



House of Commons Governance Committee

Oral evidence: [House of Commons Governance](#), HC 692

Tuesday 11 November 2014

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Written evidence from witnesses:

- [Rt Hon Hazel Blears MP](#)

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Members present: Rt Hon Jack Straw MP (Chair); Sir Oliver Heald MP; Mr David Heath MP; Ian Paisley MP; Jacob Rees-Mogg MP; Valerie Vaz MP and Mr Dave Watts MP.

Questions 239-310

Witness: **Rt Hon William Hague MP**, Leader of the House of Commons, gave evidence.

Q239 Chair: Mr Hague, thank you very much for coming this afternoon. You have been a member of the Commission since July. What are your views as a new member of the Commission?

Mr Hague: Well, yes, only since July. The Commission has had three or four meetings in that time, and I must say that those meetings have been very efficient and harmonious, which does not mean that so were all of the previous meetings before I was a member, or that there has been any causal effect. Certainly, as I say, they have been very efficient, harmonious and relevant to the concerns of the House, but the thought naturally occurs to anyone with experience of other bodies, supervisory or executive, in the public or private sector, that it is probably time to review the membership of the Commission and how it is constituted.

Q240 Chair: One of the many improvements you made as Foreign Secretary, compared with the dismal days of your predecessor but two, was to set up a supervisory board.

Mr Hague: A supervisory board, yes.

Q241 Chair: Joking aside, there was an embryonic supervisory board when I was there, but I am quite clear that you greatly strengthened these arrangements. Do you think that there are any lessons to be learned from your experiences of the supervisory board?

Mr Hague: Yes, I think there are. The supervisory board at the Foreign and Commonwealth Office is similar to those across other Government Departments. We included some of the Ministers with non-executive external expertise and members of the management board of the Foreign Office. I think that is a good model, certainly for a Government Department, and it could be a good model in this case. I stress that, on this or any of the other issues you might ask me about, the Government do not have a collective view. As far as the Government are concerned, this is very much a matter for the House to determine, and we strongly welcome the creation of this Committee, but my own view as Leader of the House and my own personal view is that that could be a good model to follow.

It would be important not to enlarge the Commission to the extent that it ceased to be an effective body for decision making. Once you get beyond a dozen or so members of such a body, effective and efficient decision making can become quite difficult, but I think there would be scope to have a membership of Members, similar to the current membership, with some non-executive expertise. It could be the same non-executive expertise as in the Management Board, and with clearer links to the Management Board, because although there have been no difficulties in the four months that I have been serving in this capacity, I can see how members of the Management Board might feel that they need a closer link into the Commission.

Q242 Valerie Vaz: Mr Hague, you have had a great and illustrious career in the House. I put on the record my thanks to you—you have been absolutely fantastic.

Mr Hague: That is a very nice question. Thank you. *[Laughter.]*

Valerie Vaz: The next bit is: as you are not coming back after May 2015, please feel free to be as open as you like with us.

Mr Hague: I will.

Valerie Vaz: We are trying to move the House forward. The key thing you mentioned about the Foreign Office and your supervisory board is that you were in charge. Who do you feel is actually in charge here in the House?

Mr Hague: In the Commission?

Valerie Vaz: Yes, in the Commission. Who has the ultimate responsibility?

Mr Hague: Well, the Speaker, as the Chair of the Commission and with so many procedural and administrative responsibilities, is in a position of leadership, shall we say, in the Commission. However, the other five members of the Commission have not held back in giving their view in the meetings I have been to. It is only possible for it to proceed on a collective basis, which is as it should be in a Parliament: there should not be any one figure in charge in the same way there is a Secretary of State who has to be in charge and is

accountable to Parliament for being in charge of his or her Department. It is different from a Government Department in that respect.

Q243 Valerie Vaz: You have probably seen the organogram, which I find really complex. The feeling sometimes, certainly among Members, is that things do not get done, that there is no time frame and that, somehow, the Management Board and the Commission are not quite working together. How can we improve that?

Mr Hague: It is a rather cluttered organogram. I think it will be important not to create new rival centres of decision making in any decisions we take in the future, but—going back to my earlier answer—I think it might help to have closer links between the Management Board and the Commission. Of course it would be possible to include—these are just ideas—members of the Management Board in the Commission, although of course they frequently attend the meetings of the Commission anyway.

We may need other devices to improve the feeling of accountability to Members. There are already questions in the House to the House of Commons Commission. They are not very well subscribed—not over-subscribed—so we could expand such things, I am sure, if there was great demand for that, but I am not sure that the dissatisfaction you are talking about is reflected in actual activity by Members seeking to hold anyone to account. The opportunity is there if they wish to do so.

Q244 Sir Oliver Heald: We've been given some strong evidence that non-executives should sit on the Commission. Do you agree with that?

Mr Hague: Yes, basically. In the public and the private sector, it is now widely if not almost universally acknowledged that that can bring great benefit to any deliberative body. I have certainly seen it do so in the public and private sectors, but in the days when the House of Commons (Administration) Act 1978 set out the membership and responsibilities of the Commission, that idea of the importance of external input was nothing like as well developed.

Q245 Sir Oliver Heald: Looking at the mix on the Commission, the Leader of the House and the shadow Leader of the House are there, I suppose either to represent their parties or to represent the Government and the Opposition; but they are in the position of knowing the information that parties have about the mood of the House within each of their respective parties. One of the points that has been made to us is that we should elect Members of Parliament to the Commission—of course, there are already three Back Benchers there. What is your view on those two issues: whether it is right that the parties, or the Opposition and the Government, should be represented, and equally whether we should elect the Back Benchers?

Mr Hague: I think it is important that the Leader and the shadow Leader of the House are on the Commission, as it is part of their responsibility to be in touch with their parties and the House in general, beyond their parties, on House of Commons issues. It would be a

strange position if the House of Commons Commission were acting in a way that both the Government and Opposition Front Bench flatly disagreed with; that would create many new conflicts in the House. That is important, and I am not speaking out of any self-interest, as I will be leaving the House at the general election.

When it comes to the Back-Bench Members, who it is very important to have, establishing an electoral process would probably be beneficial. They are appointed by the House through a motion at the moment, although it is open to the parties to conduct elections, as has been known for other Committees—indeed, for this Committee. Having them clearly elected might help to improve the sense of accountability that Valerie Vaz was talking about.

Q246 Sir Oliver Heald: Is the chairmanship of the Commission right? Should a non-exec be chairing it, as you would have with a company?

Mr Hague: I can see the case for that, but it is weaker than on the other points that you were asking me about. There are clear merits in the Speaker, given the breadth of his responsibilities, chairing the Commission. I do not in any way have a dogmatic view about that, but a body consisting largely of Members of Parliament probably needs to be chaired by a Member of Parliament. As Members of Parliament, we can all think of the many reasons why that should be.

Q247 Mr Heath: The House of Commons occupies one half of a very large building. As you move down the corridor, not only do the soft furnishings change colour, but management changes as well. Do you think that there is scope for more sharing of services with the House of Lords?

Mr Hague: I think there is in theory scope for that, but it is quite a difficult thing to bring about. I am sure you will be asking other people, perhaps including in the House of Lords, about this, but it might be a mistake to predicate many other decisions on any assumption that it will be possible to bring it about in the short term. We have to understand how much another House of Parliament guards its own independence about the services provided to it and its own access arrangements, and many of its habits and procedures are different from ours, so it is not surprising that there can be a suspicion of joint arrangements. From the point of view of efficiency, could money be saved, procurement made more efficient and restoration and renewal carried out more effectively with joint arrangements? Well, I would have thought that the answer to that is yes.

Q248 Mr Heath: Acknowledging the very clear sensitivities, which we all understand, is this something you have ever discussed, either formally or informally, with your counterpart?

Mr Hague: Yes, we have discussed that informally, but not in any way—not trying to reach any decision about it. We discussed it in the context of restoration and renewal, seeing the immensity of the task before us. The decisions about that, as the Committee knows, will

need to be made in the new Parliament. If there is any change in the light of the plans for that, it might be best tackled in the new Parliament.

Q249 Mr Heath: But is that seen as a joint venture?

Mr Hague: A huge amount of that will have to be done on a joint basis, but that does not mean that there has been any agreement yet on merging the administration of the Houses.

Q250 Ian Paisley: You sound like a man who might be going up to the other end of the corridor.

Mr Hague: Speculation about that would definitely be premature.

Chair: I rule that out of order.

