



House of Commons Governance Committee

Oral evidence: House of Commons Governance, HC 692

Tuesday 25 November 2014

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Written evidence from witnesses:

- [David Beamish, Clerk of the Parliaments](#)
- [Rt Hon Sir Alan Duncan MP](#)
- [Mr Barry Sheerman](#)
- [Rt Hon Keith Vaz MP](#)

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

Questions 435-508

Witness[es]: **David Beamish**, Clerk of the Parliaments, gave evidence.

Rt Hon Jack Straw MP (Chair): Mr Beamish, thank you for coming along this afternoon and for your helpful memorandum; we are very grateful. I note that you were a “Mastermind” champion, but we will try not to ask any such questions.

David Beamish: I will try not to pass, Mr Chairman. I never did on “Mastermind”.

Chair: That is obviously why you won.

Q435 You are familiar with the areas that we have been considering. May I first ask about shared services? You set out in your memorandum the services that are shared in various ways, but what is your view on whether there should be more movement towards more shared and/or common services?

David Beamish: As I mentioned in my note, it is actually formally part of our strategy for the House of Lords administration to join up where possible and amalgamate. Those words were strengthened by the House Committee when they reviewed what we showed them. We are keen on the principle.

It is fair to say that most of the obvious candidates are already shared, some for many years, and I mentioned one or two of the remaining ones. Probably, rather than try to think of the next thing to join up, there are various examples one could give. I suppose that those under the counter are easier. I notice that you have your internal auditor sitting next to you, for example. Should we join together the two internal audit services? That would be quite small and is certainly something that we have begun to think about. I wonder whether a better approach might be to step back, review what we have done, think where we might go further, and possibly even get somebody external—rather in the same way that both external audit services sometimes use external people to have a look at things—to see how the various models that we have work, and in particular to see what the benefits would be in further cases.

I suppose the two biggest cases that people might think of are catering and the Libraries. In my note, I mentioned that it is not self-evident that there would be savings, but they could look at that. Another aspect that is probably worth looking at is whether there are differences in the ways that we work that would make it harder to join up. If we aligned ourselves better in some respects, we could do better. I am afraid there are quite a few examples: our pay and grading systems, pay scales, and financial management regimes and timetables are different, and our risk management approaches are a bit different. Those are things that have grown up. Perhaps the same review could look at whether we could do better in that respect. That might provide a platform to look at merging further things, bearing in mind that the Members in the two Houses sometimes have different needs—not just between the Houses, but between different sorts of Members—so we would need to ensure that we were not going for a one size fits all. That is probably particularly true for catering.

Q436 Chair: I don't think there is any appetite in this Committee for trying to make a unicameral system out of a bicameral Parliament. We have a bicameral system so that there can be an inbuilt conflict between the two Chambers, from which we hope better decision making will emerge. On things such as finance and human resources, I accept that there may be different systems, but in principle those are described as classic back-office functions, although they are critical. Is there any reason in principle that those could not be shared, even though they might have slightly different systems?

David Beamish: I think that those would be very good questions for the sort of review that I have described. In relation to HR, probably not. For example, we already have an arrangement whereby PICT, which is in one sense a third entity, follows Commons practice, because it would be inconvenient and troublesome to have a third system. In relation to the finance department, because of the particular positions of me and my opposite number as accounting officers, that would need a bit more thought, but I would not rule it out.

Q437 Chair: Out of interest, who does HR for PICT?

David Beamish: Basically, by agreement they have a bit of their own HR—they are linked to Commons terms and conditions but they have a small HR team of their own. If we can, we are certainly going to try to avoid having that with the new parliamentary digital service that we are in the process of creating. Obviously, we have people in PICT so we will

have to think about what happens to them and, of course, the digital service is not just PICT but the web and intranet service as well.

Q438 Chair: That is a single service, yes?

David Beamish: Yes.

Q439 Jacob Rees-Mogg: Moving on to restoration and renewal, what can be learnt from previous efforts between the two Houses on major projects—you can, if you want, go back to the 1830s in your answer—that could be avoided in the restoration and renewal project?

