



Public Administration and Constitutional Affairs Committee

Oral evidence: [The Appointment of William Shawcross as The Commissioner for Public Appointments, HC 662](#)

Thursday 16 September 2021

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Watch the meeting

Members present: Mr William Wragg (Chair); Tom Randall; Lloyd Russell-Moyle; John Stevenson.

Questions 1 - 37

Witnesses

[I](#): William Shawcross, Government's preferred candidate.

Examination of witness

Witness: William Shawcross.

Q1 **Chair:** Good morning and welcome to the Public Administration and Constitutional Affairs Committee. This morning the Committee is conducting its pre-appointment hearing with the Government's preferred candidate for the role of the Commissioner for Public Appointments, Mr William Shawcross. The Committee would like to take this opportunity to extend its thanks to the outgoing commissioner, Mr Peter Riddell, for his regular interactions with this Committee. We welcome Mr Shawcross to our session this morning and would like to begin by asking him to introduce himself for the record.

William Shawcross: My name is William Shawcross.

Q2 **Chair:** Succinct. Could I ask you, Mr Shawcross, the obvious question that comes with any interview or pre-appointment hearing: what was it that attracted you to apply for the role of the Commissioner for Public Appointments?

William Shawcross: I spent six years as Chairman of the Charity Commission for England and Wales from 2012 to 2018. That was my first prolonged experience in public service and I think it was probably the most productive period of my life. I loved being chairman of a major



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regulator. It was a very important job, regulating England and Wales's philanthropic centre. We have an extraordinary philanthropic tradition in this country. Indeed, William Beveridge, a wonderful man, called it "a golden thread in the living tapestry of our national history". That was a phrase I used often at the commission, and my staff would sometimes say, "William, please not the golden thread again." But anyway, I was very sad to leave the job. I hope I made a difference.

When I started there, the commission was in disarray. I was summoned by the awesome Chair of the Public Accounts Committee, Margaret Hodge, within weeks of my arrival and given a proper dressing down. The NAO was then despatched to examine the commission and published in 2013, some months after I arrived, a most disobliging report. It was my job to put all that right. I appointed a new board—a very diverse board—and a new chief executive. In 2017, the NAO did a much more positive report in which it said that the commission had made significant progress "under my leadership". It was a most rewarding job—a very important job—and I wanted to stay in public service. Since then, I have done a couple of other things. I did a report for the Foreign Secretary on Gaddafi's aid to the IRA, which was huge, and secret, as you know, and very damaging to this country. At the moment I am completing a review of Prevent at the invitation of the Home Secretary. When I saw this job advertised, and you can ask me more if you wish, I thought I would love to apply for it.

Q3 Chair: Thank you for that. Were you asked to apply for the role, or was the role suggested to you—and if so, by whom, may I ask?

William Shawcross: I was not asked to apply. I saw the advertisement on the Cabinet Office website. After that, I talked to a number of people. I talked about it to my wife, of course, first, and several friends. They were supportive. Then I talked to people in the Cabinet Office appointments team—officials—and I found them very helpful as I am sure other potential candidates often do.

Q4 Chair: A technical point: did you submit your application before the original deadline or did you require an extension?

William Shawcross: I think before the original deadline. I do not remember requiring an extension.

Chair: Thank you. That is very helpful.

Q5 John Stevenson: Your predecessor has described progress on diversity in public appointments to date as very disappointing. How do you propose to improve the diversity of public appointments as commissioner?

William Shawcross: It is a crucial area. It is probably the most important area of all in my job.

Peter Riddell did, I think, say it is disappointing, but he has done a very good job on increasing diversity, I think. Indeed, Peter has done an altogether remarkable job in this post. I have talked to him quite a lot



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about it and I would wish to continue much of the work that he has done and continue also his good relationships with this Committee, which I think is crucial to the task.

The diversity in women, for example, is now 50% in public appointments. BAME is less. It is 16% from ethnic minority backgrounds as against 13% in the active working population, so that is slightly above. Of course the most disappointing statistic is in disability—only 6% in public appointments.

