



House of Commons Governance Committee

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

Thursday 20 November 2014

Ordered by the House of Commons to be published on 20 November 2014.

Written evidence from witnesses:

- [Written evidence from Robin Fell, Principal Doorkeeper](#)
- [Written evidence from Lawrence Ward, Serjeant at Arms](#)
- [Written evidence from Paul Evans](#)
- [Written evidence from Oonagh Gay](#)
- [Written evidence from the Trade Union Side](#)

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

Questions 372-434

Witness[es]: **Lawrence Ward**, Serjeant at Arms, and **Robin Fell**, Principal Doorkeeper, gave evidence.

Chair: Mr Ward and Mr Fell, thank you very much for coming, and for coming properly dressed. It has been of considerable concern to us that the Clerks have not been showing us respect. I can see two who have come just in ordinary clothing!

You have both sent written evidence, for which we are very grateful. The questions will be led in this session by Mr Paisley and Mr Rees-Mogg, and I ask Mr Paisley to begin.

Q372 Ian Paisley: It is good to see you here, gentlemen. Let me start with your written evidence, Robin. You suggested that previous reorganisations had made it more challenging for Members to get solutions to problems—to get those matters resolved. Have you any views on how we could improve that situation and how a separate chief executive might add to that?

Robin Fell: My view is that we desperately need, right at the top of the organisation, someone who is totally Chamber and Committee-focused, which I think in the past we had. I am not the sort of person who thinks you should go back to the past—I'm not an old reactionary fuddy-duddy—but the past is very useful. It gives you your direction of travel. It informs decisions as you go forward. I think the House suffers from not having that co-ordinating senior person, who can give focus to the core function of Parliament. We are a large organisation, but those of us whose focus is the Chamber and Committees, which is the whole purpose—it's what everything else comes from—are in a minority. But if you take that away, nothing else is necessary. It's a bit of a paradox really, because you may say that the Clerk, who is the chief executive now, is totally Chamber and Committee-focused, but that is almost too close, because it is a very important constitutional role that he performs and he does not really have the time, and shouldn't have the time, to consider the other matters, so they get left.

I gave an example in my evidence about works. Could I give you another example of where that has come to light?

Ian Paisley: Yes, please.

Robin Fell: We have had, worryingly, an increasing number of incidences lately of Members turning up for Committees to find that the rooms have been booked by someone else. A couple of weeks ago, we had three in one day. They involved a Select Committee in Portcullis House, a Bill Committee on this corridor and, I think, a European or it might have been a DL Committee. On each occasion, someone else was using the room. A film was being shown in one of the rooms, so—[*Interruption.*] The room was being used for other purposes. It had been double-booked, I suppose. I cannot remember that ever happening in the past, but it probably has happened in the past.

The room booking system for the whole House of Commons is handled by something called the Events Team. I was amazed and it is totally perverse that the Events Team is part of Banqueting, so you don't have that core focus on the main function of Parliament. Before, it was part of the Serjeant at Arms's responsibility. It was co-ordinated and the person at the top had a strong focus on our purpose and why the building is here. We are losing that because there is no one at the top who can give that co-ordinating role and focus, and remind everyone that this is what it is all about. If you take away the prime function of the House of Commons, you don't need all these other organisations.

Q373 Ian Paisley: Lawrence, in your evidence you raised concerns about the operation of the Management Board. Can you expand on that? What would make it more effective in future?

Lawrence Ward: I think the Management Board is quite distant from Members' activities, albeit they turn up at various Members' Committees. Some of the policies that they define and try to implement hit the buffers because when they are first exposed to a Members' Committee or to Members they say, "No, this is not something we can live with, or want." The Management Board is in an unfortunate position and is often stymied. On more occasions than not, it has become fairly irrelevant to the running of the House.

You could argue that it is a good thing that we have the Member Committees that provide the strategy and the direction—that is absolutely right—but where does the Management Board sit? My view, which is fairly radical but I have held it for some time, is that you don't need the Management Board. What we should have should be plugged into the Commission, the Administration Committee and the F and S Committee. We should have representatives from our senior management—our director generals and directors—who are non-executive members of those Member groups. Then there would be a senior management team that could implement any policies that those Member groups decided.

Let me give you some examples from the last three years since I have been the Serjeant when direction has come from the very top—the Commission and the Speaker—and we have implemented that fairly successfully. We can look at the creation of the Education Centre, the workplace equality networks—one recently won workplace equality network of the year—and the nursery. In all those, the direction came from the top, which is right, and we managed to galvanise all the talents of the House service to deliver things effectively.

Where we haven't achieved things effectively is when the Management Board has decided to try to implement a policy and it has hit the buffers from the staff or from Members because they have not had that connectiveness to those Member groups. I think there is pressure on the Management Board, which is trying to be a sort of quasi-leadership of an organisation group where it has executive directors and so on, and they are in an almost impossible position given that they can be torpedoed by three Member Committees.

To my mind, we already have a chairman of our Board who is not only elected, but then elected by the Members of this House. The Speaker should be the chairman for want of another name, and we have a group of directors who are the Commission. We can argue about whether they are elected. I think a separate chief executive and a Clerk—our Sir Humphrey—as non-executive members of that Commission would ensure that the House was more plugged into the decision making and strategy for the House.

I cannot over-emphasise how passionate I think most staff in the House are about how great this place is and what a brilliant place it is to work in, but it could be so much better. We have inherited the most wonderful organisation and buildings and I believe that the wheels are starting to come off. Our forefathers did not have that vision. They were great leaders and great visionaries and that is why we are where we are today. We owe it to future generations to rekindle that spirit of leadership and vision.

Q374 Ian Paisley: We certainly picked up on that enthusiasm from the staff who want that leadership. Both of you suggested in your written evidence that the Clerk and the chief executive should be two separate roles. Turning to that—this question is for both of you—should it be two equally important roles? Who should be the accounting officer? Who of them, at least, should be the boss? Could you give us a view on that structure, because—what's the old saying?—you can't serve two masters? Who should ultimately be the king in that?

Robin Fell: I would see their roles as being quite different. Their roles would probably coincide. The problem of primacy would need to be addressed, but it would be a shame if the whole concept—

Q375 Ian Paisley: Have you a preference on primacy though, Robin?

Robin Fell: I am not really dodging the issue, but if it was possible that perhaps they were both on the Commission, the Commission would have primacy. They would and should work very closely together and if there is a conflict, that should be decided through Members, via the Commission, possibly via the Speaker, but with their roles being quite separate. I cannot see many instances where conflict would arise, because the chief executive's role is to ensure that the entire organisation serves the core function of Parliament. The Clerk would sit at the legislative head of that—so, they would, to some extent, be almost a customer of the chief executive—and it would be the chief executive's job to ensure that that is properly served. If conflict does arise, the Commission or the Speaker is there to resolve that.

Lawrence Ward: I tend to agree with Robin. We have a boss and the problem is that we have tried to create other bosses, and therefore, there is this power struggle. Our boss is elected by Members and can be removed every five years or before, and I think that is a very important mechanism, but our boss is the Speaker and the chairman of the Commission, and the functions of the Clerk and the functions of a chief executive are very important functions for this House—but they are functions none the less, and so are all the other things and activities that go on here. To try to big those jobs up to be the prime leader of the House will just mean that they are stymied continually and that they haven't actually got the authority that is expected of them. Therefore, we are in danger of hitting the buffers on an even more significant scale than the expenses scandal perhaps, where there wasn't the scrutiny and professionalism perhaps to help us avoid that. What does it take? Does it take this building actually starting to fall down before we realise that we haven't got the skills at the very top?