David Beamish: It is not just about previous projects. Although there have been a few quite well known failures, most of them were before my time; I have been in my post for three and a half years so I was not closely involved. From looking at the lessons of previous collaboration more generally and in my experience, rolling the pitch behind the scenes at staff level is essential, as is preparing the ground before Members get involved. One matter in which the current structure does not help us is that we have no ready forum for Members working together—for example, the same papers typically come separately to the Commission and the House Committee. We mostly get by, but it is quite hard work.

From my point of view—you might not be surprised to hear that this currently takes up quite a bit of my thinking time, because it is such a big challenge—we need to identify a structure. We are looking at a Joint Committee to advise the two Houses on the big decisions—I mentioned in my note that that would be on how far we go, how we go about it and the process we have to control it when it is happening. Although we cannot avoid the decisions being made by the two Houses separately, if they are both getting the same advice, then we have at least a sporting chance of getting a single, sensible decision.

The answer for the actual governance of the project would probably be some kind of special purpose body—people have talked about the Olympic Delivery Authority as a successful model. I would certainly not like to suggest that any “chief executive” of either or both Houses, whatever their background, would be the right person to manage such a project; that is on a different scale from running a parliamentary Chamber, which is what I consider to be my core business.

Q440 Jacob Rees-Mogg: So you don’t think that the heads of the two House Services would try to run it jointly. You think it would be better to have a separate body to do it.

David Beamish: I do not want to jump my fences before I have got to them, but I would be amazed if we ended up trying to run it ourselves. As I mentioned, first with Malcolm, then with Robert and now with David, we get on very well at sort of thrashing things out together and coming to an agreed way forward, but on this one I think that that agreed way forward needs to be one in which we are not involved with the actual delivery on a day-to-day or even month-to-month basis.

Q441 Jacob Rees-Mogg: What governance arrangements do you think will be needed to maintain the parliamentary service before, during and after restoration and renewal?

David Beamish: Governance arrangements over what?

Q442 Jacob Rees-Mogg: General governance arrangements. If you put the restoration and renewal out to a delivery authority, how would you manage the rest of it? If the delivery authority has turfed us all out of the Palace, how are the side issues going to be dealt with?

David Beamish: Obviously it depends a bit on whether the decision is to try to work with some continuing occupation of this building. If not, I think that the division is fairly clear: in effect, the delivery authority takes over the building, and for the rest of us the Parliamentary Estates Directorate would continue to support the two Houses, wherever they were operating from, and the two administrations. There probably would not be any special issue that was beyond us. If we were trying to work around, so to speak, continuing occupation of one or both Chambers, that would need more thought. That is part of the process that must be settled over the next couple of years. I do not have an immediate answer because we are putting a lot of effort into giving ourselves the information that will allow us to get the right answer.

Q443 Chair: Can I ask you about governance? We have a Commission here in the Commons, and you have a House Committee that, as I understand it, fulfils more or less the same functions at your end. We were surprised to learn that joint meetings between the two are fairly rare. If you had structured joint meetings, but, for example, you have to have a client for the delivery authority, is there any reason why, rather than having to create another body that would get in the way of the House Committee and the Commission, you do not have as the client body either the Commission and the House Committee together, or an empowered executive committee of those two bodies? Would that not be a better way forward?

David Beamish: I certainly do not want to rule out any option. Coming back to what you said about your being surprised to hear that they do not meet together, one problem is that they are somewhat different bodies: I think that you have six Members on the Commission; we have 12 on the House Committee, so just bringing them together would not work because the Lords would fill the room. Interestingly, with the two Audit Committees, which are of similar size, we have had increasingly successful twice-yearly joint meetings, and I think that that does provide a good model.

I think I would say that there is no reason why we should not devise a bringing together of two bodies. A possible argument against is that it depends a bit on how much is expected of them, but the key players in both bodies are busy people with other roles, such as the Leader and shadow Leader. It is such a big project that you would need to ensure that the people who had to spend time on it have the time and commitment to engage. That would be

my only concern. Again, this is something that we are trying to look at. I hope that we will come up with some good advice before decisions need to be taken.

Q444 Chair: Is there not something in the old saw that if you want something done, ask someone who is busy?

David Beamish: That is a saw that I sometimes quote myself, so you may be right, provided that those concerned want to get involved.