As for improvement, I was used to doing this at the Charity Commission. When I appointed my new board, I made sure it was diverse. We had one BAME woman from the north-west, one Afghan woman, a Jewish man and a Welsh woman. I appointed I think 12 different board members during my time and diversity was absolutely to the fore. It is very important to increase diversity even further than it is already and I will set myself to that task. The commissioner has to work through persuasion. I would visit the Departments that have the least good record on diversity in their appointments and try to persuade them that they need to up their game. I would go out of London as much as possible—to Wales, first of all, which I did at the Charity Commission because we were the commission for England and Wales, as is this appointment.

If there were any Departments that were not doing their best, I would read the riot act to them, privately first of all, and if necessary I would come to you. For any problems that I have that I cannot resolve on my own, I would want to come to this Committee to discuss them and seek your advice.

Q6 **John Stevenson:** Clearly you want to take the role of an advocate for diversity very seriously and there is quite a lot of data about women and ethnic minorities, but there is a lack of data on socio-economic background in public appointments. How would you address that issue?

William Shawcross: I was coming to that. I completely agree with you. The description of diversity needs to be widened somewhat and it needs to go to encouraging less-privileged people to apply for appointments, if that is what you mean by diversity of background. I think that is very important.

We need diversity of views, as well as everything else. We need diversity of geography. The Government are now decentralising to a certain extent a lot of offices—Treasury and others—and I would hope that those decentralised offices in the country could be pools of more people from different areas of the country. I do not want to see appointments being London-dominated.

You are quite right. I would see myself as a champion of diversity in its broadest sense.

Q7 **John Stevenson:** How do think you would go around encouraging Ministers to gather that extra socio-economic dimension?



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William Shawcross: My role, as you know, does not have much of a stick, except to say if a Department is falling back, I will have to note that and say that it is something that may become a matter that will go on public record, and that I will constantly be speaking to the Committee about which Departments are doing well and which are not doing so well. I think one must not underestimate the power of a commissioner telling Departments off. It is not something that Departments wish for; I think Peter Riddell used that power judiciously and effectively and I would hope to do the same.

Q8 **John Stevenson:** One potential area of diversity is that public appointments tend to come from the public sector rather than the private sector. How would you encourage more private sector—

William Shawcross: I should have mentioned that. It is absolutely essential to try to do that. Again, it would be a question of reaching out and I would try to do that here and in other parts of the country, talking to businesses, chambers of commerce or business groups about the opportunities and excitement of working in the public sector. I would want to stress that. It is a marvellous thing, to be able to give service to this country. It probably does not occur to a lot of people that it is something that they could apply for. I would want to make that clear and I would do that in public speaking and in going round to groups all over the country, and of course in this city.

Q9 **John Stevenson:** Following on this theme, one of the recommendations from the review on remuneration in public appointments encouraged individual Departments to undertake benchmarking and to gather further feedback from applicants and appointees. Will you encourage Departments to act on this recommendation?

William Shawcross: Absolutely. Peter Riddell's review was conclusive. He has said to me that it is something that I could look at again, if I were appointed, and I would want to do that.

Q10 **John Stevenson:** There does seem to be a suggestion that certain people—certain sections of society—are deterred from applying for these roles because of the remuneration; effectively, they could not afford to do it. How do we address that?

William Shawcross: It is something that has to be addressed and I would do so. I would look at the recommendations and talk to Departments and Ministers about this. It is clearly something that has to be addressed. I cannot tell you that I have an answer to it yet, but I would want to consider it very seriously.

Q11 **John Stevenson:** Will you do some analysis of the remuneration that is paid between Departments and for the roles on offer, so that there is a degree of—

William Shawcross: I am sorry; I did not quite hear that.

John Stevenson: Will you look into, or try to do some analysis of, the remuneration that is paid for different roles across Departments so that



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there is a degree of consistency?

William Shawcross: Yes. Consistency is extremely important in all public appointment matters. I completely agree with that. I will do that.

Q12 **Tom Randall:** Mr Shawcross, the majority of your career has been spent as a writer—a distinguished writer. To what extent do you feel that your tenure at the Charity Commission has given you the necessary experience to perform the role of Commissioner for Public Appointments?