Robin Fell: If you had a situation where you say the Clerk has primacy, it would probably evolve to the effect that you would end up with the same situation you have now. I think you have to keep those roles separate.

Q376 Jacob Rees-Mogg: Thank you both very much for coming in. This slightly follows on from what you have been saying, Mr Fell. One of the complaints we have heard is that if the Clerk is chief executive, there are only three people in the world who are eligible for the role. One is the just retired Clerk, one is the existing Clerk, and the other is the Clerk Assistant. How do you think in our report we can encourage all staff to believe that the top job is actually going to be open to them?

Lawrence Ward: From my perspective, that is one of the key things about having to split the role. Having this dependence on spending 30 years as a Clerk and being an expert in our procedure, which is critical—I work with the Clerks very closely and I have the utmost respect for them, and many are personal friends, but I was talking to a very senior Clerk the other day who not surprisingly advocated, “I am not in favour of splitting the role. However, if ever I was in that position, I would not have a clue how to run the organisation.” That is what is inside them—they have this fear but do not want to change. So the only way you

could galvanise the ambitions of all the staff of the House—and not just staff of the House, but people from outside who have the talent to bring to this organisation—is have to a very clear role that people could apply for if they have the skills to do so.

Robin Fell: I would agree. The only way you can have a situation where it is a legitimate aspiration for anyone who works in the organisation to work hard, to gain experience and to become the chief executive is to take it away from a narrow group. That is not to say that someone from the Clerky stream could not also go through and become chief executive, and then, when they took on that chief executive role, they would put aside their Clerkly role, but at the moment, they are the only ones who can, which is de-motivating perhaps for other staff who have the skills. By being a career Clerk, do you develop the administrative skills to run an organisation such as this? I don't think you do.

Q377 Jacob Rees-Mogg: Do you think as an organisation that the House of Commons is good at developing people skills, and developing them in the right way, so that a broad range of people may apply, not necessarily at the moment for the highest job, but for jobs up the ladder, or is there more that we need to do in terms of internal training?

Lawrence Ward: For me it goes back to the point that I made in my submission, which is that I do not think we know what “good” looks like. Many of the people in this organisation have been here for ever. Robin and I have 60 years of experience in dealing on the front line with Members, staff, visitors and so on, so we are guilty of that too. Therefore, the answer to that is, “I don't know, but I don't think so.” That is why we need an injection of people who know a bit more about training, development and leadership brought into the organisation at the top, who can show us a better way.

Robin Fell: I agree. We probably develop staff fairly well, because the various staff who sit at the top of the various directorates are good staff, and they have come through from the factory floor in some cases, but we could do more to develop them and, if necessary, bring people in from outside. I have to be careful what I say, I suppose, but I would say it was unwise to bring someone in from outside if they are then going to have that Clerk function, because that is something you cannot learn when you arrive here. When you become the Clerk, with the Clerk's responsibilities, you have to have the knowledge already, and the experience and the feel; it is not something that you can learn when you arrive.

Q378 Jacob Rees-Mogg: Thank you. We had, as you know, the staff event—I think you both volunteered to come to it, but have kindly come instead to the evidence session. We heard that staff can feel disconnected from the Commission, Management Board and Member Committee decisions. How can we make these bodies appear to be operating effectively to the staff? Do you think it would help if we elected Members to the Commission and appointed non-executive directors? And if you were looking at it from outside, how do you think the staff would perceive good Member engagement with the running of the House of Commons? What would that be?

Lawrence Ward: There is quite a bit in that. I have some ideas. The reason why staff can often feel distant from Members is because the Management Board is distant from Members. I have suggested one way in which we could bridge that divide, by plugging the

Management Board into the Member Committees as non-executive directors. The question then is, would you need other non-executive directors on top of that? Probably not—the non-execs would be senior managers in the House.

One thing that does surprise me about the organisation at the very top is our lack of focus on what most organisations would do, which is to do with the four key performance areas. I can be a bit anal about these things, but we do not measure properly visitor satisfaction—we do not know what the punters think when they come into this place, and that is absolutely critical in most organisations. We do not really measure to any great extent Member satisfaction, and the problem with that is that we then become a reactionary organisation and we think that every Member who has a perception about a particular issue is the reality. Our staff satisfaction is measured, but we do not measure 1,000 contractors who are staff of the House or Members' staff, so we do not really have a clue about what we do there. We are quite good at measuring the finances.

In my mind, those four measures should be first and foremost something that the Commission should look at very regularly and frequently. It would flow then that we do more on things like employee engagement and so on.

Robin Fell: Engagement of staff—a lot of staff would like to be engaged, and are engaged. They would like to feel valued and that their worth is appreciated. That really comes from the top. That can flow from a chief executive, if we can employ or appoint one who has a passion for the place, an understanding of the place, and perhaps puts himself or herself about a bit, that would filter down through the staff, from the senior staff to the junior staff, and people would feel more engaged. They feel that the present system is a bit remote, which is a shame.

Q379 Jacob Rees-Mogg: How do you feel in your respective areas that Members engage with staff, because the two of you are two of the most visible people within the Palace of Westminster? You see Members the whole time and I would assume that you, in particular with your teams, see more Member engagement than almost anyone else. Does that work well from the point of view of your team?

Robin Fell: It works very well. The Doorkeepers are in a very privileged position because we do work very closely with Members. There are an awful lot of staff who might not see a Member all week. We not only see them, but engage with them and hopefully serve them—we do their favours.

Q380 Jacob Rees-Mogg: You normally know more than the Whips do about the daily business.

Robin Fell: I think we have a good relationship with Members, because occasionally we have to persuade a Member that something that he was thinking of doing might not be wise, and it is a great asset in doing that if the previous week you have done the Member a tremendous favour. We are atypical of staff of the House, but I think that our engagement is good and, although I might be wrong—that is for others to say—I think we are quite well appreciated and well respected by Members. If other staff had more engagement with

Members, I am sure that they would be well respected and well appreciated, but they do not currently feel it because they do not have the contact. That will probably be quite difficult to achieve, although probably not impossible. That sort of thing is something that a chief executive could give a bit of thought to.

Q381 Valerie Vaz: Thank you both for coming to give evidence, and also for your written evidence, which I found useful. It is quite refreshing to hear from you, Lawrence, that you put Members first—that the elected representatives are at the top. As a new Member, I do sometimes feel that Members’ interests are not taken and looked at as they should be, because we are there to serve our constituents. The phrase that struck me was that we come to you and see you as the person who responds to Members, but does not give in to Members, so there is a slight distinction in that you do not necessarily do everything that we ask of you, but you are quite positive about how you respond to us. Following on from my colleagues’ questions, I am quite keen to hear from you on how the Management Board and the Commission work together, because you are involved at that level. Secondly, has that role changed over the years for you?

Lawrence Ward: I will answer that by giving you an example of where there is a huge benefit in having the go-to officials who walk around in the silly clothes and everyone knows what we do, but that also shows some of the downsides of both the Management Board and our inability to influence some things at an operational level: the situation with the public queues coming into the building last year.

Some folklore has built up around that situation. I have seen some of the written submissions that say that queues are often an hour and all the rest of it, but there were only three occasions when the queues were an hour. Nevertheless, that is completely unacceptable. I found out that the queuing situation was getting out of hand in about November last year. It changed because we changed our security processes at the entry points, which we had to do because of the security threat. Everything then slowed down and ground to a halt, despite my very best efforts to raise these issues with the Management Board. Some members of the Management Board were as frustrated as I was, including David Natzler. I was saying that it was a Management Board issue because access to Parliament cuts across so many different disciplines. Banqueting book their events, the Clock Tower do their thing, visitor services work for another thing—it is all in my submission, but I think that there are seven parts of the House that can book-in capacity independently. There was no single co-ordinating authority that was able to look holistically across all our entrance points.