Q445 Valerie Vaz: The Chair has led on to this kind of unified, Parliament-wide strategy. There are obviously clear differences. The Commons is elected and the Lords is not, for example. You have different procedures and even meet at different times. Do you ever see a situation where we have a Parliament-wide strategy that looks at not only the estate, but actually the purpose of Parliament?

David Beamish: On the estate, certainly. I think that that happens to some extent already. There is a 25-year estates plan, and the Parliamentary Estates Directorate is a pretty joined-up organisation. Mel Barlex, when he was its director, made sure that he kept in close touch with both Houses. Plainly, we need to help each other when we need to decant people out of their offices while things are worked on and so forth. We are pretty joined up.

The second half of your question is interesting. On the whole, we do not normally sit back and think what we are there for, but rather we get on with exercising the powers that we have. Those who have looked at what the House of Lords is for—quite a few have done so in recent years—have perhaps not all come up with the same answer. Mostly, however, starting with the Wakeham Royal Commission in 1999, the answer seems to be that they want it to do something quite close to what it does at the moment, but there have also been arguments about composition. Perhaps to some extent, historically, there is tension between the two Houses, and when they are looking at legislation, things get thrashed out. Whether there would be benefit in the two Houses getting together to try to reach—I suspect that there probably would not, because it would be too difficult to get a sufficient consensus on what they were there for.

Q446 Valerie Vaz: What if the nature of the constitutional settlement changes in terms of the House of Lords? How far forward do you consider that issue?

David Beamish: That is a very good question. It is quite challenging for us, because it is hard to look into a crystal ball. You only have to think of June 2012, when we were expecting a reformed and largely elected House, and by October 2012, we knew that it was not going to happen any time soon. You will not be surprised to hear that I am waiting eagerly to see what the parties put in their manifestos as to what they want to do about the second Chamber after next May.

In the Lords Management Board, our general approach—I don't think that there is a better one—is to work on the basis that if there were to be a smaller, elected House, whereas most Members of the House of Lords now do not have any staff, Members of a smaller

House would expect more support. In terms of the accommodation that we need, we need to prepare for having something much like what we have. In fact, we have moved up a gear in that we occupied most of Millbank House in 2011, having occupied a small part of it since 2001. We have the final quarter of it coming our way next year, so we are able to reach a point where any peer who wants a desk can have one. I am afraid that we used to be a long way from that and the desks are sometimes quite crowded even now. We are there, and we are looking at a steady state, because that is the best that we can do.

Q447 Mr Watts: Mr Beamish, you have a very unusual job, similar to the House of Commons Clerk, and you have a chief executive's role. How did you acquire the skills and experience to carry out the chief executive's role?

David Beamish: I should start by saying that, although I know the Tebbit review introduced the term "chief executive" specifically, we have never worried about that in the Lords. I sometimes say that I am the nearest thing that we have to a chief executive, but I do consider myself trying to do that job. I have been very lucky in that I had a long and varied apprenticeship, having now been in the House for 40 years. I have been amused to read some of the comments in debates in your House and those that have been aimed at your Committee, such as a reference to a Clerk as someone "who has spent his career immersed in issues of constitutional law and parliamentary procedure". That is very far from the experience of my colleagues and I.

I was running things from quite an early stage. In the mid-'80s, I was private secretary to the Leader of the House and the Government Chief Whip, on loan to the Cabinet Office. In effect, I was managing the Government's business programme in the House of the Lords. A little bit later I became what was then called Establishment Officer with responsibility for what we now call HR, which was certainly very broadening. In 2001, I took part in the civil service's then top management programme, which was a fascinating, substantial course with a mixture of public sector and private sector people. In fact, one of the private sector people on my course was Janet Gaymer, so I go back quite a long way with her. Finally, I was deputy before taking my current post. The range of things I have done means that, to my pleasant surprise, nothing has been thrown at me in the three and a half years I have been doing this job that made me feel, "Help. I'm not equipped for that."

My core business is not procedure so much as managing a parliamentary Chamber. I have seen many aspects of that. The bits that you might call the clerkly bits, which perhaps explain why I am dressed as I am, do actually read across in that my presence in the Chamber for a little bit of each day means that I get to know the Members, which helps me to manage Members in Committees and elsewhere. That may seem a bit internal, but when I was young my family used to joke that I had a new hobby every year, so they would be a bit surprised that I am still here after 40 years, but actually there is always something new and challenging.