William Shawcross: It has given me a lot of experience of Whitehall and Westminster. We were based in Westminster. I got to know a lot of Members of Parliament of all parties, and some from all parties became friends. I worked very hard. I appeared before Committees like this many times in this House and in the House of Lords. I was an integral part, if you like, of Westminster as an independent regulator and independence, of course, is absolutely crucial. I had a lot of relationships with Ministers. A lot of areas that we discussed were crises in some charities that became national problems and that, obviously, was something that I had to deal with expeditiously and properly. Also, I made some public appointments myself and I sat on quite a few panels—four or five, I think—as the independent member, so I understand the value and crucial importance of the independent panel member in this job. Probably the most important thing of all, in my task, is to make sure that the panels are completely fair and properly run, and that the independent member is that—truly independent. I think that, all in all, my Charity Commission years, which as I said at the start were probably the most valuable and productive part of my life, were a good preparation for this. I am not saying I know everything. I don't, obviously. Nor did I when I started at the Charity Commission, but I learnt and I would learn here. With your help I would come to understand, I hope, all the intricacies and the serious importance of this job, making sure that appointments are all made according to the Nolan principles.

Q13 **Tom Randall:** That leads me to my next question. Do you think there are any areas where you might lack relevant experience, as far as you can tell at the moment? If so, how might you address that?

William Shawcross: As I hinted just now, I did not know everything at the Charity Commission when I started there, and in a big job like this there is always a steep learning curve and it is hard to predict which areas will become the most challenging for me. When I started the regulatory role at the Charity Commission, there was a lot to learn. While preparing for this interview and since my nomination, I have spoken to quite a lot of people—of course a lot to Peter Riddell and to senior officials in the UK and the Welsh Governments. The latter are very important to me, and I know how important they are because of dealing with the Welsh Government when I was at the Charity Commission. I have tried to learn as much as I can about the role, but of course you are right; there are things that I will have to learn and I will come to you and discuss them whenever I need to.



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Q14 **Tom Randall:** You mentioned that you had made some public appointments when you were at the Charity Commission. One of the desirable criteria for this role is the experience of senior public recruitment. I wonder if you could flesh out what your experience in that area is.

William Shawcross: The main body that I worked on—I was on the HOLAC Committee as the independent member. The principal one that I did was the Arts Council, as I mentioned already, where there were six or eight, or even more, members to be appointed by the new chair, Nicholas Serota. That lasted over a week, I think, and it was a very interesting exercise. I enjoyed it very much, and I think we got a very good council for Nick Serota by the end of it. That was an important experience.

Q15 **Lloyd Russell-Moyle:** You are closely associated with Conservative politics and Conservative thinking. An essential requirement of this role is to help to retain the confidence of not only Ministers and officials, but Parliament and the public. You have written things like, “Only a vote for the Conservatives offers any hope of drawing back from the abyss.” This is not just about making positive cases; this is making condemnations of other parties. The Liberal Democrats are, in your view, “dangerously authoritarian, more so than Labour”. How do you propose to win the confidence of all concerned across the political spectrum considering your close links with the Conservative party and Conservative thinking?

William Shawcross: The article that you quote was written a long time ago, in 2010—I think at the time of the May 2010 election. It was strongly worded. You are quite right.

Since I took on the Charity Commission job in 2012, I have written very, very little in newspapers, and certainly not about British politics that I can recall. I have been an author, a journalist and broadcaster for much of my life, as you point out, and I have written things that many people disagree with, as you have just shown, and I have often been challenged. I consider that sort of disagreement and challenging to be part and parcel of the free press and perfectly appropriate. But I also understand, as I did at the Charity Commission, that neutrality and impartiality are absolutely vital in this sort of role and in this particular role even more than it was at the Charity Commission. It is absolutely paramount that the commissioner be seen to be independent of all parties at all times, and all external influences, indeed, to enable, to fulfil the job effectively.

I am not a member of the Conservative Party. I never have been. I am not a member of any political party. I assure you that whatever I have written 12 years ago, I will do this job impartially and properly to the best of my abilities.

Q16 **Lloyd Russell-Moyle:** You are not a member of the Conservative party, but what links do you have, if any, with members of the Government, and how would you ensure that any links that you might have through family or friend connections are not accused of influencing your decisions unduly?



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William Shawcross: I am not sure what you mean by “links”, but I have friends in all parties. In a previous incarnation of this Committee, under Bernard Jenkin, when I was being questioned, as I am now, for my role at the Charity Commission, I was given a real roasting by Paul Flynn, the Labour MP for Newport. He showed his horror at my appearance before the Committee. After that, we became friends. I used to visit him in Newport—we had an office in Newport, at the Charity Commission—and I got to like him very much indeed and I think, I hope, he found me better than he had feared. He was quite a fierce person, as you know, but actually a rather wonderful man. I liked him very much. I have friends in all parties.