Ian Paisley: Do you have any view on whether the Clerk and chief executive roles should be split, and do the Government have any concerns if there were to be a change to the current arrangements?

Mr Hague: I have some views on the principles to be followed. As I said, the Government look to this Committee to provide the proposals to the House, as you are intending to do, and these things should be tackled on a cross-party basis. I do not want to be too prescriptive.

Q251 Chair: May I say, Mr Hague, that we accept entirely that in this particular role, you are not here as a representative of the Government? We are asking you these questions—

Mr Hague: Yes, as Leader of the House. There is not a Government policy on it, but my view is that the broad principles to bear in mind are these: first of all, of course the arrangements need the confidence of the House—indeed, the debate in which this Committee was appointed has reinforced that. The House has to be able to have confidence in the Clerk in so many different ways, and in the quality of advice—indeed, not only this House: since the advice of the Clerk is sought on occasions by Parliaments across the Commonwealth, there has to be international confidence in the expertise of the Clerk. Of course, the House also wants confidence in administration and efficiency, and that all the services provided in the building will be run well.

I think the independence of the Clerk is of paramount importance. Appointment by letters patent is intended to entrench that. It is important that the Clerk can give advice without fear or favour to all Members of the House, including the Speaker. I think it would be very regrettable if any official or executive were able to hire or fire the Clerk at any stage, so independence is important.

Transparency, accountability and clear lines of command are important. This is, as I noted a moment ago, a cluttered organisational structure. All my experience in the public sector and the private sector suggests that it is a mistake to introduce two positions of equal

and competing authority, because two positions of equal authority naturally compete. There are many areas in this House in which such responsibilities could overlap, and it saps the energy of an organisation as well as of the individuals concerned.

Q252 Ian Paisley: Where do you see those danger lines, in terms of the overlap? Where would be the big problems of overlap?

Mr Hague: Some of them will be things that we are not easily able to foresee, but there are some matters that are clearly both procedural and administrative. The provision of support staff for Committees such as your own, the budget for Select Committee printing, the committal of funding for a legal case to defend parliamentary privilege in the courts, the printing of House papers for the convenience of Members, the running of the Libraries, the travel and research budgets for Committees, the televising of the House and its Committees—all these matters could be termed administrative, but they are also procedural or they affect the ability of Members to carry out their duties. There would be many dangers of overlap, and I think it is important to avoid that and to have a clear line of command in whatever structure we choose, so that it is clear who is subordinate to whom.

The final principle I would advocate is not to increase the cost of the overall system. The House has done very well to achieve 17% savings, in no small measure due to the efforts of our last Clerk, and I do not think that the House or the public would want to see an additional new, expensive position created.

Q253 Mr Watts: Can we deal with the process of change, Mr Hague? Would the Government be prepared to find time for the debate and would they be prepared to find time for any legislation before March to introduce any change, if there was need for it? Finally, will the Government have a position on any proposals that are made?

Mr Hague: On the last point, in line with what I have just been saying, the Government will regard it as a House matter. I do not envisage that Ministers will all have to take the same line or that there will be anything other than a free vote on the conclusions that you produce. Certainly I anticipate that we will be able to find time for a debate on the Committee's findings. There is a great deal of interest in this in the House and the Committee was asked in the resolution of the House that appointed it to report by 12 January. It will be important to be able to debate that.

As for legislation, that could be a bigger challenge. The Committee reports by 12 January; the report is debated some time after that; Parliament has to be dissolved by 30 March. Clearly, we would face some difficulty in introducing legislation in this Session of Parliament.

Q254 Chair: Mr Hague, I have legislated in a day more than once. If there was broad, very clear agreement, presumably we could get it through very quickly.

Mr Hague: We are assuming broad agreement to something that we do not yet know the content of. While not necessarily impossible, the legislation that you or I have taken

through in a day has normally been of an emergency nature, often with national security implications.

Chair: That is true, sure.

Mr Hague: I think it may be difficult to do with a measure of this kind. So while I do not rule anything out, I stress that legislation will be a lot more difficult than a debate.

Q255 Mr Watts: Can I push you a bit further on this? You have said that the Government takes a view that this is a matter for the House, and a House decision, and I think the Opposition parties take the same view, so whatever recommendations are voted on—if there is a vote, and if the Government find time for it—will be the consensus of Parliament. There should be no reason for not finding time to get the legislation through once that has been achieved.

Mr Hague: Hopefully there will be a consensus, and there probably will be. This is a respected Committee and Members will be looking and hoping to agree with what it provides, but if the Committee's recommendations were carried by 300 votes to 200, that would not be consensus—it would be a result but not a consensus, and passing legislation on the back of that would not be as simple. I do not think it is possible to say, “Oh yes, it's easy to pass some legislation in the final few weeks of a Parliament,” but let us discuss that when we get to that point.

Q256 Mr Heath: I need to add the observation that normally at the end of a Session, any delays occur at the other end of the corridor from the Commons, so the Commons is normally waiting for business in the later stages of a Parliament. Given that this will not detain the House of Lords—it should not do, as it is a House of Commons issue—I imagine that it would be relatively simple.

Mr Hague: It would be wonderful if it is simple and has a consensus. Indeed, if there are almost no objections anywhere in the House, things can be very easy to do, but we will have to see the situation, the proposals and whatever else is going on in the world and the other demands on the time of the House of Commons. I can see that the Committee is making a strong bid for this time and I certainly undertake that there will be a debate, but it would be rash of me to make a commitment off the cuff to anything else.

Q257 Chair: Mr Watts, Ms Vaz and I will ensure that there is full co-operation from the Opposition on everything else in order to provide space.

Mr Hague: That is very reassuring, Mr Chairman.

Chair: Unless there is anything else you want to add, thank you very much indeed for your very clear and succinct answers.

Mr Hague: Thank you.

Examination of Witness

Witness: Rt Hon Angela Eagle MP, Shadow Leader of the House of Commons, gave evidence.

Q258 Chair: Ms Eagle, thank you very much for coming. You have an idea of the drift of the questioning. Our questions to you will not be that different. I did not ask Mr Hague—perhaps I should have done—whether he wanted to say anything by way of introduction. I don't know whether you do.

Ms Eagle indicated dissent.

Chair: Okay. If I may, let me ask you the same question as I put to Mr Hague, about the strengths and weaknesses of the Commission. In your case, I think you have been a member of it since 2011. What do you think about the Commission?

Ms Eagle: I have to say that it was always rather a mysterious thing before I got on to it. Reflecting on the whole issue, during my over 20 years in Parliament, I have to say that the management and structure of the place has always been rather mysterious. You only get to come across bits of it by accident, and if you are lucky enough to stay here long enough, you then stumble across more of it. I am not sure that that is exactly the right way to run a modern organisation.

From my time on the Commission, I think it is perfectly reasonable place. Whatever people think, it has never been a source of great controversy or shouting matches; it generally proceeds by consensus. Rather oddly and unusually in this Parliament, it has a Government majority on it—by complete mistake, I think, because of the coalition. That has not happened since the Second World War, I believe, but we do tend not to divide on party lines.

Q259 Chair: Are you treating the Speaker as a Conservative for these purposes?

Ms Eagle: No, not really. The Speaker can be a little bit of both, in my experience, in the Commission. It works reasonably well. The Clerk attends, and other members of the Management Board attend as and when their particular items are on the agenda. I must say that I was quite surprised to see in the evidence the Management Board have given you that they feel that there is a problem in the way that the two bodies interact. Nobody from the Management Board has ever raised that with me, so it was slightly eyebrow-raising to read that.

If you ask me, I suspect that there is more tension between the Management Board and the House Committees, particularly the Administration Committee, which has been quite rumbustious—particularly some members of that Committee—in how it has dealt with the savings requirements. That has put real pressure on the House for different sorts of decision making, and I think Sir Alan deals with that with great equanimity. I suspect, although I do not know as I do not sit on it, that the Finance and Services Committee has a more

harmonious relationship with the Management Board, simply because John Thurso has driven the savings, during this Parliament anyway.

At the Commission, we have had no real controversy. Probably the only thing that we have had that we have sent back to the Management Board was around the living wage and zero-hours contracts. We were given some information that was not as strictly accurate as we were led to believe. We were trying to get the House not only to be an accredited living wage employer, which it is now, but not to use zero-hours contracts. There were some interesting issues that we came across at the level of the Commission in the area of catering on that particular point.

Q260 Valerie Vaz: Moving on from that, do the reports come to you, or do you generate reports?