I kept banging the table, saying, “This is a corporate issue; we really must do something about this.” The Management Board were discussing risk assessments on a Friday; I said, “They should be discussing something that Members are moaning to me about and the public are writing to me about, and that is a core activity of Parliament.” They were just not interested in looking at it until the Administration Committee got involved, probably because they were petitioned by a number of Members saying, “This is now getting unacceptable”—people were out in the cold and all the rest of it.

The Administration Committee asked to see Sir Robert and me, and they said, “We want you to sort this now.” With that direction, off we went, and we put up the temporary tent, which was not popular but did solve the queuing issue. We then fast-tracked the project

to re-design Cromwell green and we are now getting acceptable numbers through and the queuing has gone. But that showed to me that it was six months too late. We could have done it a lot earlier, saved the organisation some reputational damage, and certainly given the members of the public who come here a far better experience.

Q382 Valerie Vaz: Is that something to do with your role, and could you see your role enhanced, because you have that interface between Members and the public?

Lawrence Ward: That is a difficult one to answer when it could appear that I am looking to self-aggrandise. Robin is doing this because he believes in Parliament, and his future here will end soon, because he is going to retire soon. As for me, I am very happy with what I am doing, but it does not mean I am not frustrated. Whatever system you come up with, and God bless you for attempting this, there has to be some mechanism or acknowledgement that at the two ends of the House of Commons Chamber—and this goes back 600 years-plus—you have the Clerk who does the procedural stuff, and a bloke in tights and a wig back up the other end who is the go-to for all these matters. I am not saying that the person up the other end is the person who should therefore run everything, because I do not think we would want to wind the clock back, but we need to address those frustrations.

In my role, I am the most frequent visitor at Member Committees out of any official. I am always at Member Committees, usually two a week, but in the two and a half years that I have been the Serjeant I have been to one Management Board meeting. That shows you that I am far closer to Members than to senior management. That may be a failing on my part, but it shows that they are very distant sometimes from the kernel of the running of the House.

Q383 Jesse Norman: Mr Ward, thank you very much for coming. You were talking about the different things that had been pushed through—you mentioned the education centre and administrative stuff. Is it right to think that these are really projects, rather than core tasks of running the institution? They are slightly different, because they are initiatives that go through. Have I got that right?

Lawrence Ward: I think you have—

Q384 Jesse Norman: The Management Board might think of these as being important, but they also have other tasks to do with actually making sure the whole thing continues to run alongside that, and therefore whether they manage projects is a separate question as to whether or not they are doing their job effectively on those other things.

Lawrence Ward: I think you are right, but in those specific cases they always turn out to be a project and something that needs implementing. The point I was trying to make, probably clumsily, is that it is about strategic direction. These are matters of strategy. Do we want to double the number of school kids that come into this place, with all the problems that that causes us in an old building? That relates to a strategic direction. Do we want to have a workplace nursery, so that Members and others can bring their kids in? Do we want to open

the place to a documentary film crew, or do we want to make a film called “Suffragette”? These are all strategic direction things that then fall into specific projects.

The Management Board has struggled when it tries to do strategy, but it does not have the power to do strategy, because it can be overlooked by the Commission that says, “Get back in your box”. So that should be the doing group, if you see what I mean. They are the senior managers who should do the implementation of the strategy.

Q385 Jesse Norman: A tiny supplementary: I think you focused on the importance of having the right executive skills, and the role of the Commission as being the ultimate boss, but is it not the case that many people on the Commission do not actually have any of the executive skills that would be required to discharge that function? John Thurso does, and he has been a great success in the financial area, but with the others, as you might expect in a largely democratic organisation, they do not have a lot of management or executive skills in their own experience or past, although they could do in future cases.

Lawrence Ward: I think that is another argument for having a strong chief executive who has those skills and brings them to bear on the Commission. I was at the Commission with two items on Monday. There is so much experience and knowledge there. They are very adept at being able to spot elephant traps. I think the skill base could be worked on, but you could be right. There could be the need for someone who knows how to run an organisation, and therefore that is not the Clerk who sits there; that should be a chief executive. But I do think they should both sit there.

Jesse Norman: That is very interesting.

Chair: Very briefly, Sir Oliver and Mr Paisley.

Q386 Sir Oliver Heald: I just want to raise one small point. When we had the staff event—there were about 40 staff and we took it in turns to be two MPs per group of 10—we had a very interesting discussion. There was a lot of camaraderie about all working in the same workplace. At the end, one of the members of staff who I had been talking to said that she was really pleased that this had been done at all and thought that the Commission might try to do a similar staff event from time to time so that it is connected with the concerns of staff right across all the various Departments of the House. What do you think of that idea?

Lawrence Ward: I think it is a great idea. I welcome it.

Robin Fell: Certainly, yes. We are talking about how it is an initiative that the chief executive could drive forward. It is about connecting with Members.

Q387 Ian Paisley: Robin, you said that you felt that your staff were very highly regarded because Members came to them and they were getting things done. Is part of that because you are in uniform and people identify with you? They know that you are someone in authority and they can go to you. When you solve a problem, they are going to keep coming back to you. Is there an issue there? Do we need to identify these other grey suits that

are floating around who perhaps do have a lot of power, but people aren't going to them to get their solutions?

Robin Fell: We are highly identifiable because we wear what we wear, but I suspect that if those Doorkeepers, especially the ones who worked around the Chamber, all wore grey suits, within six months Members would still know them and that they are the ones to go to. They might take a moment or two to spot them, but I think they would probably still know them, although I am not advocating losing the uniform.

Q388 Ian Paisley: Absolutely. Is there something we should do to identify the people who are in grey suits and we do not know or identify with?

Robin Fell: Member engagement, I suppose. Having a system where those people can, as with Sir Oliver's idea, have a chance to meet Members more and engage with them at other events. That would help. Maybe in lots of directorates it is always the top man who goes to Members to address their problems and deal with things, and perhaps they have got the information they are passing on to the Member from their junior staff. Why can't the junior staff go and talk to the Member about it? Is there a feeling that it has to be the top man?

Chair: Thank you. For the record, Mr Ward was signalling by sign language that we should have name badges, which we all agree on.

Q389 Valerie Vaz: May I give our thanks to Robin? I don't think we are going to have a chance to say thank you.

Robin Fell: I don't retire until next year, possibly towards the end of next year if the Serjeant will bear with me for a little longer. I am now getting to the point where everything is for the last time.

Chair: Some of us are retiring sooner.

Robin Fell: I will do one more election. Unfortunately, I won't see you returning.

Q390 Chair: Mr Fell, you were here when I arrived, which some people say is back in the mists of time, whereas Ms Gay was a new addition to the place a long time after I came. May I thank you both very much indeed for your oral evidence today and your written evidence before?

Lawrence Ward: And can I just say that this is the first opportunity that Members have had to look at the organisation of the House since 1976? I think the way that you have gone about it is absolutely superb. You have got full engagement from everybody and I would like to thank you on behalf of the staff.

Chair: Thank you very much. We always thought you were a great man.

Examination of Witnesses

Witnesses: **Marianne Cwynarski**, Head of Central Communications, **Paul Evans**, Clerk of the Journals, and **Oonagh Gay OBE**, Senior Library Clerk, gave evidence.