Q448 Mr Watts: One of the things the Committee is looking at is whether we split the role between the Clerk side and the chief executive. How would that be received in the House of Lords? If it proved to be successful—if we went ahead with it, recommended it and it is adopted—do you think that would lead to the House of Lords potentially following suit?

David Beamish: I am sure we would watch with interest to see how it works. We are a bit different. We are much smaller, with 500 staff and a £100 million budget, rather than several times the number of staff and a £200 million-plus budget. I have found another interesting quote. The Clerk and chief executive of the National Assembly for Wales wrote to you: “As Chief Executive, I must surround myself with high quality staff capable of providing the Assembly with high quality service in every aspect of its work.” One rung below me, I have a layer of people who know what they are doing, and some of them are in specialist areas such as my director of facilities, the director of information services, a librarian, and so on. My job is to join up their contributions to help them through the governance aspects of dealing with Members. It is not like a plc, where you answer to your shareholders every now and then but otherwise get on with it, because the people you are serving are there all the time. That is where I have to add value. It is not self-evident to me that it would work any better if you merged some of those roles into one person, but I am sure we would want to look with interest.

It would pose an immediate challenge for me in that, at the moment, most of my dealings are with my opposite number, the Clerk, so I might need to think about whether that continues to work. In my experience, I reckon that with good will on both sides you can work with any governance system. I am sure I would make it work, however it works.

Q449 Mr Watts: I don’t want to put words in your mouth, but you seem to be saying that you would be an interested observer, rather than having a solid position that you are opposed or that you think it is a bad thing.

David Beamish: In my career I have often looked at how other things are done. I have sometimes looked at how my predecessors have done things, and copied what worked and avoided what did not work. Likewise here, if it is a success, we would want to follow it. If I can give a micro example that is very current, last week I started seeing some of my Commons colleagues wearing badges—I see Paul is wearing one now—so I am starting to consult my Members on whether we ought to wear badges. If it works for you, we might do the same. Ditto, if the split were a success—

Q450 Mr Watts: I wouldn’t worry too much, David, because it has taken 10 years to do that. You will probably be retired by the time it happens.

David Beamish: I hope Paul would say that we can move quickly. Robert and I got Tim to have a little look at our procurement services, and concluded that it was a bit of a no-brainer that they would be better joined up. John Thurso was quite startled by how quickly we did it. People sometimes think that the Clerks are the blockers. What often happens with some issues is that there is not a consensus among Members and a vocal minority can slow things down. But I can get on with things when I know that people want it.

Q451 Chair: Only at your end.

David Beamish: That is actually quite an important point. One of the drawbacks of joining up is that the governance gets more complicated. If you are doing things on a smaller scale, you can be more agile. For example, one recent thing—it has been suggested by one of our Members that an area of focus should be getting the answering time on the PICT service desk down. We cannot just do our own thing on that because PICT is funded proportionately by the two Houses, so we have to co-operate. That means we cannot be quite as quick, but you are right; at my end, I hope that we can be quite agile. We were, jointly, on the procurement service.

Q452 Ian Paisley: How important is it for you to have a good working and personal relationship with the other Clerk?

David Beamish: I would say very important—I always have had, but then I put an effort into doing so. It would be quite troublesome if we could not be frank with each other, which we are but always in an amicable way. I consulted some of my Board colleagues and I think that the same is true. It was certainly true for me, in some of the jobs I did immediately before this one where I was working quite a lot with Commons colleagues, that, behind the scenes, whatever the historical arm's-length relationship between the Houses, we could work very well together. It has not been a challenge because it has always worked well.

Q453 Ian Paisley: You are saying that you have to put the work and effort in to make it work.

David Beamish: Yes, but it has not been difficult.

Q454 Ian Paisley: In terms of the management of your time, you talked about doing the clerking or procedural bits of your job. Looking at your schedule, how much of your time is divided between those clerking bits and the chief executive bits?

David Beamish: As I say, because we have never adopted the term formally, I have never had to think about that. They do align to some extent, but I would say that the huge majority is on what I might call “management” rather than clerking.

Q455 Ian Paisley: So 70% plus?

David Beamish: Yes, that sort of thing. Even the clerking bits, as I mentioned earlier, inform other things that go on. Sitting in the Procedure Committee is clerking, I suppose, but I get to work with some of the key players in the House and that reads across to other things.