Ms Eagle: The agenda of the Commission is set by the Speaker. Effectively, we meet monthly and the agenda turns up, in its glory, a couple of days before for those of us who are going along to the meeting, so that we can check papers. There are different kinds of papers—there are papers that are there for decision at the time and there are also reports, which will come to us later and are just progress reports.

To some extent, I think I would like to see more detail earlier. That would make us feel less like a rubber stamp. Sometimes things just suddenly emerge fully formed, and it may be that F&S and the Admin Committee know much more about them than the members of the Commission. Sometimes you suddenly see things appear fully formed that you might have wanted an earlier look at. But then there are those issues that come completely out of the blue, such as the controversy a few years ago over charging to go up Big Ben, which was generated and unforeseen by the Commission and caused a huge furore. Other furores come from the Lords, but I suspect that you will ask me about that subsequently.

Q261 Valerie Vaz: A couple of quick questions. First, this complex organogram: would you like to change it and make it much more streamlined? Secondly, with whom does the buck stop?

Ms Eagle: It is a complex process because not only is the House complex, but in this building we have two Chambers, two different bits of Parliament, which are both completely self-governing and there is a lot of duplication. It is more complex than is desirable, more complex than it needs to be in many ways, and it could certainly do with a good looking at. As for where the buck stops, I think the buck stops with the Speaker in terms of the decisions that are made, but the Management Board has responsibility for delivering particular things. In the current circumstances, the Clerk and CEO is the person who is responsible for what the House Service does or does not deliver.

Q262 Ian Paisley: You heard what William said about how you cannot serve two masters: if you have two positions of equal competing authority, they will naturally compete

and will not work. I ask you the same question: should the office of Clerk and chief executive be split, and if so where should the real authority lie?

Ms Eagle: I think it should be split. I long ago came to that conclusion and what I have seen in the past few years has convinced me of it even more. It is something that is even more important going forward when I look at the challenges facing our Chamber and our Parliament. Restoration and renewal is the obvious huge organisational challenge that will involve both Houses and the entire building. The way that things are likely to change in the future in other areas is also important. For example, the issues around digital delivery and ICT have been particularly problematic for Members. There are other, more procedural, issues about Parliament, devolution and how we deal with a potentially rapidly changing situation procedurally and constitutionally. At the same time, the pressures to deliver and modernise are growing in the other bits of the job, the CEO bits of the job, but inevitably the very important procedural role that the Clerk has to play takes up much more of his or her—it has always been his—time than these other things. I think it is perfectly possible and desirable to split the roles. I do not agree that if the roles were split there would necessarily be immediate competition between the two. You could split them, and as long as you were careful about how you described what the jobs were, it would be easy to see them co-existing without competing.

Q263 Ian Paisley: You do not see the troubles—William put his finger on seven areas where he thought there might be conflict with this crossover between procedural House issues and organisational issues. Can you see the conflict there?

Ms Eagle: No, I think if you anticipate there might be difficulties in that area, you merely define them so that you give them to the different roles and make sure that there is a way of dealing with any difficulties that might arise. Clearly, the Speaker is the person who could deal with any difficulties that might arise from that point of view, but I do not think it is beyond the wit of a person to separate those out.

Q264 Ian Paisley: Should the accounting officer role be split also? Would it naturally fall that that would be split, or would one ultimately be senior because they are the AO?

Ms Eagle: It was interesting looking at some of the evidence. People were asking who could dismiss who, but I do not think it is a question of that. It is about different, very specialist roles which it is increasingly difficult to find embodied in one person. I think we were quite lucky with Sir Robert, but there are not many people who can fulfil these increasingly complex roles all in one area, especially when they have spent 30 or 40 years getting to be the kind of procedural expert that they need to be to do the constitutional job that is required of the Clerk in our Parliament. I think it is the “Under-Clerk”, isn’t it, because in theory he is below the House of Lords Clerk? I have never noticed that particular hierarchy affecting the way in which our Clerk behaves in Parliament.

I do not think that it is nearly as difficult as people imagine. There is the potential to pay much more attention to the CEO part of the job in this complex service, which has to be delivered in changing times when the place needs to modernise in all sorts of ways. It needs to make itself relevant in an anti-politics age, and reach out to an electorate that is

increasingly sceptical and baffled by how we do things in this place. I think there would be a lot of value added by splitting the roles, and I do not see that it would be the kind of problem that some fear.

Q265 Ian Paisley: Who would be the accounting officer?

Ms Eagle: It is perfectly possible to see who had the budgets and have it delegated. There are different ways of doing it. You could have one AO, or you could have delegated accounting officer status in different areas. You get that kind of approach in other structures, and it is not beyond the wit of this Committee to come up with a way of doing it, I don't think. It works perfectly well in other bodies, and I think you have had some examples in the evidence that you have taken of potential models that you could look at and adapt.

Q266 Chair: I do not think that we have had any evidence—I am open to correction on this—of organisations where there are two senior people of equal status.

Ms Eagle: My perfect model would be to have a CEO for the entire building and a Clerk for each Parliament, if you asked me in a greenfield site to do it. That would be the best way of working, I think. I am sure that their Lordships will be more than happy to engage with us on that.

Q267 Jacob Rees-Mogg: I was going to ask if you thought that the COO and Clerk squared the circle, or would that not be sufficient authority for the person doing the detailed management of the organisation?

Ms Eagle: I do not think it would change very much. It is a kind of status quo option. It might sharpen slightly some of the role that could be done at the Management Board, but I do not think we would actually see very much change from introducing that kind of approach. I understand why it has been suggested, and I do not think it would be a bad thing, but nor do I think it solves the much more important problem of how we manage to get both these jobs done in the most effective way without having to rely on one single person with an almost impossible job description to deliver it effectively in both areas.

Q268 Sir Oliver Heald: Angela, we have had quite a bit of evidence about the make-up of the Commission. Some people have suggested that it should be elected from Members of Parliament; others have suggested external non-execs. What is your take on the composition?

Ms Eagle: Can I emphasise that there is no Labour party view on this, much as William did for the Conservative party? I am merely speaking off my own bat. I am quite open-minded about changes, but I think they have to fit in with other changes that are being made. You do not want to change the Commission in isolation, nor would you want to change Management Board in isolation. If you are going to make changes to the Commission, you have to do it in a way that fits in with changes you are making elsewhere.

I have absolutely no objection to non-executives. I have come across them on the SCIPSA board, on which I have the joy to sit, and on the Audit Committee, where I think they make a great contribution. I know that they have worked well on the Standards Committee as well, although I personally have never been a member of that particular Committee. So I do not have a problem with the challenge that can come from having non-executives. I think it is particularly important in a place that is quite hidebound by its own traditions and can be quite inward looking at its worst. We all love the traditions of this place, but they can sometimes get a bit encrusted, and then this place can fall behind what is best practice in other places and end up looking very old-fashioned or daft, if it is not careful. I think non-executives provide a good antidote to that.

Q269 Sir Oliver Heald: And electing the members of the Commission?

Ms Eagle: Again, I agree with William that it would be odd not to have the Leader of the House and the shadow Leader of the House on the Commission. Before you ask me, I agree with him also that it is best for the Speaker to chair the Commission, but I am open-minded about how the others might be picked. At the moment, people ask around within parties, I think, so you could have elections within the political groups.

Q270 Sir Oliver Heald: Can you just explain the case for having the Leader and the shadow Leader on there?

Ms Eagle: The Leader of the House is responsible for ensuring that he is the voice of the House in Government and the voice of Government in the House, and the shadow shadows him or her. I think it is important, when it comes to how the House operates, that there is that connection—unless you are suggesting that there should be a complete separation of the Executive and the Legislature. Although we in the Labour party are advocating a constitutional convention, I am not sure we are going quite that far.

Q271 Sir Oliver Heald: No, I don't think we want to do that. My final question is whether your Clerk and/or your chief executive ought to be formally members of the Commission.

Ms Eagle: I am not so sure. I think it works well having them—certainly at the moment the Clerk always attends and gives reports at every Commission meeting, which are extremely valuable. Other members of the Management Board attend as and when they have papers or documents that they are presenting, or presumably if the Commission wanted them to attend, it could have them attending. I am not sure what it adds to have the Clerk actually voting. I think we have to remember that the Commission is there to make sure that Parliament works, and Members of Parliament are those whom the Speaker and those of us who are on the Commission have to be accountable to, as we were when the Big Ben charges issue came up.