Chair: Ms Cwynarski, Ms Gay and Mr Evans, thank you very much for your attendance here today. I am going to ask Mr Norman if he would like to ask his questions.

Q391 Jesse Norman: Can I ask you, Ms Cwynarski, about the roles of Clerk and chief executive? At the moment, do you see yourself as working directly with the Clerk and chief executive and/or with the Speaker, or both? How do those two things tie together?

Marianne Cwynarski: I work in the office of the chief executive, and I have worked there for 12 years. I have worked for four Clerks. I feel very clearly that my manager is the Clerk of the House and chief executive. I have a relationship with the Speaker of the House, but that has been born out of the work that I do with the workplace equality network, ParliREACH, which represents the interests of black and minority ethnic staff and Members and Members' staff.

Q392 Jesse Norman: So when you are putting out a piece of communication from the Clerk and chief executive, do you run it past the Speaker? Do those things run together? Do you try to create a corporate message that is crafted across the two?

Marianne Cwynarski: It would depend on the content of that message. If it were something to do with, say, the Respect policy, which clearly impacted the Commission, the Management Board and the House service, yes I would, but by and large it is something that I would work with the Management Board and the Clerk of the House to develop.

Q393 Jesse Norman: And how would you feel about splitting the roles of Clerk and chief executive? Do you have a view on that?

Marianne Cwynarski: I have to say that I have seen the role of the Clerk develop enormously during my time here. Initially, honestly, it did not work brilliantly, but over the years I think it has improved enormously. I think there is definitely some scope for thinking about developing the role of the chief operating officer, but in terms of communications and keeping a sense of a unified House service, I really feel that you need a single figurehead. Personally, I feel that that needs to be the Clerk of the House.

Q394 Jesse Norman: So just to be clear, of the various options before us—I will come to the other members of the panel in a moment, if I may—one is whether the service should be unified or two-headed; the second is whether, if it is unified, a chief executive or a

Clerk should be in charge. It seems to me that you are coming out and saying that you think it should be unified and that the Clerk should be at the head of it.

Marianne Cwynarski: Yes. When I first joined, it was a very fragmented organisation. There were seven departments and they were quite disparate. It was difficult to corral them into working together in the same direction.

Q395 Jesse Norman: Or to get them to take the same line, presumably.

Marianne Cwynarski: Yes. It was a real challenge, but I think we do that so much better now. It would be a shame if we had a two-headed organisation. I feel that that fragmentation might come back into the picture.

Chair: I'm sorry to pull you up, Mr Norman, but we have to wind up.

Q396 Jesse Norman: Thank you, Chair. Ms Gay and Mr Evans, I would be very interested in your views on the issue of a unified line of command in the first place and, secondly, who should be in charge if there were a unified model.

Oonagh Gay: Just to set it into context, I would characterise myself as an ex-middle manager—I have not had direct experience of the board of management or the Commission. However, from working in a very Member-facing service, the Library, I have had a lot of experience working with and for Members. In my paper, I tried to get at some of the ambiguities of this question, because I do not think it is quite as simple as separating off principal services and management services.

However, I feel that if we continue with the current situation, in which the Clerk of the House must have extensive procedural experience in order to carry that dual role of Clerk and chief, that is not a very satisfactory position with which to go forward, knowing as we do that R and R—reform and renewal—is coming. We would hope that at the end of that process, we will have a single chief executive in charge of this world heritage site, with Clerks at either end of the building. If your Committee wants to take a forward look, I think that is where most of us would like to end up. Therefore, I think we need a chief executive who has a broader skill set than you would currently get from a long career in DCCS.

Q397 Jesse Norman: Just to be clear, in your view, would they report to the Clerk, would the Clerk report to them or would it be different?

Oonagh Gay: I think it would be difficult to have a double-headed hydra with no one in command. It is difficult to see how the Clerk can control maybe a quarter of the budget and be senior to the chief executive. There are lots of well established models that have already been floated, not least the chief monitoring officer of a local authority who is the professional who can warn the chief executive if there are problems. But in my mind the chief executive would have predominance. I have a lot of sympathy with Lawrence Ward's criticisms of the Management Board. I hope that you will look at that aspect because I am not sure that you would want a chief executive, a Management Board and a Clerk.

Paul Evans: My starting point would be that I do not think there should be a dual line of command. But I also broadly agree with Oonagh that if you look to the future and you have a body that runs a bicameral service, that would clearly be run by a separate person and it would have a semi-contractual relationship with the leaders of the permanent service in the two Houses. That is a perfectly plausible model. It is some way in the future to get it going but I think it is one that you could decide to work towards.

Q398 Jesse Norman: Would that be enabled or disabled by having a House executive officer who was a chief executive or chief operating officer? Would it make a difference which was which?

Paul Evans: It would be foolish to have a chief executive now, if that was the vision you had for the future, to stop the chief executive style split in the House of Commons. I think we should have a head of service. I think that head of service should be someone who understands the front-line business and has experience and knowledge. I find it quite unhelpful that we talk about Clerks as if they were some sort of homogeneous and indivisible body of dry proceduralists. They are a diverse range of people ranging from the extremely competent to the broadly incompetent and they include people who are deeply interested in managing things and people who have no interest in managing things. They are a very different bunch of people. I would not say that all of them are qualified to run this place. So, for example, if Oonagh decided to put herself forward for chief executive—or head of the permanent service—I would feel that she was perfectly well qualified. She has spent as long as me thinking about the constitution and how Parliament works and how it fits into the world. So I would regard her as eminently qualified, at least in that respect, to run this service. So I don't think we are talking about a closed-shop approach to that. But it has to be someone who understands it.

Valerie Vaz: May I put a brief question to all of you? You have all talked and others have talked about the lack of clarity and that someone at the top is needed because of that lack of clarity. Yet we have all seen evidence about the way that the Commission and the Management Board operate and my favourite organogram, which is meaningless to me. Do you think you need one person at the top because we have a lack of clarity in the way that decisions are being made?

Marianne Cwynarski: What would really help would be staff, Members and everyone understanding each other's roles better. People know what they are here to do but I don't think others understand what they are here to do. There is a lot that we could do to demystify things. I have been working on demystifying what the Management Board does for the staff of the House. I think we could undertake a similar operation for the Commission. We have been doing that for the Admin Committee. Sir Alan Haselhurst came and addressed 150 of our senior leaders recently and that worked very well to engage staff with the Admin Committee. We could do that with other groups, too. I think it is understanding that we need.

Oonagh Gay: In Parliament you are always going to have a lack of clarity because you have the senior staff and you have Members. It is very likely, as we heard before, that the Commission will suddenly pick up a political context to a very small administrative decision. We would be idiots if we thought that we would ever have a completely clear management system. We are not very clear ourselves as to what sort of organisation we are. Are we like

the Ministry of Justice? Are we full of civil servants? Are we the British Museum with different strands of professionals? Are we Birmingham city council with more established professions? I think we are somewhere in the middle, and the Board of Management has gradually been morphing into a more coherent, corporate body, but it has a long way to go.

I was very struck by Myfanwy Barrett's evidence that the Management Board simply did not meet together enough to really develop a corporate point of view. As a middle manager, I have listened to my team complain that the Management Board is remote and so on, and we saw that very clearly during the pay negotiations and in the requirement to record hours of work. I spent a year looking at my team's working pattern; every 15 minutes was recorded. Towards the end of that period, I realised that nobody was actually checking any checking off that I was doing, so I just quietly stopped it. I think that is symptomatic of some of the initiatives that have come from the Management Board that have not helped us in being customer facing.