Q17 **Lloyd Russell-Moyle:** Your daughter is former special adviser to George Osborne, is currently a non-executive director of the DWP, and is married to Lord Wolfson, a Conservative life peer. What I mean is: how do we ensure—how do you give assurances to people—that what does not happen is that deals are done around the family dinner table during family reunions? I think it is a genuine fear, sometimes, that politics is not done in the open—all parties probably can be accused of this at times—but is done in a kind of cronies’ patronage kind of way around the family dining table? Are there things that you will put in place to make sure that that cannot be an accusation?

William Shawcross: First, I am extremely proud of my daughter. She has had a brilliant career.

Lloyd Russell-Moyle: And you should be.

William Shawcross: Thank you. I will not be doing deals around the dinner table. On the deals that we will be doing, I will be talking to Ministers, I will be talking to officials and I will be talking to you. We can call those “deals”, we can call them conversations or we can call them discussions; it is trying to reach agreements on whatever issues are current. I think Peter Riddell showed very well that the soft approach can work. No Department wants to be publicly upbraided by the commission; nor does a Department want to know that the commissioner is telling the Committee this or that, or that a Department is not making any effort on diversity. It will not be dinner table deals, I can assure you. It will be deals with you and with Ministers and with Committees. I have the code here—“The commissioner’s primary role is to provide independent assurance that public appointments are made in accordance with the principles of public appointments and this code”—that is my duty. It will not be a deal done over the soup.

Q18 **Lloyd Russell-Moyle:** You will not discuss work around the family table?

William Shawcross: I cannot say that the things I do will never be discussed.

Lloyd Russell-Moyle: Thank you.

Q19 **Chair:** On that theme of interactions with Ministers, I wonder if you could give us an example, perhaps from your previous work, of where you have



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stood up to Ministers and said, “No, Minister,” as it were. That may be perhaps in the public domain, or it may be private, in which case you do not need to betray a confidence in terms of who it might be. But do you have any examples of where you have been firm with a Minister, perhaps when they have not been keen to hear that firmness?

William Shawcross: Yes, I think so, rather like Peter Riddell has, I am sure, done it quietly.

At the Charity Commission there were quite a lot of interventions from Members of Parliament and complaints about the Charity Commission’s handling of various charities that we considered were acting improperly. You are generous to say that I do not have to name names, but there was one particular religious charity about which we had a great many concerns that it was not acting according to charitable purposes and was behaving improperly. I had quite a lot of pressure from Ministers and Members of Parliament in our dealings with this charity. A lot of people thought we were being too harsh with it. I said, “No, this charity has to be dealt with seriously. It appears to be in breach of charity principles.” I said, “I am not going to lay off it; it is not behaving properly.” I engaged with the charity and in the end we got it to rewrite its foundation documents and to pledge to behave in a way that was more appropriate to charitable purposes. I resisted Ministers, and Members of Parliament from all sides, I have to say, urging the commission to let it be. We did not let it be and I think the situation of that charity and its dealings has improved. Obviously, I don’t know, now, because it is some time since I left, but it certainly did improve at the time.

Q20 **Chair:** Did those said Ministers and Members of Parliament learn the lesson, perhaps, about seeking to overly influence your deliberations?

William Shawcross: I can’t say what they learned, but I learned that it was worth persisting. There was nothing unpleasant about it. It was just that they had views that were different from mine and I stood up to those views.

Q21 **Lloyd Russell-Moyle:** In the article that was mentioned earlier, you described aspects of Labour’s multiculturalism—or multiculturalism more broadly; I am not quite clear which, but either way—as an aspect of British humiliation. I understand that that was 10 years ago, so I want to give you the opportunity either to recant those views and say you have a broader perspective now, or to describe to us, if you still hold those views, how you reconcile that with the position of a requirement for the commissioner to act as an advocate for increased diversity—particularly ethnic diversity, but multiculturalism is not just about ethnicity; it is about all the different kinds of aspects of culture—within public appointments.

