the Braithwaite report and considered what the House needed to do to achieve objectives set out in its strategic plan, particularly in relation to “connecting with the public”.⁵⁷

None of these reviews recommended changes to the Commission but in the wake of these reviews changes were made to the structures of the domestic committees and the House Service that support the Commission.

In particular the most recent report, the Tebbit report, covered five key issues:

- Governance and Management;
- Finance and Resources;
- Estates and Works;
- Connecting Parliament with the Public; and
- Services to Members.

Following the report the Commission adopted a number of changes, including:

- A reduction in the number of Departments from six to four, with a smaller Management Board that included external members;
- An enlarged Office of the Chief Executive to undertake planning and performance management functions, and co-ordinate communication;
- Additional financial support;
- A review of the HR function;
- A merger of Estates and Works to create a new Department of Facilities;
- Increased importance on the website to connect with the public;
- A number of specific changes on how Departments operated.

The report recommended that the Clerk of the House remained jointly Chief Executive, noting that some had suggested a split in the roles, and also making recommendations about the experience of future candidates and the recruitment process.⁵⁸ Further information is also available in the Library note [The Tebbit Review of Management and Services of the House of Commons](#).

⁵⁵ *Report on House of Commons Services by a team led by Sir Robin Ibbs* HC 38 1990-91

⁵⁶ *Review of Management and Services: Report to the House of Commons Commission*, HC 745 1998-99

⁵⁷ *Review of Management and Services of the House of Commons*, 25 June 2007, HC 685 2006-07

⁵⁸ *Ibid.* para 84-92

In August 2010, the Management Board of the House of Commons published a report by an external member of the Board, Alex Jablonowski, on the implementation of the Tebbit Review recommendations.⁵⁹

In addition to these internally-commissioned reviews, the Institute for Government assessed the House of Commons administration a year after the expenses scandal. The Institute for Government’s short report recommended that the House reviewed its governance arrangements to increase transparency and accountability as well as improve the capacity and capability to respond to future challenges and risks.⁶⁰

5 Budget of the House of Commons

In 2014/15 the House of Commons will have a resource budget of £201.3 million and a capital budget of £43 million. The House has been subject to a savings programme from 2011/12 onwards, reducing its resource budget by 17% in real terms between 2010/11 and 2014/15. This has been covered most recently in the Finance and Services Committee reports on the Financial Plan for 2014/15-2017/18, and for 2015/16-2018/19.⁶¹ In 2014/15 there is a one-off technical additional charge of £430 million relating to a transfer of pension liabilities from the House of Commons to the Civil Service pension scheme.

The budget by Department for 2014/15 is set out below:⁶²

House of Commons Resource Budget, by Department, 2014/15
£ million

Facilities (net of catering income)	79.2
Chamber and Committee Services	42.1
Parliamentary Security Director	22.6
Parliamentary ICT	18.0
Information Services (net of tour and retail income)	14.7
Central Provision and ICT Programmes	12.4
Human Resources	6.6
Finance	3.3
Office of the Chief Executive	2.0
Speaker's Office	0.5
Total	<u>201.3</u>

Note: Actual expenditure in Facilities and Information Services is higher due to income generated

⁵⁹ Management Board, *Management Board response to the Tebbit implementation review (“the Jablonowski review”)*, August 2010
⁶⁰ Institute for Government, *Firm Foundations for a New Politics? The Governance of the House of Commons after the MPs’ expenses crisis*, June 2010
⁶¹ Finance and Services Committee, *House of Commons Financial Plan 2014/15-2017/18, including draft Estimates for 2014/15*, HC 754 2013-14, 23 October 2013; Finance and Services Committee, *House of Commons Financial Plan 2015/16-2018/19, including draft Estimates for 2015/16*, HC 757 2014-15, 28 October 2014
⁶² House of Commons Corporate Business Plan 2014/15 to 2016/17