Paul Evans: There is very little I would disagree with in what Oonagh said, but I will pick up one point. The culture of your permanent service rather reflects the culture of the body it serves, which is disparate, stubborn, hard to corral and puts a great deal of value on individual opinion, individual freedom and the right to block. We pick up quite a lot of that. I agree with Oonagh that seeking absolute clarity, absolute command and control, is a fool's errand. Everything that Oonagh said about the Management Board and her positive comments about how it is getting better I agree with. I think the complexities of the relationship between the Member bodies—the Commission, the Administration Committee and the F and S Committee—and the Management Board do add a degree of opacity to what goes on. Nobody is quite sure who is responsible for making the decisions they disagree with.

Sir Oliver Heald: I shall speak to Oonagh first, if I may. Thank you for all the help you have given me over the years on constitutional affairs.

Chair: I add my thanks.

Valerie Vaz: Keep digging!

Q399 Sir Oliver Heald: When we talked to staff last week, they said that they had mixed views about how career management is dealt with in the House. There is this idea of Clerk-based careers, and you have suggested in your written evidence that there has been a broadening of entry to the Select Committee posts, but how do you see this developing in the future? Is there anything that the Committee could recommend to improve staff development across the House?

Oonagh Gay: I was very struck by some of the briefings to the media over the summer about what a Clerk was; was it a profession? That is why I put slightly elliptical evidence in—because I had been musing about this. It doesn't seem to me to have the full characteristics of a profession. We have seen some very welcome broadening of entry points to Select Committees. However, because posts are not openly advertised but there is a process of circulation, it can be very unclear to staff who are not currently in the DCCS where the promotion opportunities lie.

Q400 Chair: Are you saying that there is no internal advertising of posts in a formal way; it's now inside a department of the civil service?

Oonagh Gay: Yes, generally it's inside. It's not always. You can approach the Clerk of Committees and say that you are interested in being moved. Some of the posts are advertised internally. A couple of years ago, there was a working group of the Liaison Committee that looked at this issue in terms of open competition for Select Committee Clerk posts, and the Liaison Committee has decided that in the next Parliament it will experiment with that, but I think some of the Chairs of those Committees were a little frustrated that one model was offered to them because of the importance of circulating staff around the DCCS so that they develop a full skill set in order to take on one of the senior roles. It is difficult when we are in a position where all the senior posts in the DCCS—the Clerk of Committees, the Clerk of the Journals, etc.—go to people who have spent several years in the DCCS. I do think that there is a problem within the DCCS in terms of being challenged and held accountable.

That is why I put in the slightly odd paragraph about “Erskine May”. It seemed to me to be relevant. “Erskine May” is our House’s procedural bible, yet it is not owned by the House. It is organised by a private charitable trust, which is designed to help smaller Commonwealth countries get “Erskine May”. Now we have the internet, would it not be better to put it on the internet and to make it freely available to everyone? Yet this year the House fought a freedom of information request and an Information Commissioner decision pointed out that “Erskine May” is not the property of the House and is accessible elsewhere—*[Interruption.]* Well, it costs £300; it is not in your normal public library.

That kind of attitude is symptomatic of some of the problems within the DCCS. I acknowledge that there has been a huge change since Paul and I entered the House service in the early '80s, but it needs to be faster, or it needs to be more focused on customers.

Q401 Chair: I think I am right in saying that “Erskine May” is not even available on the intranet, is it?

Oonagh Gay: No, because the publisher, Butterworths, has a restrictive contract.

Chair: I would just say to the Clerks here that I think we need to say something about that.

Q402 Sir Oliver Heald: In your evidence, Paul, you talk about developing skills from within Committee and procedural roles for the chief executive role. Will you say a little more about that, because you were very keen not to be excluded from chief executive-type activity?

Paul Evans: If I had been told when I applied in 1981 that my job was to spend my life doing procedure, I would not have come here. I am interested in running an organisation, I am interested in managing an organisation and I am interested, to put it a bit piously, in making Parliament more effective and better. That involves a lot of management.

I said in my evidence that I look with envy at my younger colleagues—Oonagh confirms that we have moved a long way—because they have opportunities to work in the civil service and other departments that I was never offered. In my day, if you went into the civil service, you were so stained with the corruption of the Executive that you could never return to the House of Commons service. It has changed dramatically. I want more of that.

One of the things that I want is those skills that are described as professional skills. The most closed “closed shops” are not the DCCS, but the Department of Human Resources and Change and the Department of Finance. There are good reasons for that, but there are also bad reasons for that.

Q403 Sir Oliver Heald: Do you think that we need a continuous professional development programme that enables staff right across Parliament to meet their aspirations and to channel their activities towards their goals?

Paul Evans: Absolutely, and one of the things that the head of the permanent service should be doing is taking a much firmer grip on the strategic sense of career development and on getting these issues really “made to happen” in ways that they perhaps have not done quickly enough.

I just want to say something about the Clerks. In my 33 years in the House service, I spent 13 as what you might call a proceduralist—I am a bit fed up with the term—and I spent the other 20 working for Select Committees. Working for a Select Committee consists of about 0.2% procedure and 99.8% policy analysis, managing resources, managing communications and managing relationships. Clerks are not some kind of priesthood; being a Clerk is a job and some specific jobs are as Clerks, so it is not something that is a profession. Oonagh would make a perfectly good Clerk for a time, just as I would make an excellent head of the Parliament and Constitution unit.

Q404 Sir Oliver Heald: It is time I brought you in, Marianne. You are chair of the workplace equality network that won the prize.

Marianne Cwynarski: No.

Sir Oliver Heald: No?

Marianne Cwynarski: Unfortunately not, I am the chair of the other one, ParliREACH—

Q405 Sir Oliver Heald: Never mind, next year. I think you have had a lot of strong support from the previous Clerk, Sir Robert. Do you want to say a word about how important that is, that the Clerk is backing initiatives of your sort?

Marianne Cwynarski: I am very lucky that early on, when I first became the chair of the new network, ParliREACH—REACH, by the way, stands for race, ethnicity and cultural heritage, so essentially it is black and minority ethnic staff—I approached David Natzler and

he became our champion. He proved very useful in supporting our events, being a visible figurehead, and I feel very supported by him and other members of the Management Board, actually.

Q406 Valerie Vaz: We had a staff event, which I thought was very useful, because you can always tell an organisation by the people who actually work at the coal face. You have probably seen some of the evidence. Anonymous evidence, maybe, is a bit more—how shall we say—helpful to us in our deliberations; and there has also been other named evidence, which sets out where Parliament is going rightly or wrongly. I feel as a Member that everyone who works within Parliament should be supporting Members—that is no surprise. So as well as getting staff engaged with the Management Board, how do each one of you see Members being involved in a much more overt way?

Paul Evans: Can I say something about the anonymous evidence, before I answer your question?

Valerie Vaz: Was it from you?

Paul Evans: No. My own evidence is named. In much of that evidence—some of that evidence, not all of it—which is anonymous, I find the stereotyping and malevolence offensive. We have a policy called Valuing Others, which is about showing respect to everybody's difference and diversity in the organisation. I think it is very regrettable; if some of the stuff that was said in the anonymous evidence was said in a meeting where I was present or in an office where I was managing, I would consider it a disciplinary offence. Anyway, to answer your question—

Q407 Valerie Vaz: Well, we were asking people for their views.

Paul Evans: Yes, asking people for their views. If they have views they should say them out in public.

Q408 Valerie Vaz: But they also were given the opportunity to say it privately as well as publicly.

Paul Evans: Privately is different to anonymously.