William Shawcross: As I have already said, I think that I have been misquoted on that article. I did not write that multiculturalism was an aspect of British humiliation. The word “humiliation” appeared in the headline—the American headline. It was not a word that I wrote. The word “humiliation” does appear in the article, but I was not referring



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specifically to multiculturalism. I think that is quite clear if you read the article.

I am deeply committed to fulfilling the promises of diversity which are included in the Equality Act. I support multiculturalism. We have to and I would want to, and British institutions must reflect British society. I tried this at the Charity Commission, as I have said, and I certainly succeeded in my own board. I had a lot of dealings with communities and all religions—all religious societies and the charities of all religions—and I am absolutely committed to that.

All I can say is—I repeat what I said before—that the protected characteristics of the Equality Act are vital in our pursuit of diversity, and I will definitely make sure that I am a champion of diversity in this job, if you are good enough to appoint me.

Q22 **Lloyd Russell-Moyle:** I think you are trying to say that the headline was written and that it was not what you were trying to say, but the article said Labour had appeased Islamism, that "bullying multiculturalism" had produced a "wretched underclass", unwilling to work, apparently to deliberately bolster support for the Labour party. It referred to "deliberately diluting" Britishness through immigration to bolster Labour support.

I understand that that was 10 years ago and lots has changed, particularly in that the Equality Act is bedded down now, and we have seen how, with protected characteristics. But I would like to push you a bit further. You may say that you have been misquoted—I get that headlines are often written by people other than the person who writes the article and so it can be a bit unfair—but some of the content of that article 10 years ago was quite incendiary, maybe.

William Shawcross: It was polemical. I quite agree.

Lloyd Russell-Moyle: That is the word. It was polemical. And possibly now your role is not to be a polemicist; it is to be someone who brings people together and tries to ensure that there is equal and fair representation of all different views, classes and so on. Do you think it would be appropriate for you to write an article similar to that now? Will you make a commitment, maybe, to not write those kinds of articles in that kind of same order going forward?

William Shawcross: I completely understand what you are saying and of course it would not be appropriate for me to write those things now. As I said earlier in our conversation, I wrote a lot of things over the last 50 years that people would disagree with and I do not pretend that I have been someone who has not had strong opinions and strong views, and other people disagree with them. I completely accept that. But that is not my role now and it was not my role at the Charity Commission. I wrote no such things in the six years that I was at the Charity Commission and I would not do so now. If I did want to write anything now, I would obviously feel obliged to show it to, or consult with, the Cabinet Office.



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Everything I do now, from now on, if you are good enough to appoint me, I would do in accordance with the Nolan principles.

Q23 **Lloyd Russell-Moyle:** So the restraint that you showed at that Charity Commission will continue in this role. Do you feel that maybe it was a mistake to write articles that were so polemical on sensitive issues?

William Shawcross: I have written quite a lot of polemical stuff in my life. I wrote a book called "Sideshow: Kissinger, Nixon, and the Destruction of Cambodia" which was a very fierce attack on the leadership of the United States. That came out in 1979, a long time ago, even longer ago than that article. I have had a reputation of speaking my mind. I know that that is something one can do as an independent writer and that one cannot do it as a public servant.

Chair: Thank you very much. I think that is quite clear.

Q24 **Tom Randall:** Mr Shawcross, when you were the chair of the review of Prevent—

William Shawcross: I am still so.

Tom Randall: —you are still so, yes—certain charities boycotted that review, and as I understand it, that was in part due to your role as chair. I wonder what actions you took to convince them to engage with the review and how successful you were in that process.

William Shawcross: I was very disappointed by the decision of some organisations. Most organisations did not do this; most charities did not boycott the review. I was hoping that everybody would contribute to the review. I approached the review in a spirit of collaboration and with an open mind. I have heard, in the last seven months since I started work on 1 February, a very wide range of views from a wide variety of people who were happy to talk to me about the challenge—which is a really important thing—the challenge of preventing vulnerable people from being drawn into terrorism. That is what Prevent is all about. I think it is an extremely important programme.