Q272 Mr Watts: Coming back to an earlier point you made, Angela, it seems to me that there is very little criticism about the role of the Clerk, as far as providing professional legal advice to Members and Committees and so on in the House, but there is quite a lot of criticism about the administration. At the moment, the person who is responsible for the administration side is the Clerk. Do you think that any Clerk is likely to have the sorts of skills that will allow them to drive an organisation that will deal with the problems that have been highlighted in the reports and in people's evidence?

Ms Eagle: I think it is increasingly less likely as what happens in this building and the way we have to go forward gets more complex. Restoration and renewal is the obvious trigger for doing something different. My personal belief is that, after we have been through restoration and renewal—however it looks and whatever arrangements the House decides to come to to accomplish it—we will not go back to where we were before. It would be a good idea if we tried to prepare for the huge upheaval that restoration and renewal will lead to. We should get ourselves in the best possible position to deliver it without having any major disaster strike us, because the reputational damage will be huge if we get it wrong.

We have nearly 2,000 employees in the House Service that the Commission is responsible for. There are more people who work in this building than are employed by Members of Parliament. We have large numbers of visitors—I think we get 1 million a year—and this is a UNESCO world heritage site. We are trying to modernise and make Parliament reach out to the electorate in our democracy again. It is just getting more and more complex, and I think that the Clerk's procedural and constitutional importance is likely to take up more of his or her time in the future because of some of these other political changes I was talking about, particularly devolution and the flux in politics at the moment. So I am more convinced than ever that you need to have a separation of those roles.

Q273 Mr Watts: I want to conclude by asking you the question that we asked Mr Hague. What is the Opposition's view about finding time to have a debate and finding time for legislation if there is a need for any change? Will the Opposition parties do all they can to make time available for both of those issues, so that the will of the House can be acted on before we go into the election?

Ms Eagle: Of course it is not in my gift to decide what the Government do with their legislative time.

Q274 Mr Watts: Will the Opposition do all they can?

Ms Eagle: I certainly think that it would be good if we could resolve this issue. Your Committee, Mr Straw, is meeting virtually every day to try to meet the extremely challenging timetable that you accepted.

Chair: We are.

Ms Eagle: It would be rather odd if, having worked like billy-o all the way to January, you came up with something and then that sat mouldering on a shelf somewhere.

What William said about consensus and all of that is quite important. I was glad to hear him say that there will be a debate and obviously we will all be in a better position to answer your question when we know what is in your report.

Chair: So will we.

Ms Eagle: My view is that there have been three reports looking at the administration of the House—you will know about them: Ibbs, Braithwaite and Tebbit—and it has taken quite a long time to get progress on some of them. Tebbit has been progressed faster than the others and has made a real difference, but there are new and important challenges ahead of us, so it would be good if we could establish enough of a consensus to make rapid progress.

Q275 Mr Heath: Thank you for recognising the Stakhanovite tendencies of this Committee. It is much appreciated.

Ms Eagle: You are putting in a lot of work, and the least the House could do when you deliver your report is try to deal with it with the same degree of urgency.

Q276 Mr Heath: Coming back to the possibility of sharing services with the House of Lords, you described earlier your perfect solution if we have a greenfield site—incidentally, I share that view, and if we do not get restoration and renewal right we may have a greenfield site—

Ms Eagle: Or just a tent.

Mr Heath: Or just a tent. But given that we are not going to make very quick progress, even in the best of all possible worlds, are there areas that you think we ought to address as a matter of urgency where we might be able to make rather swifter progress?

Ms Eagle: Yes, procurement is one that the House Service has just put together, and we will see how that works. ICT, obviously, and PICT has always been a joint service. That is slightly more difficult to use as a huge exemplar, because of the difficulties of providing it. In general there are a range of possibilities. I know it is controversial, but I don't see why catering, HR, a range of financial areas—

Q277 Chair: The Library?

Ms Eagle: Why not?

Q278 Mr Heath: Do your counterparts in the House of Lords agree?

Ms Eagle: I am sure they don't. Certainly some Labour peers who I have talked to about this agree that there should be many more shared services, but it is a matter of controversy in some areas. You only have to look at the huge row that we had between the

two Houses about the Education Centre to understand quite how dyed in the wool some people over the other end can be. I am being quite diplomatic.

Mr Heath: Yes, very diplomatic.

Ms Eagle: The idea that we should have more children visiting and looking at the heart of our democracy is something that I rather hoped would be shared across both Houses, but, alas, it wasn't.

Q279 Mr Heath: Given that we have the R&R project coming, and that, as I said to William Hague, it has got to be a shared venture, is there an argument for having some sort of interim arrangements in answer to our immediate question, which could then morph into something more permanent to deal with that issue?

Ms Eagle: I know a lot of work is being done at the moment, some of it joint, to see what the best way of gearing up to handle R&R will be. Obviously neither House has decided—particularly this House has not decided—how it wants to tackle the issue yet. I detect among the House Service that they probably have and they would want a total decant; work is going on to see what the options might be. That is more controversial among Members, but looking at the range of asbestos in the building, the potential for keeping people safe while you are doing things—all that work is going on now.

The more that we can agree on how to move forward and do this preparation work, so that the next Parliament can make really meaty decisions on this quite quickly, the more we will be in a position to ensure that we can explain the need for this project and get some understanding of how important it is and why it needs to go ahead. Having done that, we really need to be in a position where we can robustly deliver it, on time and to budget. I do not think that at the moment I feel confident. We certainly have not got the management structures in place to do it now. We need to create something particular in order to maximise our chances of achieving it.

My personal view is that after the House has done that, it will not return to the old way of doing things. There is real merit in trying to get ahead of that curve—to have a bit of future looking and anticipation of where we are going to be, and then try to get there a bit early. Those changes will really pay dividends in the future.

Q280 Jacob Rees-Mogg: Changing subject somewhat, you were one of the panel members for the recruitment process that has stalled.

Ms Eagle: Yes, 20 hours of my life were taken up doing that.

Jacob Rees-Mogg: Which you will never get back, I am sorry to say.

Ms Eagle: No, I will never get them back.

Chair: It's a mere second compared with the time we have had to spend on dealing with the consequences.

Ms Eagle: Let's put it this way: I have some empathy with you.

Q281 Jacob Rees-Mogg: With hindsight, is there anything in that process that you would change? Was there anything that you felt was unsatisfactory about it, or any things that you feel were particularly strong about it?

Ms Eagle: What I said in the debate was that it was an open and transparent process, which it was, and that it was undertaken in good faith by everybody, which it was. Obviously some people did not like the result of it. It was a radical result and it was not appreciated by everybody, which is why you are here.

I would make the following observation: prior to there being any process in place for appointing the Clerk, it was done rather like the appointment of the Archbishop of Canterbury is done. Two names were provided to the then Speaker by the retiring Clerk, and the Speaker decided between the two. I hope the Committee will think that moving away from that way of doing it is probably progress.

What happened, I think, was that everyone was convinced—the Tebbit report said this—that the process should be more open and transparent, but nobody sat down and wrote out, debated, came up with or put in place a structure to succeed the old way of doing things. In 2011—I was not on the Commission then, but I think that you were, Sir Oliver—

Sir Oliver Heald: No, I wasn't.

Ms Eagle: Oh. Well, in 2011, it was done for the first time in a semi-open way, but it was not open and transparent. We then got this way, but nobody had sat down and asked, "When the next Clerk is appointed, what would an open and transparent process look like?" There had not been a debate about what would or would not be acceptable.

In hindsight, that should probably have happened as a result of the Tebbit report, but that demonstrates that the House is not as proactive as it should be when it comes to writing things down or changing its own procedures. People's minds only come to thinking about it when the next Clerk has retired and you have five minutes to think about how you will deal with the succession. I do not know whether you would want to do this, Mr Straw, but you might want to think about what open and transparent means in that context, following on from the Tebbit report.

Chair: I think that is very good advice. Thank you very much indeed.

Examination of Witnesses

Witnesses: Sir Paul Beresford MP, Rt Hon Sir Menzies Campbell MP, Rt Hon Hazel Blears MP and Nigel Mills MP gave evidence.

Q282 Chair: Thank you very much to each of you for coming along this afternoon. I will, if I may, ask each of you whether you feel that the role of the Chief Executive/Clerk ought to be split. If it were to be split, who, if either, should be subordinate to whom, or should they be *pari passu*? If it is convenient, Sir Paul, I will start on my left and work across.

Sir Paul Beresford: From bitter experience of local government, where I had a weak chief executive with a strong deputy, I would be emphatic that we should have one person, as was the system when Robert Rogers was in place.