Q456 Ian Paisley: You have statutory responsibilities that are slightly different; in our House, they are managed by the Speaker, and in your House, I believe that they are managed by you. What are the benefits of those being your responsibility rather than the Lord Speaker's?

David Beamish: Which responsibilities?

Q457 Ian Paisley: I am thinking about those under the FOI Act.

David Beamish: With the FOI Act, it probably started for a specific reason. When the Act was passed and, indeed, came into force, the presiding officer of the House of Lords was the Lord Chancellor, who was a Cabinet Minister. It would have been thought inappropriate for him to be the person who was able to play the trump card, if I can put it that way, in terms of denying people information. That is how it came about. Indeed, the Clerk of the Parliaments at the time arranged to have appointed a panel to advise him, so that he could get political coverage if he was minded to reject a request.

From my point of view, it has worked rather well. To involve the Speaker or, indeed, a Member of the House if they did so at our end, could in some respects be a bit heavy-handed. The first time an issue comes up and you want to say no, it makes sense to have political involvement, but when you have established a category where it is inappropriate to give out information—draft Committee reports would be a rather crudely obvious one—I am perfectly comfortable with being the one to say, “No. This is within x category.” I should say that I start with a commitment to openness and transparency; I do not want to say no. I particularly do not want to threaten the working of the House.

I think that it works pretty well. I know that Liam Laurence Smyth has put in a paper in which he suggests that the first stage need not be the Speaker but that it should involve the Speaker if it comes to signing a certificate under either of the two sections where there is no appeal to the Commissioner. That is fine, but if you get an instance which is well established and there is no real decision, even there, it might be a bit of a palaver. So my arrangement, whereby I can go to a panel for political cover if there is something—

Q458 Ian Paisley: Are they hard to control, those radical Lords down there?

David Beamish: On this one, no, I wouldn't say so. On some things, maybe.

Ian Paisley: Thank you.

Q459 Sir Oliver Heald: The two Management Boards—the Commons' and yours—do they ever meet?

David Beamish: Oh yes, we had a joint meeting only last Friday. Typically, we have two joint meetings a year. We had our first joint awayday a little while ago. I should say that, because of the numbers, they are a little bit unwieldy, so they are probably not good forums for thrashing out blue skies issues, because there are too many of us in the room—probably 18 or so—but we certainly do.

Q460 Sir Oliver Heald: How do the executive directors work together? Do you think it is effective? Are there some factors that make it work better in some instances than others? Are there improvements that could be made?

David Beamish: I think, like I was saying a moment ago about my opposite number and me, it depends on good personal relationships. Again, I am talking to my colleagues about that and I would say, for the most part, absolutely yes. Good close working relationships between—typically—the directors general in the Commons and their opposite numbers or nearest thing to it in the Lords enable us to smooth out a lot of things behind the scenes, yes.

Q461 Sir Oliver Heald: That is for the most part. But for the part where that is not so, what recommendations would you have to improve it?

David Beamish: I do not think it is the system. It can be the issues. I regard it as one of my roles to be either a peacemaker or to knock heads together where the need arises. That is part of my responsibility. I suppose that an occasion where I think it did not work so well was where there was anxiety that the House of Lords was not being allowed its own voice by being joined up, in particular on the website. There are occasions when we have got our own messages to get out about the contribution that the House of Lords makes as the second Chamber, rather as you have in your communications. I think it may be in the House Services strategic plan that the House of Commons should be recognised as the primary democratic institution in our constitution, or words to that effect. We have a sort of separate voice, so we need to fight for that a bit, but for most things—I suppose the buildings would be a good example; we share this building and we co-operate with each other. I do not think I would say, “It’s broken. It needs fixing.”

Q462 Sir Oliver Heald: But where are the conflicts and tensions between the two Houses’ administrations?

David Beamish: I do not think there are many. I mean, we occasionally get disagreements at the level of Member bodies, and perhaps that is something you could talk about with those following me who are members of the House Committee. A notable example was in relation to demountable education centre that is currently under construction in the Victoria Tower Gardens, where, interestingly, the Commons Commission took, pretty unanimously, one view and the House Committee equally unanimously a different one. But even there we found a way through.