Similarly, I have invited anyone who wishes to contribute to the debate, whether they be supporters, critics, or neutral on the current approach, to engage with the review, and some have, but as you say, some have not and I am sad about that but I hope it will not devalue the review. As you probably all know, I am the second independent reviewer of Prevent. The first one appointed by HMG was Lord Carlile. He unfortunately had to stand down in 2019 and so the Government ran a new competition through 2020 to find a successor to Lord Carlile. He had already done a lot of excellent work—he is a very distinguished lawyer—and I am glad to say I have access to all of that work, all the interviews he did, all the papers he examined, and so on. The review, when I finish it and deliver it to the Home Secretary—it is for the Home Secretary to publish it if and when she wishes—will be based on a large body of material, not just what I have gathered but also what Lord Carlile has gathered.

Q25 **Chair:** Mr Shawcross, Mr Riddell has said that he has had to resist the



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attempts by some Ministers to appoint people with clear party affiliations as senior independent panel members to recruitment boards for public appointments. I wonder what would you do if Ministers attempted to appoint such people with clear party affiliation as senior independent panel members to recruitment boards.

William Shawcross: I would do exactly the same as Peter Riddell, and say, "No, no, no".

Q26 **Chair:** Very clear indeed. There are some accusations that the Government leaks their preferred candidates in order to discourage other candidates from applying. How would you address that?

William Shawcross: Again, I would say that was improper and that they should not do that. The names of preferred candidates should not be leaked in advance. It destabilises the competition. It probably discourages other people from applying, if they think it is a foregone conclusion. No one should think that public appointment panels are rigged and going to foregone conclusions. It is quite wrong.

Q27 **Chair:** I suppose perhaps an example of this would be the controversy around the recruitment of the chair of Ofcom, which has seen accusations about the Government perhaps bypassing correct procedures by changing interview panels until perhaps a desired candidate is successful. Do you have any views on that?

William Shawcross: As Ofcom is an ongoing process, I do not think it would be appropriate for me to comment on it. It is, I think, within the Government's right to dissolve panels and to appoint a new panel, but I do not know the circumstances of this particular competition. As it is not yet resolved, I don't think it is appropriate for me to comment. If you do approve my appointment, I would obviously look at it.

Q28 **Tom Randall:** The current commissioner, Mr Riddell, has expressed some concern about the number of unregulated ministerial appointments made under this Government. Do you share those concerns at all?

William Shawcross: Let me look at the numbers. There are, I think, a lot of unregulated appointments. As of 31 March 2020, which is the latest figure we have, there were 4,739 public appointees in this country, which is a lot of people—a huge amount. Now 52% of these appointments were made directly by Ministers, and 48% were delegated by the Ministry of Justice, by the Department of Health and other ministries, for example to NHS trusts. I think it is obvious—I will be interested to know if you share this view—that for NHS trusts and local organisations like that, or regional organisations, appointments are probably better made locally or regionally than by the centre. People at the NHS trusts would know local people who would be willing, able and competent to serve. So I think one should not be too alarmed by the fact that so many appointments are unregulated. What matters is that they are transparent. I had an unregulated appointment myself, two years ago, when, as I mentioned to you, I was asked by the Foreign Secretary to do a six-month scoping review on Gaddafi's appalling aid to the IRA, which was a very important



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part of the IRA's armament. I was appointed by the Foreign Secretary to do a six-month review. It was not regulated as such, but it was completely open and transparent. I think transparency is crucial, particularly when you are dealing with unregulated appointments—all the thousands of them that we have—but I don't think that because they are unregulated, we should think that they are improper. I do not think that is the case at all.

Q29 Tom Randall: The Chair of this Committee has suggested that there perhaps should be a reassessment of the role and remit of the Commissioner for Public Appointments if these unregulated appointments continue. Is that a view that you would share?

William Shawcross: I would have to get all the details. I don't know the full story. But I do not think that the words "unregulated appointments" should be a black mark in any way. Possibly they have become such. As I said before, appointments by NHS trusts, which are unregulated, should not have to come under the aegis of the Public Appointments Commissioner. You would have to expand the office vastly if you did that and I think that would be inappropriate. I think those appointments should be done locally and regionally. In my own case what mattered, and I think in all cases what matters, is transparency.

Tom Randall: Interesting. Thank you.

Q30 Chair: Drawing on that, as my name was briefly taken in vain, if the numbers of such appointments increased to such an extent or indeed if they were felt to be replacing previously regulated appointments, if we can say that—I accept entirely the example of local health authorities—and if those appointments were not for, as in the example you gave, quite a focused, fixed purpose, would you have any further thoughts on that?