Q283 Chair: You should have one person.

Sir Paul Beresford: In other words, not split. The opportunity for elected members to have an influence, and for the executive to have an influence back again, is very important. It is very much easier for the responsibility to go down through a single member. I had that in local government and also when I was a Minister. In both cases, we ran very tight ships—some would say too tight—and we did so because we had that system of one person being responsible—the head of the civil service, in effect. It was very constructive.

Q284 Chair: That argues that there should be one person who is senior, but is there an argument against splitting the two roles, which are obviously distinct?

Sir Paul Beresford: Yes, the second part of that is that there is a very specialised part for the Clerk. There is a limited field for it, and it is an expertise that we need. I am afraid that I must be partly responsible for suggesting in the Commission that we should broaden to look at the Commonwealth, especially the old Commonwealth. Despite the fact that the lady was Australian, I will not make any comment on that. The specialty required takes some considerable time to learn, whereas the other aspect of it, which integrates, in part, the administration with the Clerk's work, means that you can get support for that and bring the support in. To some degree, we have seen that with Myfanwy Barrett coming in and helping and assisting the Clerk who has just retired.

Chair: Ms Blears.

Hazel Blears: Thank you, Mr Straw. I thank the Committee for inviting us to give evidence. I am here as a Member of Parliament with some reflections about the Government. I do not profess to be any kind of expert. I have had some dealings with the Commission in various ways. I found it, as the shadow Leader of the House said, to be a mystery before I began to delve into it and to find out how it works. I know a little more now.

I take a different view to Sir Paul on this issue. I said in the debate in the House and in my written submission to you that I absolutely believe that these roles are so distinct that they should be split. I believe that that can be achieved, particularly by ring-fencing the chief Clerk's responsibility for legal, constitutional and procedural advice. It is absolutely important that the chief Clerk remains responsible for that, particularly with some of the complications around devolution and so on, but I do not see that as an insurmountable barrier.

If the jobs are not split, my worry is that we could have an extremely competent quasi-judicial person in the body of the Clerk with responsibility for human resources, finance, security, administration, information technology and cyber, which would be completely outwith the skill set of what is basically a constitutional expert. That would be a very damaging situation. Obviously, Sir Robert has done an amazing job so far, but the world is changing so fast that we would not find any other comparable organisation that would have a quasi-judicial figure responsible for all those other administrative issues.

The House is facing a big renewal programme. Although I will not be here at that point, I feel very strongly about this as an ordinary Member of Parliament. I do not blame any individual for this, but there is certainly something to say about some of the services: security; access to the House, as inevitably people are late for meetings and meetings are delayed; catering; how the House functions; and the digital agenda. I do not have the skills necessary to keep up with all of that. Absolutely we need a professional, well-qualified chief executive together with a constitutional expert who can ring-fence that duty. I do not see it working the other way. We cannot have a chief Clerk who has the final say over all of that range of administrative business, just as we cannot have a chief executive who has a final say over procedural matters.

Q285 Chair: But you could have them of equal status. A lot of the evidence—not all of it—that we have received, including from people who are very experienced in management, is that that would create its own difficulties because of the overlap. If we were to have them split—we have had a lot of evidence in favour of splitting the roles—would you then put one just above the other?

Hazel Blears: Personally, I think that if you have a chief Clerk with the final say on administrative issues, it would be very difficult to modernise and keep up. Equally, I do not think that you can have an administrative chief executive with the final say over a constitutional and procedural issue. You cannot have that, but it is not beyond our competence and capability to have an effective and dynamic team who have clear delineated roles. What you have to think about is accountability and reporting structures in case there is a dispute. You would hope that with professional people working in each of those roles, a dispute is going to be a very rare occurrence, because they would recognise each other's competence and skills. A chief executive is not going to say, "I disagree with your ruling in Parliament on this," and I would hope that a chief Clerk would not say, "I am more qualified when it comes to a diversity strategy in HR than you are." Disputes are likely to be few and far between, so there ought to be something through the Commission—I am sure you will ask about those questions, and I have a couple of points on that—to resolve such disputes. But we have to do it now, in advance, so that those reporting and accountability lines in the event of any difference are very clear—and, dare I say, transparent—in any recruitment process that happens next time.

Sir Menzies Campbell: Can I start by saying that we are not a public listed company? I think that some of this argument that we have had since the occasion involving the appointment that was made and then, as it were, withdrawn has tended to suggest that we are like a plc. We may have many obligations like a plc, but we are not a plc. We are an institution that—forgive the Latin—is *sui generis*. That is reflected by the fact that the chief—if I can use a very general term—official is constitutionally of very great significance.

Indeed, his or her appointment has to be approved by the Queen. That is a mere reflection of the fact that government in this country is still the Queen in Parliament. It does not take many manifestations, although in your own previous experience of walking backwards, you will know that there are some of those that still exist. Therefore I think you have to come to this without any predetermined notion as to what other organisations think is appropriate for them.

Now, I believe, as I think I have hinted, that the constitutional position has to be that the person who has the constitutional responsibility is at the top of the pile. I do not see how you can operate that in any other way. I know that people say that you can have two—kind of *primus inter pares*—but we know that even in the Cabinet there is a chief, because there must be some clear and identifiable chain of responsibility. That is why I favour very strongly the present arrangement: combining in that one person both the responsibilities to Parliament—the particular responsibilities of advice and sometimes the interpretation of the law—and also the overall responsibility for the management of this building. It is not impossible to find people of that kind. We employ some of the most talented people in the country as Clerks, and I have no doubt whatsoever that from within those ranks we can find someone who can fulfil that responsibility.

Q286 Chair: Can I put it to you, Sir Ming, that the combination of the two jobs made for difficulties in recruiting a successor to Sir Robert?

Sir Menzies Campbell: Indeed it did, but that, it seems to me—I played no part in the recruitment—was because of the approach. For example, if my memory serves me right, when the advertisement was made, the reference was only to someone having some knowledge of parliamentary procedure. In my view, you cannot be the Clerk of this great institution unless you have an intimate and detailed knowledge of parliamentary procedure. I will tell you why I think that that is particularly important. One way or another, we are about to embark in this building on a very substantial period of constitutional reform in which the Speaker and their role may become enormously significant in determining the way in which the House treats with these issues.

Q287 Chair: You are thinking about English legislation, and the ins and outs.

Sir Menzies Campbell: Across the board. There is going to be legislation about Scotland. There may be legislation about Wales. There may be legislation about Northern Ireland. In those circumstances, it seems to me that the role of the Clerk will be of enormous importance. I do not believe that you need, as it were, to bring in an expert on IT and put that person on the same level as the Clerk, because you can buy all these skills in. There are many people at the top of organisations who do not have skills all the way through the organisation, but provided that they have got the intelligence, the understanding and the application, they are perfectly capable of fulfilling the overall responsibilities. My solution, which I think I referred to during the debate that we had some months ago, is that you can have the Clerk, the chief executive and a chief operating officer, who can combine those skills that Hazel Blears has talked about. There would be a clear line of command. When you do not have a clear line of command, the risk is that you will find disputes. We all know well-intentioned

professional people who have been at each other's throats. Why? Because, unless there is a clear demarcation of responsibility, it is inevitable that there will be dissent and something rather beyond discussion.

Sir Oliver Heald: May I add a quick point for Sir Ming?

Q288 Chair: Would you mind if we asked Mr Mills first and then we will come back? Mr Mills, you have heard the exam question.

Nigel Mills: I can balance the panel and agree with Hazel that the role should be split. You would be extremely lucky on a regular basis to get a suitably qualified Clerk who could act as chief executive of an organisation as complex as this one. Effectively, if you insist on that you are almost saying that the No. 2 Clerk has to get the job as a matter of turn.

This year, we have tried to change that and find somebody from outside, but that has not been entirely successful. From my four and a bit years on the Administration Committee, seeing how this place is run, it looks like it needs real professional experience and competent leadership to run the House Service.

We are trying to bring that in for all the other directorates. We have a new director of security and we are after a new director of IT. We have had a director of finance come in. It seems odd to have them led by a willing amateur in that sort of situation, without being too pejorative. It looks like you need to have somebody very highly skilled and experienced to lead an organisation such as this, especially with the challenges we have got coming up.

My instinct is that somebody has to be in charge, but I don't see that much overlap of the two roles, between somebody in charge in the Chamber and somebody in charge of running the House Service. I suspect they would both report to the Speaker and the Commission. That looks to be a suitable enough way to tie break in the unlikely event of a dispute between the two.