Q463 Sir Oliver Heald: You said that there are not many areas of conflict and tension. What are those few areas, though? Obviously, it is quite important for us to know what the true position is.

David Beamish: It is my job to sort them out. I cannot immediately think of any where I feel there is anything that needs structural change to change it, really.

Q464 Sir Oliver Heald: Perfect.

David Beamish: As I mentioned at the beginning, we are committed to being joined up where we can. The latest example is putting together the parliamentary digital service. Well, there are two latest examples: combining the web and intranet service, which hitherto had been a shared service provided by the Common's Department of Information Services with PICT, and also new security governance arrangements, where the idea is to be more joined up. The Serjeant and Black Rod for many years have jolly well made sure it worked. As the present Black Rod puts it, "You couldn't put a cigarette paper between me and the Serjeant." The new structure, I hope, will be better joined up. I don't think I am prepared to admit to any areas where we are not tackling.

Q465 Sir Oliver Heald: So the only two points, really, are the education centre, where there was a disagreement, and an understandable defensiveness that the second Chamber—or your Chamber—should not be seen as second best or in any way undermined.

David Beamish: I wouldn't say shouldn't be seen as second best. One of the satisfactory things about how things are now is that everybody recognises that it is the non-elected Chamber. The House of Commons is pre-eminent—that was the popular word 10 years ago, and that has been overtaken by primacy. Whatever you call it, we accept that but we have a distinctive part to play and we want the world to know that.

Q466 Valerie Vaz: A quick final question. What sort of experience and training did you get for your two different roles: your management role and your clerking procedural role?

David Beamish: The clerking role is very much learned on the job because nobody is going to give you a course in House of Lords procedure. For example, in my first few months I was the amanuensis for the production of a new edition of the "Companion to the Standing Orders", which is our bible of procedure that we use much more often than "Erskine May". By the time, in the days of hot metal printing, I had prepared all the sheets and marked up all the amendments, even if I did not know everything, I knew it was in there somewhere. That gave me a head start. By a combination of duties preparing the daily equivalent of your vote and later sitting at the table, which I started doing in 1991, boy you soon learn.

On the management side, I think it is gradual exposure to those responsibilities. I have talked a bit about it, how for example in the late '80s I became an Establishment Officer, which in those days was quite normal. I went off on a two-week course at Sunningdale with a lot of other people doing the same, and learned about it. In 1995 I became Clerk of Committees with a team of about 25 in those days, so it has gone up quite a lot. Really it was a gradual development and a certain amount of training, especially in the days when the Civil Service College existed. As I mentioned earlier, I suppose the most significant, the one I felt was a huge development opportunity, was the top management programme.

Q467 Valerie Vaz: Do the staff have that opportunity now?

David Beamish: The public service training offer has changed a bit, so it is a bit harder work, but we try to ensure that they do. I certainly regard growing talent as one of my responsibilities, by some combination of in-house training. Secondment is often regarded as the great thing and we look to support that, and we can to some extent, although it can be harder to find than you might think, with one important exception. I mentioned that I was lent to the Cabinet Office as private secretary to the Leader of the House and Chief Whip. We still do that, and we have two people on loan there, so although they are still in the same building, they are seeing the working of central Government.

If I could pick up on another bit of evidence that you have received, it amused me that you had a paper from Mark Addison, who was the first chief executive of the Crown Prosecution Service, I think in 1998. He was contrasting himself with David Calvert-Smith. I am much more like Mark Addison than David Calvert-Smith. Indeed, he was a private secretary at No. 10 when I was private secretary to Willie Whitelaw as Leader of the House. It is akin to the civil service path that one might follow. Perhaps because we did not have the departmental structure that the Commons used to have with the old Clerks Department, now much expanded as DCCS, the opportunities were perhaps a bit wider in the Lords. That was a good thing because there was a smaller pool of us and it would have been quite introspective otherwise.

Q468 Chair: The very final question is picking up on a point of detail. You mentioned the “Companion to the Standing Orders”. Is that the equivalent of “Erskine May”?

David Beamish: No, I would not say that. “Erskine May” is full of footnotes. If you want to find obscure precedents that is where you need to go, and we do, too. For daily use the companion has got it all in, and despite the name it is self-contained; you do not need to look at the Standing Orders.