Q409 Valerie Vaz: Okay, I am not saying that it is not, but this gives people an opportunity to say exactly what they feel without any repercussions. You are going to discipline them, so they are not going to come forward. We are never going to change, are we, if we do not allow people to say what they want to say? Anyway, shall we move on?

Paul Evans: We do not allow people to say what they want to say in our organisation because we have a policy called Valuing Others which says that you should treat other people with respect and you should not stereotype them and treat them with disrespect.

Valerie Vaz: Anyway—unless you can come up with some specific example.

Paul Evans: Fair enough. It is just something, obviously, I wanted to get off my chest.

Chair: You have got it off your chest, Mr Evans, but I defend the fact that we have entertained anonymous evidence. In most cases, the evidence has come to us with the person naming themselves; but they have asked for their name to be redacted. I think there is a real difference between how this organisation appears if you are at or near the top of it and how it appears, whatever the Respect policy may be, if you are at or near the bottom of it, and at an early stage in your career. I think we were absolutely right to do that. Sorry, Ms Vaz.

Q410 Valerie Vaz: Staff involvement and Member involvement.

Paul Evans: I would like to see more communication. Staff in the front-line jobs meet Members a lot. It may be a rather random sample of Members that they meet, depending if they are on a Select Committee or work in the Table Office, or whatever—in the research section, where it may be a particular group of Members. So that is not a particularly coherent one, but there is a lot of staff-Member interchange and exchange. That is a positive thing.

If you are talking about the Commission and the governance Committees, they do not—I think Sir Oliver put it that you go out and talk to staff. The Commission does not do that; that would be great if they did more of that. I think that staff do not have a sense that they are being talked to or listened to, so at that simple level you could do a lot. If the Commission said more clearly, “Our priority for this year is to build an education centre, and as a consequence of building an education centre we are not going to give you new computers this year,” that would be a very clear message. Staff would understand who was setting the priorities and why.

Oonagh Gay: I think I would support the idea of having elections for Commission members, because I think it would enable members to take their responsibility seriously. I understand why the Leader and shadow Leader of the House are on there ex-officio, but they often cannot attend, or they circulate fairly frequently as their bosses sack or move them. I think we could do with some more permanent Member involvement in the Commission. We have benefited extensively from John Thurso’s involvement because he brings a wealth of external management experience. If the Commission had members who were fully engaged for the whole of Parliament on the issues that staff face, that would be a real bonus, but at the moment there is too much turnover of Commission members. We could do something about that.

On staff involvement, I know that Marianne has tried valiantly to engage us with the Management Board and I have been to events where we met the Management Board team. Many of the people carrying out their day-to-day jobs—I am talking about the junior staff—have nothing to say at that level because they are not really engaged in the corporate agenda. Should we not have some defining principles under which our Parliament works, such as, we are available and open to the public, and, we are the legislative forum? We could have a few more defining principles so that staff could feel more engaged. Sometimes when one goes to

another meeting about the corporate five-year plan, one feels as though one is back in Stalinist Russia.

If I see another risk assessment and have to give any more information about risk assessments—we do not tackle our real risks. At the time of the Members' expenses crisis, a properly functioning organisation would have sat down afterwards and asked ourselves as senior managers where we went wrong and how could we have got into this position. I know the Management Board had an awayday to think about how they would be less deferential to Members, but I haven't really noticed a difference in this Parliament. That goes back to my points about challenging the senior staff, more introspection and more reflection. Sometimes, there are too many initiatives and not enough reflective space to see how we are growing and changing as an organisation.

Q411 Valerie Vaz: Can I just ask Marianne for a comment? I think you hosted an event with Steve McQueen—

Marianne Cwynarski: I did.

Valerie Vaz: And that was done quite quickly. It was for Members and staff.

Marianne Cwynarski: And Members' staff.

Valerie Vaz: How did you go about that? Perhaps you could focus on that? He is a star and you brought him to Parliament.

Marianne Cwynarski: I was very fortunate in that using the name of the House of Commons and getting Mr Speaker involved got me access to the film production company, and it was really keen to come and show its film.

Q412 Valerie Vaz: It was your initiative and you went to Mr Speaker about it?

Marianne Cwynarski: Yes.

Chair: I am sorry that time has run out. I thank you very much indeed, Mr Evans, Ms Gay and Ms Cwynarski, for your excellent and entertaining evidence.

Examination of Witnesses

Witnesses: **Ken Gall**, President of the Trade Union Side and **Dave Penman**, General Secretary, FDA, gave evidence.

Q413 Chair: Mr Penman and Mr Gall, thank you very much indeed for coming today. Let me ask this question of both of you. You stated in your evidence that you do not have a particular view on splitting the role of the Clerk and the Chief Executive, but if it were

to be split—as you know from the evidence we have had, that is on our agenda—how would that split best work? May I ask you first, Mr Penman? I thank you very much for your evidence, by the way.

Dave Penman: From our perspective, I was struck by some of the evidence that I read that if there is to be a split of the roles, there must be absolute clarity around the decision making and authority that would come from that. As we say in our evidence and from our experience elsewhere, if you are operating an organisation with about 2,000 staff, people need to know who is in charge, who has responsibility and who has accountability for decisions that are taken, and if you take a role as it is currently organised and split that between two individuals, there is a good analogy from what has happened in the civil service over the last four or five years about people being absolutely clear who is responsible for what and who ultimately has the authority to make an organisation function effectively. That is what we have tried to emphasise would be important for the effective running of the organisation and what staff would want to see.

Q414 Chair: If there were to be a split, do you have a view about whether the chief executive should report to the Clerk or vice versa?

Dave Penman: We have not taken a position one way or the other. Ultimately, it is more important that it is clear who has the ultimate authority than whether you say the chief executive has primacy over the Clerk or the Clerk has primacy over the chief executive.

Ken Gall: First of all, I should apologise for the slightly Caledonian nature of the evidence session that you are about to hear. If there had been a different result in September, of course, you would have been looking at two empty chairs sitting here.

I read with interest some of the evidence that was given by the Management Board the other week about the way in which they have operated with the Commission in the past, in which the pay negotiations were held up as an example where strong leadership was shown—

Chair: Was shown?

Ken Gall: Was shown—and that the relationship between the Management Board and the Commission and the chief executive in that instance was actually quite positive. Now, the fact that we ended up in the High Court with those negotiations suggests me to that the success of that strategy was limited.

I agree very much with Dave that my experience during those negotiations was the opposite of clarity in terms of who was actually making the decisions, and I agree very much with Dave that the management structures to me are secondary to clarity of lines of accountability. During the pay negotiations, which was a ghastly and tortuous process—months of my life that I'll never get back, and before which I had a full head of hair—I found it very difficult to discern whether the Commission was calling the tune, the Management Board was calling the tune, or elements within the Management Board were calling the tune. Going forward, the most important thing for me is not the split. The split is an important question, but the most important question is: with whom do I negotiate? Who do I point to? If

I need to get Dave on the phone to come and speak to somebody, who is the person that I recommend he speaks to? At the moment, that is not clear and it needs to be clear.

Q415 Chair: Mr Gall, in your experience across Whitehall, is it clear in Government Departments on the whole whom you talk to?

Ken Gall: Mr Penman is the man who has experience across Whitehall; I am the one who has experience of the Commons.

Dave Penman: I think in most Departments it is. As I said, an example of where there were some difficulties with that is what has happened at the top of the civil service over the last few years, where we had the split of the role. That was not seen as a successful experiment, because ultimately—

Q416 Chair: You mean the split role where you had the head of the civil service and the Cabinet Secretary.