Q289 Sir Oliver Heald: I wanted to take issue with Sir Ming on the plc analogy. Lord Browne told us that the person who should be at the top of a company is somebody who understands the business. I put it to you that a lot of engineering companies have a professional engineer as the chief executive, but they also have a finance person, somebody who does HR and so on. We do Parliament and the Clerks understand that. Do you want to come back on that?

Sir Menzies Campbell: A lot of engineering companies have chairmen who have not been engineers, because they have a clear line of command and control and ultimately responsibility. I go back to the constitutional point about which you can tell I feel pretty strongly. I also believe that to create a model in which you have people on equal status is bound eventually to produce dissent in some form or other.

I also think that to invite the Speaker in those circumstances to be some kind of arbiter is to impose on the Speaker a considerable burden, which might result in particular

circumstances, for all one knows, in one individual whose view is not upheld thinking, “I no longer enjoy the confidence of the Speaker, so I’m off.”

I think it is fundamental that there should be a clear line of command. That is why I feel so strongly about the fact that you can have Clerk and chief executive, and you can have a chief operating officer who will do all of the things that Hazel Blears eloquently described.

Hazel Blears: Ming has said that twice, and I fundamentally disagree with the chief operating officer model. I think it entrenches the current situation and is the no-change option. The COO would be subservient to the Chief Clerk and you would then have the Chief Clerk having the final say over all of those complex things that we do.

I agree with Mr Heald that we do Parliament, and that is really important. Parliament now does lots of other things: education, outreach, visitors, engaging the public. All of those are essential for us to have the confidence of the public. If those services do not work well, and people can’t get in and they can’t get a good visit or see Parliament working, we can do all the procedural stuff first class, but we will continue to erode the public’s confidence in Parliament.

Sir Paul Beresford: Oliver’s question proves the point as far as I am concerned. He is talking about an engineer heading an engineering company, and we are talking about parliamentary services headed by a Clerk. The example of the support of the engineer applies here as well. The thought of having a Clerk trying to produce services that are disrupted because of this crossover that the Leader of the House talked about is disastrous, and it will come to the kind of conflict that Sir Menzies Campbell was talking about.

Q290 Mr Watts: Can I try to find a way through this? It seems to me that the point that Hazel has just made is not arguing against a point you are making, which is that the constitutional position of the Clerk has to be paramount and protected. It is protected on statute, but it also needs to be protected by the House of Commons. I think there is a general acceptance that that has to be the case.

The second point is that Hazel and other people believe that the role of the chief executive is equally important in our democracy to deliver all the things that we have set out. Is it beyond our ability to create a structure where we protect the role of the Clerk—the Clerk has direct responsibility for what he or she needs to do—and, at the same time, allow the development of a chief executive who can run the building and operation without having to go to a Clerk who does not know anything about the sort of roles that he might be asked about?

Sir Menzies Campbell: Going back in history, we used to have someone who fulfilled that role, and they were called the Serjeant at Arms. But some Parliaments ago, the role of the Serjeant was changed very considerably. The answer to Mr Watts’ question is, why should that not be performed by a chief operating officer? Why does the person have to have the letters “CEO” behind his or her name in order to fulfil all the issues that have been raised already about day-to-day management, catering and so on?

Q291 Mr Watts: You asked a question. My own view about that is that the chief executive is the driver of change. He or she is the person who gets hold of the organisation, identifies the problems and drives them through as their No. 1 priority. The Clerk, on the other hand, has other priorities, which is where the conflict comes in. I do not want anyone to go away from this meeting believing that we want to undermine the role of the Clerk, but we think there is a role for a chief executive. The present structure is not delivering the sort of services that Members believe this House is entitled to.

Sir Menzies Campbell: Why can a chief operating officer not do exactly that?

Hazel Blears: Because a chief operating officer would have to report to the Clerk.

Nigel Mills: Somebody has to be the head or the focal point and have the final say. If we have the Clerk as the line manager of the chief operating officer, we will not have changed anything. People will still try to go around the No. 2 in that situation to get a different decision. When they are with the Clerk, they will bat and bowl in the way they do now.

Q292 Chair: Under your proposal—we have had some evidence on this—you would have the chief executive as the line manager of the Clerk?

Nigel Mills: I cannot see any need to do that. I am not sure that the Clerk would need to report to the person running the House service in that situation. I guess that we would have think through some examples.

Q293 Chair: Well, the Head of the Department of Chamber and Committee Services is responsible for about a quarter of the budget. It is literally impossible to detach that spend exclusively from the other spend. There would have to be one accounting officer, as this is a relatively small organisation in terms of total Government spend. I do not think that the NAO would take it kindly if they were asked for two accounting officers. So who would be the accounting officer?

Nigel Mills: If I were doing this, I would probably want to look at exactly what the Clerk was being expected to do—

Chair: Yes, but that is not an answer, Mr Mills.

Nigel Mills: I would have the chief executive as the accounting officer. Under that logic, I am not sure whether I would want the Clerk running a quarter of the budget.

Chair: There is a perfectly respectable argument that the chief executive should be the accounting officer, but I think that the accounting officer has to be one person.

Before we move on to the remaining half of this session, which is about the Commission and the Committees, do our colleagues who have not intervened have any questions on the issue of the chief executive?

Q294 Jacob Rees-Mogg: I want to follow up on the issue of conflicts, because I do not think that it is as easy to separate the responsibilities as has been suggested. Let us take a couple of examples. The Commons would be run more efficiently from a security point of view if the doors were always carefully locked and you had to get through by putting your number in, but Members of Parliament have an absolute right not to be obstructed when coming through because they might be in a hurry for a Division. You could easily see a chief executive saying, “Security must come first,” and the Clerk saying, “No. The rights of MPs must come first.” Who then decides?

Similarly, our rooms are increasingly let out to raise revenue for the House of Commons. That has become an increasingly important part of our budgeting. What happens if the chief executive has let out Committee Room 15, but then a Committee which is to meet tomorrow, as this Committee does, wants that Committee Room at exactly the same time? Who then decides? Does the Clerk get told, “You can’t have that Committee Room because we’re going to lose a £10,000 booking fee,” or does the chief executive get overruled? It is very hard to separate the constitutional aspects of what goes on in this place from the pure business side of it. I wonder what the views are, particularly of Mr Mills and Ms Blears, on how you deal with that.

Hazel Blears: I do understand that. It is partly because we are a slightly unique kind of place. There are not a lot of models that we can draw from because we are not a plc, but we have many other things in common and we can learn from those—I take that point—but if you are going to have disputes like that, you have a dysfunctional organisation. If you had disputes like that in a company, you would not be making a profit because your employees would be spending all their time arguing with each other. I know that we have a culture of arguments because we are a Parliament, and we therefore like to argue and take different views. But this is about having a team who work together and who recognise that if we have a problem, it is all our problem; it is not a Chief Clerk’s problem or a CEO’s problem.

If we need a room for Parliament, that has to be found because Parliament is our first duty, but we would not impose that in order to punish the public organisation that had hired it. We would come up with a solution. The disputes that I would contemplate would be quite significant ones about serious matters, not about who had booked a room. If you cannot resolve that, your organisation has broken down. That is not because you have a CEO and a Chief Clerk; it is because people are not talking, discussing and resolving conflict.

Q295 Chair: Do you know any organisations where you have two senior people who are *pari passu*, without any distinction in their status?

Hazel Blears: Not in private sector business; I do not know of any.

Q296 Chair: Or in the public sector.

Hazel Blears: Again, you have a very hierarchical system. There are organisations that operate as mutuals and social enterprises which will have a more—

Q297 Chair: Like the Co-op? I am serious about this.

Hazel Blears: I am not using the Co-op Bank as a model of that, but there are some extremely successful social organisations that have a more collective approach to their management.

Q298 Chair: But there are also plenty of charities and social organisations that get completely bogged down in internal politics because there is not a clear line of authority in them. At the moment, I am catholic on the issue of who should be superior to whom or whether you should split these roles, but I think the evidence is very clear that you are simply institutionalising conflict if you have two people who are at the same level.

Hazel Blears: The way you deal with it is by delineating the roles very clearly indeed, and you therefore do not need to have conflict. You have a chief Clerk who has absolute protection because of Letters Patent and has a very clear role to play, and you have a chief executive who also has a very clear role to play. The way in which you minimise the prospect of a conflict is to design those roles very carefully, as well as designing reporting and accountability structures that are absolutely clear. That, I believe, can be done.