William Shawcross: If you are saying if Ministers seem to be appointing someone in an unregulated manner for a permanent job, for example—a prominent, important job—then of course that would be a matter of concern. When you talk about the numbers increasing, I repeat again: there are an awful lot of unregulated appointments—48% of 4,739. That is over 2,500, or whatever it is, unregulated appointments—2,300 or something—so I don't think you can change all those and make all those regulated, and nor do I think one should.

Chair: No. We should not wish to increase your workload to that extent.

William Shawcross: I think it would increase your workload, too, Chair.

Chair: I think it might. We agree on that.

Q31 John Stevenson: Ministers can make exceptional appointments outside the terms of the governance code, but after consultation with the commissioner. In what circumstances do you envisage giving your approval for such appointments?

William Shawcross: I did not quite hear the question.



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John Stevenson: In what circumstances do you envisage giving your approval for such exemptions?

William Shawcross: I would have to look at each. It is hard to say. I cannot say a blanket rule on that. I would just look at each one on its merits. That is the role of the commissioner, I think. My role is to ensure that every competition is fair, follows the rules and abides by the spirit of the code. That is my—I don't want to say my bible—my rulebook.

Q32 **John Stevenson:** I think the concern about the use of the exceptional appointments by Ministers is that it is a cover for late-running recruitment processes.

William Shawcross: That is a different issue.

Q33 **John Stevenson:** How do you ensure that we see a significant reduction in such appointments?

William Shawcross: I am sorry; I may have misunderstood your question. Delays to appointments are a serious issue and it has got worse, partly because of Covid, beyond perhaps the Government's control, but it the delays are terrible. As the Grimstone report made explicit, candidate care is very important. When appointments are delayed and delayed and delayed, candidate care suffers and it discourages people from applying. You are right that sometimes exceptional appointments are made because the proper processes have been so far delayed and that is a very serious issue that I would want to address straightaway. It is possible that there should be a thematic report on that. Delays are terribly serious and very damaging to the whole process.

Q34 **John Stevenson:** Do you think it has been a deliberate policy?

William Shawcross: I'm sorry?

John Stevenson: Do you think it has been a deliberate policy?

William Shawcross: I haven't any evidence of that, but if you are alleging that, I would certainly look at it.

Q35 **Chair:** A follow-up question with regard to process from earlier on. The Chair of the DCMS Committee, my colleague, Julian Knight MP, has said that he believes unsuccessful candidates for a particular post should be excluded from applying again. Would you agree with that? Do you have a view?

William Shawcross: Do you mean for the same post?

Chair: The same, yes.

William Shawcross: Well, no, I don't agree with that, I think. I am thinking of panels that I have sat upon. There are three candidates out of six, let's say, who are appointable and only one of those is going to be appointed, but that does not mean to say that the other two are no good.



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I think that would be unfair. People should be encouraged to apply. If you do not succeed, it does not mean to say that you are failure.

Q36 **Chair:** In very quick succession though, rather than some time afterwards?

William Shawcross: Are you saying for the same position?

Chair: If the post is readvertised after somebody—

William Shawcross: No, again, I do not see that. I think that would be unfair to the individual because, as I say, only one person can succeed out of six people interviewed. That does not mean to say the other five are no good at all.

Q37 **Chair:** Okay. I just wonder by what criteria we might judge your success and performance as commissioner. I am turning the tables slightly.

William Shawcross: That is a difficult question to answer because I do not know all the problems that I would encounter, but I would hope that whenever you want to make that judgment, in a year or whatever it is, you would be able to say that I have fulfilled the role of the commissioner, as set out in code, honourably, honestly and openly, and I hope you would be able to say that I had speeded up and concentrated on being champion of diversity, that I had done everything else appropriately and in accordance with the Nolan principles, and that I had consulted with the Committee. I regard Parliament as crucial. I was born into a parliamentary family so I have understood the importance of Parliament all my life and I would pay absolute respect to your role in this process. I would hope that you would have no cause to doubt any of those commitments.

Chair: Thank you. Mr Shawcross, unless there are any further questions from the members of the Committee, which I don't think there are, then I thank you very much indeed for your attendance at this Committee this morning. You will hear from us, or the Cabinet Office will certainly hear from us, very soon indeed. Thank you very much for your time.

William Shawcross: Thank you. It has been an honour to appear before you.