Dave Penman: Yes, and ultimately, coming back to the point of clarity, if you decide to split it, whichever role has primacy, it is important that there is recognition of who is running the organisation. There is a danger ultimately in organisations—we see this quite often—where you notionally have someone with that responsibility, but the reality is that the power lies elsewhere, and inevitably what happens, both in terms of management and what we do as unions, is that we are drawn to where the power lies, so there has to be clarity about those roles and about who is ultimately in charge. In most Government Departments, that is what you get: you understand the nature and role of the political leadership in the Department, and what their responsibilities are, and you understand, in terms of the management functions and the operation of the Department, who has responsibility.

Q417 Chair: Mr Gall, apologies that your experience here led to this loss of hair.

Ken Gall: Tragic.

Chair: You expressed your frustration over the pay negotiations. We have a unified Clerk and chief executive at the moment. How far were you taking these problems of a lack of clarity to Sir Robert?

Ken Gall: On an informal basis, we approached Sir Robert and we approached the Speaker. We attended the Commission on a formal basis on a number of occasions, and I met various members of the Commission and senior Members of Parliament on a number of occasions throughout the process.

Q418 Mr Heath: This will inevitably be slightly iterative from the previous sessions, because we want to get various people's opinions. I would like, Mr Gall, to look at the issue of staff training and access to career development, and your perceptions as to whether the permanent service within the House actually provides that breadth of experience at the

moment. The secondary question is: how do we persuade—if that is the right word—or make people in the service, in whichever department they serve, aware that they can rise to high levels of the organisation? Or perhaps they don't think that, and they are right not to think it.

Ken Gall: If I could preface my answer to that with one comment, I think the fact that the employability of a member of the House of Commons Service—a named individual—for a high role was discussed on the Floor of the House was unjustifiable. It should not have happened, and I hope that it does not happen again.

If there was a belief at a senior level in the organisation that no member of the House of Commons staff was appointable to the job of chief executive, the follow-up question, as you are rightly suggesting, is: why would that be? The follow-up to that question would be: what steps should the House take to ensure that in two years, five years or 10 years, we have the people within the current complement who are able to take that step up? I heard Sir Oliver's question about professional development programmes, and I absolutely concur on that. I think that that is an essential feature, going forward, of what we should do.

In terms of outside appointments, as opposed to people working their way through the House, my feeling is that the Clerk or the chief executive is going to have an important constitutional role in terms of reminding the Executive what they can and cannot do in parliamentary terms. I am not going to conjure up scenarios of some demagogue in No. 10 suspending habeas corpus, but it is an important function, and the kind of sensitivity to the politicians that would lead a chief executive to having that confidence cannot be bought off the shelf. It has to be developed over time. The idea that we see as a panacea getting an outsider to come in and breathe fresh air into the fusty establishment here has to be tempered with that realisation as well.

Q419 Mr Heath: I will come back in a moment, if I may, to the point that you made about events over the summer. Mr Penman, your experience is wider than the parliamentary sphere. Do the civil service elsewhere do things better?

Dave Penman: One of the unfortunate by-products of the debate around this issue has been the rhetoric around deciding whether you want to split the role or not. There is clearly an understandable argument around that where you have such a strong professional role associated with it and then an operational role. Can you combine those two things in the one individual? That is being combined with a view that some of those responsibilities cannot be sourced from inside the current staffing structure, and it has almost been an accepted position that if you had a chief executive, you would need to go elsewhere because internal staff do not have what is needed. Whether or not that is the case, because of some of the rhetoric that is certainly how staff feel.

There is an important element of making a decision about what you think is the right structure for the organisation going forward, and then deciding how you source the right people to do that. Some of that may, by the nature of what you are doing, be very difficult to find outside because of the nature of the role, and some may be easier because it is more transferable skills, but you still have to decide what you are doing.

Almost all organisations—we deal with across the public sector, not just the civil service—try to blend the promotion and development of internal staff with bringing in people from outside. Usually, where they get it wrong is when it goes too far one way or the other. So if an organisation is entirely closed and you are not getting experience from elsewhere, that is not good for the organisation. Also, it can be very demoralising for staff if ultimately there is a perception that most—in particular, senior—jobs will always be sought elsewhere, because underlying that is a sense that the talent does not lie within and you always have to go elsewhere.

It is really about blending those two things, and the civil service gets that right and gets it wrong, depending on what the latest management ethos is. Just now, for SCS roles, the civil service is talking about having a default position of external recruitment. Clearly the underlying message from that is that they do not have sufficient talent at those sorts of levels, and that can be very demoralising. Actually, for staff generally, people at a board level often have perceptions around the experience of staff which are not actually the case; people often have broader experience, but that is assumed not to be the case.

Q420 Mr Heath: If I can come back to Mr Gall, on the points you raised about the way this was or was not managed over the summer, we are part of the process that will hopefully put that right. Is your perception that those events have had an effect on your colleagues across the House service? What can we do to help to reassure and mend, if there is a need to do so?

Ken Gall: If I could echo Oonagh Gay's point earlier, I think part of the reason we are where we are is because there is no consistency in terms of what MPs really want from Parliament. Is it purely the democratic heart of the nation, or is it another arm of the civil service that is susceptible to whatever the Government of the day's policies are towards the civil service, or is it part of the heritage of the nation like Chatsworth from which we need to draw out maximum revenue? The problem is where those three areas overlap. We are trying to modernise and we want to bring in somebody else, but we also want to maintain the traditions. We want to open the House out to greater public involvement, but security is plainly becoming more and more of an issue.

The way in which we have followed civil service policy in terms of pay, pensions, austerity and so on has had an impact on staff's identification with the House and pride in their employment. The events of the summer, when a long-standing and well respected member of House staff had their career prospects in effect discussed in a debate in the House—I have already alluded to that and I will not mention it again—did not help the positive relationship between staff and the House.

I hope it is not a revelation to anyone in the House that very few people come to their trade union official to express deep satisfaction with their employer, so I concede that my assertion may be based on a slightly distorted sample, but when I joined the House service as a boy in the previous century, I certainly felt that there was an identification with Parliament as an employer, and that has diminished, partly due to pay freezes and pension changes and partly due to the sense staff now have that they are no longer participants so much in their own employment; they are recipients of policies from senior managers and they have very little involvement in the creation of those policies.

Q421 Chair: Is this just the fact that, as you get older, you look back with rose-tinted spectacles—I think affectionately of the perfection of the House of Commons when I joined it, which has gone off since—or is it genuinely the case that things were better then?

Ken Gall: When Dave said the words “closed shop” I felt the hairs on the back of my neck go up a wee bit.

Chair: In favour? Closed shops were the rule when I turned up at the start.

Ken Gall: The terms and sitting hours we have are a consequence of the way that Parliament works. Currently we are going through a laborious process of trying to introduce an annualised hours contract across the board. The fact here is that doorkeepers, for example, are in a very traditional, singular House of Commons service, mainly functional, partly ceremonial. Can you shoehorn these people into a 35-hour working week spread out over a four-month accounting period? It is possible, but the problem we have at the moment is that the Management Board do not want it done today; they want it done yesterday; so there is a lessening of sensitivity towards Parliament and the way it sits. That is perhaps why I look back to the glory days of the ‘90s.

Q422 Mr Heath: Is part of the problem the communications between members of staff and the Management Board, and indeed the Commission? I do not know whether there is direct communication with the Commission. Is that an area we ought to look at to see how we improve those communications? One of the suggestions, for instance, is to have members of the Commission with identifiable portfolios that might make it easier for you to develop relationships with the Commission.

Ken Gall: I do not know whether Dave might be able to describe what goes on with permanent secretaries, if we are talking about generally analogous roles in the civil service.