Nigel Mills: We have to be clear that everyone involved is trying to run a Parliament, rather than having one person running a Parliament and one person running a tourist attraction and banqueting function. I suspect that you would want your chief executive and the whole of the House staff to recognise that we are trying, first and foremost, to deliver an effective Parliament. Clearly, MPs need certain privileges and parliamentary business has to take precedence. You would not say, “Sorry, Parliament cannot be recalled that day because we have a big function booked.” That would be a completely crazy situation.

Sir Paul Beresford: Perhaps a more important example is that the Commission was looking at savings, and part of that was the printing system. The thought that there could be something in the savings programmes put through by a chief executive officer that inhibited in some small or large way the printing of *Hansard*, Committee papers and so on really frightens me—if we had a single individual at the top who could say, “Sorry, no.”

Q299 Ian Paisley: The issue of where there is no clear division of power and responsibility concerns me. William Hague told us about seven areas, such as television coverage, support staff, budgeting, legal cases and even the running of the Library, that could fall into both areas of responsibility if the office was split. Hazel and Nigel, do you not accept that two positions of equal and competing authorities would naturally end up competing with each other, and that it would be organised confusion at best?

Hazel Blears: Personally, I do not accept that as a conclusion to reach when we have never been in these circumstances. We ought to be able to design the roles with sufficient clarity to enable us to see exactly what the competencies are of the areas that they are responsible for. I genuinely think that the Clerk’s responsibility is about making decisions on constitutional matters and giving advice to Parliament. It is not about running the place. A

person who has those quasi-judicial skills to the standard that we want is likely to have had a lengthy experience in that kind of area and will have very little experience in terms of running the place. Therefore, the other role is about running this place and the services that underpin the important job that we do. I honestly do not think that we should be reaching the conclusion now that there is bound to be conflict when we have never tried to go down this path.

Ian Paisley: Unlike Jack, I won't say I'm catholic on this, but I haven't reached a conclusion. I'm more Protestant on it, if you know what I mean.

Chair: For the avoidance of doubt, I was using catholic with a small "c".

Sir Menzies Campbell: Ecumenical might be better.

Q300 Mr Heath: I have a brief question for Hazel and one for Sir Menzies, if I may? Hazel, I agree it would be nice if you could delineate the two roles so that they were entirely separate, but there is one problem: the Clerk runs the Clerks department. He is manager of the Clerks department, and each of those Clerks is his representative as the constitutional expert in every Committee of the House. How could the Clerk possibly not be the manager of the Clerks department? If he is the manager of the Clerks department, you immediately have the difficulty of one substantial part of the administrative budget remaining outside of the control of the chief executive.

Hazel Blears: If that is a problem to be resolved, it would be my humble submission that that is not as big a problem as the prospect of having the Clerk, who is a quasi-judicial figure, in charge of IT, finance, security, the renewal and restoration project—that whole tranche of issues. The fact that we would have to find a solution around the management of the people who give advice in Committees is, for me, of a slightly—I know that Ming will fundamentally disagree with me—lesser order than continuing in the way that we are with services in this place which, as I have seen over the past 15 years or so, are gradually becoming poorer because we lack the expertise to provide a first-rate way of running the organisation.

Q301 Mr Heath: Ming, a while ago you chaired a special ad hoc Committee rather like this one dealing with issues of privilege. One of your conclusions was that there was a difficulty in the chain of command. You have given some of your concerns about that already. Is there anything else that you learned from that Committee, given the confusion around the Speaker and the Serjeant, as well as the Clerk? Is there anything from that Committee's findings that is relevant to our discussions?

Sir Menzies Campbell: Well, I recommend that colleagues around the table should read them, not least because the whole question of whether or not the police had the right to search the office of Damian Green or, indeed, to take over his computer, fell between the Clerk, the Serjeant at Arms and the Speaker. I think our Committee's conclusion was pretty brutal: between them they had failed to fulfil their responsibilities. Was it on the basis of "It's your job rather than mine; it's my job rather than yours"? I suspect it was.

What is notable in this discussion is that no one has yet been able to point to any successful organisation that has operated with two individuals with substantial responsibilities standing, as it were, on the same rung of the ladder. In the absence of that, it seems the inevitability is that the Speaker will be drawn into these matters when he or she should, in my view, clearly not be involved in that.

Chair: Thank you. I want to move on, because we need to finish at 6.15 pm, to issues of the Administration Committee and the wider issue of the Commission. Mr Watts, if you could ask your questions about the Administration Committee.

Q302 Mr Watts: Can I ask Nigel about the Administration Committee? Does he feel that it looks at the right issues? Does it have sufficient power or influence to actually be effective?

Nigel Mills: Well, we choose what we look at, so I guess if we are not looking at the right stuff, that is partly your and my fault, Mr Watts. The Committee clearly has no power. We make recommendations, which can be accepted or ignored at the decision of the Commission or the Speaker, depending on what topic we are on. That was intentionally written into the design of the Committee, I think, from a brief look at the previous reforms. I would suggest that is probably the right way. You probably want Members being consulted and advising, but not trying to micro-manage and take decisions on the basis of a quick consultation without really being thorough experts. I think we probably have the right balance. It is frustrating when we make perfectly sensible recommendations that are consistent with previous ones, and then there are occasionally decisions that are inconsistent and erratic.

I am not totally sure where the Finance and Services Committee and the Administration Committee overlap, or exactly why you would need both those Committees. It seems bizarre to me that you have one Committee looking at services without, in theory, thinking about finance, and one thinking about finance without, in theory, looking at quality. I suspect you could work with one Committee, but having never been to an F&S Committee meeting, I guess I am not qualified.

Q303 Mr Watts: Do you think the Administration Committee has such a massive turnover of membership because it is dysfunctional? Do people just get frustrated? What is the reason for that turnover in the Committee?

Nigel Mills: Probably no one came to Parliament to spend a lot of time considering the price of a bottle of Coke in a vending machine. Clearly people's priorities will be proper priorities of Parliament, not running the internal House service. Some people are press-ganged, rather than choosing to be there, and obviously people are promoted out of the way and therefore can't stay on the Committee. I don't think it is a sign that the Committee is dysfunctional, it's probably a sign that we can't actually make fundamental decisions. That is the way it is.

It probably would be sensible to try to have more value for the Back-Bench Members on the Commission and, for the members of the Committee, it may be better to elect the

Chair so that they have some kind of mandate from the House, rather than being elected by the Committee. When we went to the French Parliament, we could see that their Members who do the running of the House service have some more authority from those kinds of initiative, so I think there are things we could do.

Sir Menzies Campbell: I think these difficulties are caused—I don't exempt myself from this criticism—by the fact that Members take no notice of how this building operates until they think something goes wrong. At that stage, they become very conscious of their dignity and in many cases probably have themselves to blame because they haven't been alive to what has been happening. Maybe that requires more transparency from the point of view of the Committees, but it also requires far more engagement on the part of Members of the House of Commons. If the services are inadequate in some respect, you really ought to do more than just complain about it; you ought to be willing to do something about it.

Q304 Sir Oliver Heald: This is about the role and working of the Commission. I will start with Sir Paul, as he is on it. There are a range of issues, which you will have heard when we were questioning earlier witnesses. Is it an effective oversight body for the Management Board? Do the Commission members have enough time to do their work? Should the Commission members be elected? Should it have external non-execs on it? Should its chairman be an external non-exec, as you would have in a company—Sir Menzies made that point—and should the Clerk of the House or the chief executive be a member of the Commission rather than simply attending?

Valerie Vaz: Or all of the above.

Sir Oliver Heald: You can just answer yes.

Sir Paul Beresford: When I first arrived on the Commission, the first thing that I noticed was that those of us who were appointed were appointed for non-political reasons. They were appointed because they had some expertise to add, which I thought was refreshing. I very quickly discovered that it could work, but within closed doors there were some very robust discussions, shall we say. We were well serviced, and still are, by people from the Management Board, and the appropriate member of the long tier at that level would come along for an issue. The two Committees that mostly work to them are the Administration Committee—I noted with some amusement the point made from the Admin Committee, which I did not think was quite the way it was when the Committee discussed the admin reports—and the Finance and Services Committee. I am on that Committee as well. That worked well because at the very beginning, our members sat down with the board and the board members, and did a lot of the integrated work with them to bring the report forward to the Commission.

The Commission—I talked this through with Robert Rogers long before he was going—needs better contact with the board. There are several ways of doing that. One of the logical ways we discussed in relation to R&R was that it would be possible for members of the Commission—perhaps the Back-Bench members—or perhaps combined with a few members of F&S, to work as an integrated tier with the R&R. That is going to be an enormous job. It would also, I think, be extended into looking at the efficiencies that we need.

You will, I think, have seen the audit report that went to the Commission. I was reminded of my mother-in-law who, when she gets her Christmas cards, reads the words and says, “Every year, nice words.” The report contained nice words, but when you look into the words, there is a long way to go. I think the report uses the phrase “moderate success”, which I think is an insult to us, and I feel that we need to move very much further. We need to move much further by working more with the executive board. I think that the executive board is too heavy and too big. It might be possible to lift one member of the board up to chief operating officer under the Clerk of the House, or it might be possible, for savings reasons or better management reasons, to bring more of the departments together so that you have fewer on the board and you can make financial efficiency savings. We made savings of 17% over five years, which I think is pitiful. We could do very much more.

There is an opportunity, in spite of what was said, to allow the House to look at this. That opportunity was this afternoon, when the report on funding and financial management went on to the Floor of the House and disappeared in short order. Sir Menzies is absolutely right that we only get an uproar when we do something that catches us by surprise, such as the leather-bound *Hansards*—that saved us £135,000, which is a considerable sum over about 10 Members—or the fees for the tower. It works well, and eventually, except on one occasion, it has ended up with agreement. Whether we should have the Back-Bench members elected or not, I am agnostic about. I am aware, as I said, that the people were allocated by the parties because of their ability to help. Mr Speaker does not always agree on helping, but we get there eventually.

Q305 Sir Oliver Heald: He was very nice about you when we saw him.

Sir Paul Beresford: That’s kind of him. As for having someone externally, I would say yes, cautiously, but not to chair it. That is for the same reason as when we were talking about the Clerk: we are trying to run a parliamentary system and it is an extraordinarily difficult one to run. We need someone at the top who is a reflection of the Clerk or the Clerk a reflection—in other words a Speaker.

I am on the Standards Committee. We have lay members and they are finding it exceptionally difficult to understand how the House works. That is not aided and abetted by the visit of the *Daily Mail* the moment there is a bit of an uproar and being door-stepped. On the other side, the Audit Committee seems to work well and that has external experts on it. If our selection were careful and well done, it would contribute.

Q306 Jacob Rees-Mogg: Ms Blears, you suggested in your submission that the Commission should take a wider supervisory role over the work of the House service, with less emphasis on the Speaker. How do you think that would work in practice?

Hazel Blears: I am certainly not particularly knowledgeable about the day-to-day workings of the Commission, though I have had some contact with it. I made that suggestion because of the concerns I had heard about what might happen if the roles were split and there was conflict—where would be the accountability and reporting lines? I do not feel that the Speaker should act alone, because that would not give sufficient assurance and confidence in the event of a conflict that the resolution was being dealt with completely objectively.

Therefore, my suggestion was that, if you are looking at reporting and accountability, and we had to resolve that because there was a split role, that ought to be to the Commission as a whole, rather than simply to the Speaker. It was in that context that I said that the Commission should take a wider supervisory role.

In relation to the other questions, I do not have many observations, apart from saying that I do think that having some non-execs to give challenge to the system and bring an outside perspective would probably be quite helpful.

Finally, I want to thank the Commission personally for having supported my parliamentary placement scheme four years ago. The scheme has gone from strength to strength. Without the confidence of the Commission that would not have been possible.

Q307 Valerie Vaz: A couple of comments; I did not ask any questions earlier. We heard from Dame Janet Gaymer, who was a senior lawyer at Simmons & Simmons. I asked her whether there was anything outside in the public or private sector that is similar to this, and she said there is not. We are hearing evidence from everyone and probably coming to our own conclusions. The second thing is connected to the Damian Green episode mentioned by Sir Ming. At that stage, the Clerk did have a CEO role, and that still did not make things easier.

Sir Menzies Campbell: There was ambiguity. The Serjeant at Arms came out of a meeting and said to the Clerk, “Who is responsible for deciding if the police can look at the office of a Member?”, to which the Clerk, who was in the middle of a meeting, said, “You are.” The fact is that there was no proper line of control because the role of the Serjeant at Arms had been changed from what it had been previously and the Clerk had been part of the previous organisation. It is an illustration, in my view, of clarity.

Valerie Vaz: Yes, and it leads me on to my question very nicely about the governance structures.

Sir Menzies Campbell: A lack of clarity, I should have said.

Q308 Valerie Vaz: Are the governance structures currently responsive to Members? I personally do not feel that they are. You have all seen the organogram. What would you change to make it clearer? Maybe you think it is clear, but may I have your view on that first? What is the single thing that you would change to make it clearer?

Sir Menzies Campbell: Over the past 15 years, it seems we have been engaged in permanent cultural revolution. Every three or four years there is yet another change. You took the word “organogram” right out of my mouth. Look at the organogram. How do you decide where authority and responsibility clearly lie? In my view, the organogram does not make that clear.

I have no experience of the Commission or any of the Committees. As I have said, I do not exempt myself from criticism in that regard. It does seem to me, however, that at the moment there are not only overlaps, but gaps. Whatever else you decide, there has to be an

effort to try to create—I am back to my original theme—a much clearer line of responsibility, so that if you do not like the information technology arrangements, you can go to someone whose responsibility it is to put it right.

Nigel Mills: May I add a comment on the non-executives? I sense that we are employing very well-paid professional management and that we have a Commission which, to my little knowledge, looks like a non-exec board with non-execs holding the professionals to account. I would be as hawkish on stopping wasting money. I do not really believe in Member privileges other than the ones that we really need, but I am not sure what a lay person coming in adds other than another layer of complexity and probably another layer of cost. If the idea of the Commission is for parliamentarians to hold professional management to account, I am not sure whether we need lay people there or what they add.

Chair: Thank you. Just before we finish—

Valerie Vaz: Can the others answer the questions on the governance structure?

Chair: Yes.

Q309 Valerie Vaz: The actual governance structure and the organogram. What is your view of those things?

Hazel Blears: I think it is very complex and slightly opaque. Unless, like me, Members of Parliament have been to the Commission and have had to make an application, as I did, I will hazard a guess that very few will know who the members are and what the responsibilities are. Work could be done to ensure that the decisions that you make and the matters that you are considering are highlighted to Parliament. If people realised what the work entailed, you might then get more of them wanting to be a part of what is going on. It is shrouded in mystery at the moment and there needs to be much more transparency.

Sir Paul Beresford: This has been recognised, and we have done a considerable amount with the Commission to publish and put the news out, but there are none so blind as those who will not see.

Chair: Right.

Sir Menzies Campbell: Very quickly, on non-execs, it is a question not of having non-execs, but of having the right non-execs. There are plenty of people out there who have had 30 or 40 years in business—been CEOs of plcs, if you like—who could easily come in and be of assistance. One issue that we all know and understand, and are concerned about, is that of transparency. One of the ways in which you can make it clear that we are not, as it were, the judge in our own case all the time is to introduce an external dimension to how we conduct our business.

Hazel Blears: May I say one further thing on shared services? There is a paragraph on that in my submission. At the moment, I am working with both Houses to look at procurement contracts, which have now, for the first time ever, become shared. We are looking at whether we can put in those contracts clauses about social, economic and

environmental impact, which would mean that the House could make a real difference for the money that is going to be spent on R&R. Again, the public would really appreciate it if we were able to make that happen.

Sir Paul Beresford: This is a very fast one. You have not asked us about the House of Lords. I am on the Joint Committee on Security. You have seen the security paper.

Chair: Yes, we have.

Sir Paul Beresford: There has been a lot of harrumphing from one side of the Committee. It reminds me of Hugh Lofting's animal the pushmi-pullyu, but we have an opportunity with R&R to try to sort that out. If we do not sort it out, it will not work.

Q310 Chair: We have indeed seen that paper and it is important. We are seeing some of their lordships in due course.

Nigel Mills: As a last comment, can we try to bear cost control in mind? I sense that we, as a Government and a Parliament, are imposing efficiency measures and cuts on every other public sector body, and there is a feeling from outside that we are not quite so strict with ourselves, even though we have made a 17% saving in this Parliament. I am not sure whether layering more tiers of pretty well-paid management on top of tiers of pretty well-paid management is what the public expect us to be doing in this situation. I just fear that we are going to end up with another 200 grand salary being paid out.

Chair: That is a point well taken. Thank you very much indeed.