Dave Penman: Parliament is obviously a unique organisation. You are looking at the management function of the organisation. You have set up a committee of people who probably have less experience of running organisations than most. That is the nature of the beast. I was struck by John Manzoni’s evidence when he talked about the role of a board and an executive. I think you can look at the Commission in that sense. What is the Commission? Is it a board? If it is, should it be involved in interfering in the day-to-day management of the organisation? That should sit at a management level.

Everyone always says you want more communication and you want to be more open and more transparent, which is fine, but if that then involves the Commission effectively overreaching into the day-to-day management of the organisation, that is where the danger lies, so there needs to be an understanding and channels of communication. That may be helped by portfolios among the Commission members, but it is important that that does not then overreach into effectively second-guessing or interfering with what would be the normal day-to-day management functions.

Q423 Mr Heath: But it works in local government, for instance.

Dave Penman: Yes.

Ken Gall: One of my concerns would be that over the years I have been a trade union official here, I have been presented on any number of occasions with scenarios where I am told by the Management Board that the Commission has set down an edict that must be followed. Most of the advice in financial and HR terms that has been given to the Commission in coming to that decision has come from the self-same members of the Management Board. So there is a bit of a circle there in terms of accountability. Who is really accountable for decision making with regard to staff in this organisation? At the moment it is not clear, and it needs to be.

Q424 Chair: Do you ever get invited to discuss your views before decisions are made?

Ken Gall: I invite myself.

Mr Heath: I can vouch for that.

Q425 Sir Oliver Heald: Ken, who do you actually negotiate with?

Ken Gall: Everybody.

Q426 Sir Oliver Heald: So there is not—

Ken Gall: That was facetious. I apologise for that. There are a very formal set of recognition and negotiation agreements between ourselves and the Management Board. I realised years ago that this was a very political environment, and the lack of clarity sometimes can be to the advantage of someone negotiating.

Q427 Sir Oliver Heald: I accept the wisdom of that approach, but who actually sits down on the other side of the table?

Ken Gall: We have a head of employee pay and employee relations. The job titles change frequently, but the head of employee relations is the one that we tend to negotiate with.

Q428 Sir Oliver Heald: And that is in human resources?

Ken Gall: Yes.

Q429 Valerie Vaz: I am struck by what you were saying. There is the dichotomy, as we move into the 21st century, that people think Clerks or MPs are born to the job. I think we are made, not born. As we move forward, that is the case. Although it is useful to look back

in history to see where we went wrong—the pay negotiation—you mentioned something about the Commission deciding to pay the living wage and the minimum wage. Presumably that is the policy that has to be enacted by the Management Board, or somebody else has to go away and do that.

Ken Gall: Absolutely, yes. And that has been to the great credit of the House of Commons and the current Speaker, who was personally very quick to associate himself with the desire to be a living-wage employer.

Q430 Valerie Vaz: So where does that stop? We had written evidence from someone who said that they will never again get a pay rise. They are very concerned that they are not going to get their improved standard of living because of the way the negotiation went on and what has happened about pay. How do you stop that in the future? I can send you that paragraph.

Ken Gall: I feel that the possibility of someone never getting a pay rise again may be somewhat beyond the reach of the trade union side of the House of Commons. Again, it is a reflection of Government policy. I am quite surprised by how relaxed parliamentarians have been about the savings programme and by the way in which Parliament has followed the Executive's policies towards the civil service. The pay freeze is one element of that. Dave has a lot more experience of how morale has been affected by the way in which pay has been capped over the past however long it has been—it feels like 20 years. Parliament has followed those kinds of strictures assiduously, and it will have the same demoralising effect it has had elsewhere in the civil service.

Q431 Valerie Vaz: Following on from Sir Oliver's question, as you negotiate on behalf of your members or members of staff, where do you go to? Would you go to the Management Board first, or would you put your submission to the Commission?

Ken Gall: As I said, we have formal negotiation agreements and recognition agreements in which formal negotiations take place. If those negotiations reach the point at which Treasury counsel become involved, as they did a couple of years ago—

Q432 Valerie Vaz: Who do you go to first?

Ken Gall: The Management Board.

Dave Penman: We are in the job of influence. We want to influence employers on behalf of our members. A good trade union will know how to exert that influence, and a good trade union can exploit a bad management, in terms of where the power actually lies. For us it is quite different because it can be effective for us to go around management and go to boards, commissions or whatever to find out where power lies and who we can influence. That is what we are ultimately there to do. It doesn't necessarily make for best practice in terms of having an operating model for how an organisation of deals with its employees. Ultimately, our job is to influence on behalf of our members, and we will use whatever methodology best suits that.

Q433 Jesse Norman: Mr Gall, to respond to your question, I was not involved in the expenses scandal, but if the Commons had tried to declare itself exempt from the overall mood of austerity, it would have caused a total public outcry. We can debate that, but I want you to be clear what the other side of the argument is.

You said two very interesting things: first, that the formal negotiation structure is laid down in recognition agreements and elsewhere; and, secondly, that it is hopelessly unclear where power lies. You also seem to be saying that you have been relatively happy to exploit that ambiguity for the purposes of representing your members. At least, Mr Penman suggested that sometimes the difference between the formal structures and the informal structures can be used to your advantage. My question is: how should the House be reformed to align actual authority and nominal authority so you have someone you are dealing with through formal structures who can give you authoritative answers in the way that you need for a negotiation?

Ken Gall: That might have been the impression created by my remarks, but obviously I can neither confirm nor deny that. How can the House be reformed in order to provide certainty, in terms of negotiation for trade unions? This is such a political environment, and people who have an amount of power in this environment are loth to give it up, in my experience. They are also keen, in some instances, to exploit that power. Again, I go back to the point I made what may seem to you like many hours ago. MPs and parliamentarians themselves need to have a sense of what they want Parliament to be. Now, where the power rests in the organisation is for you as parliamentarians. David and myself, and my colleagues, will respond to whatever comes out and will use whatever means at our disposal, within the law, to influence those. But, with respect, I would say that parliamentarians need to decide what they want from Parliament, as a precursor to all the rest.

Dave Penman: I think it demonstrates that the issues that you are grappling with are not simply about whether you split the role. It is about what is the effective management operation of the House. Within that, you can split the role any number of ways and it would not solve it, because if you have dysfunctionality around the role of the Commission and the role of the Management Board, it is not going to matter whether you have one job or two jobs. That really is the question.

To look at any of these in isolation would be a failure, if you are going to change and reform things, so you need to be clear around the role of the Commission and what the role of the Management Board is, and the role between Chief Executive and Clerk. You need to be clear on who has accountability and authority. From evidence that I have read from people operating elsewhere, that is probably the single message. You need that clarity. People need to understand what they are accountable for. If you have that, we will respond to that in that way and, if there isn't, we will respond to a lack of clarity.

Ken Gall: I think there is a need for greater confidence among parliamentarians and staff, as an institution. It is the Parliament of the United Kingdom. Okay, the reputation may not be at its high point, but we still should have an element of confidence in this institution, and I feel that that is kind of lacking and we are thrashing around in the dark to try and find some sticking-plaster solution that might solve a wee public perception problem for the next year or two.

Q434 Chair: I thank you both very much indeed. We have had a number of pieces of evidence about annualised hours. I have asked the Clerks to ask for a note, because I am personally very interested in this as an example of decision making which—let me say that the explanation is not entirely clear for me.

Ken Gall: A lengthy note will be winging its way to you very soon.

Chair: If you want to add anything to that, please do. Thank you very much indeed.