Q469 Chair: Who produces that?

David Beamish: We do. When I was Clerk of the Journals I was the editor. Any new edition is overseen by the Procedure Committee, which is rather different from your Procedure Committee. It includes Front Benchers, including the two who are about to take over from me. It is our in-house guide. Basically, anything that is decided goes in there, so we have got it in the collective memory.

Q470 Chair: Is it available online?

David Beamish: Yes, absolutely. Nearly everything we do is online.

Chair: That is one of the eccentricities we have discovered: “Erskine May” is not produced by the House—it is produced by a charity protected by a well known legal publishing house—and, by virtue of those facts, is not available online.

Thank you very much indeed, Mr Beamish.

David Beamish: My pleasure. I hope that I have been of some help to you.

Examination of Witnesses

Witnesses: **Rt Hon. Baroness Royall**, Shadow Leader of the House of Lords, and **Rt Hon. Lord Laming**, Convenor of the Crossbench Peers, gave evidence.

Chair: Lord Laming, Baroness Royall, thank you very much for your attendance here this afternoon; we are extremely grateful. I am going to ask Sir Oliver Heald if he will open the batting.

Q471 Sir Oliver Heald: Good afternoon my famous constituent, Lord Laming, and Baroness Royall.

Lord Laming: My famous MP.

Valerie Vaz: You don't vote for him.

Lord Laming: I don't vote at all, you see.

Sir Oliver Heald: I will start with Baroness Royall: how much appetite do you think peers have for shared services across the two Houses? Would you like to see more areas covered, such as catering and libraries, or are there any other areas of activity that you would consider definitely off limits to shared services?

Baroness Royall: In my own group, we are concerned about various aspects of governance of the House of Lords because we do not believe that it is transparent enough or that it is doing everything it could for Members, as it were. We set up a working group, which has been chaired by my colleague Philip Hunt, and I will quote from a report that was published by the group. One of the key recommendations is that "The Clerk and domestic Committees should be charged with developing greater collaboration with their equivalents in the Commons. Wherever possible, joint departments should be established." That is our position as the Labour group in the House of Lords.

I personally believe that there is much more scope for working together. I think it is also logical at a time—I guess one could say of austerity—when we, as parliamentarians, are encouraging Government Departments and local councils to work together more in regard to back office, that we, as Parliament, should be taking the lead. While we are two distinct Houses of Parliament, we have one building and I think there is much more we could be doing, especially in relation to things like R&R.

Q472 Sir Oliver Heald: I will come on to that in a moment, but do you think there are things that are off limits, like the way in which you run your Chamber, your procedure and all that side of it?

Baroness Royall: I do, absolutely. Both Houses are separate, they have separate identities and their integrity must be preserved, but I think that does not stop the services themselves working together.

I know that one of the issues that has been raised during the deliberations of this Committee has been the suggestion that perhaps there should be a chief executive officer. Some people would think that it would be a good idea for that person to take charge of both Houses of Parliament, and that is something I would personally agree with, but I am speaking in a personal capacity, neither on behalf of my group nor of the House of Lords as a whole.

Lord Laming: I think there is a good appetite, if I can put it that way, in the House of Lords for some joint working. Although they are two very different Houses that are quite distinctive, we have already been able to demonstrate that there are some real benefits from joint working. The success in change management is to ensure that you get the majority of people actually buying into the changes. We are making good progress on IT facilities and good progress on security. I think we are going to make—says he, optimistically—good progress on the restoration of this building. There is scope for much more, but we will have to take it at a pace that both Houses can cope with.

Q473 Sir Oliver Heald: In terms of governance during the restoration and renewal—preparing for it, during it and then afterwards—how would you see things changing from what they are now?

Lord Laming: First, I am sure we all agree that it is a massive project. It involves a great amount of money, and it comes at a time when the economy of the country is not best placed for such a volume of money, so it is essential that our two Houses get it right. We have now got a director in post, and I look forward to the possibility of soon having a Joint Committee of Members who will take this forward. That would be a good example; instead of having two parallel sets of management, we would come together not only at an administrative level, but at Member level. I think there is a great deal that we can do on that.

I serve on JCOS, which is a good example of where Members of both Houses come together. There is a lot of benefit.

Q474 Sir Oliver Heald: I think, Lady Royall, you wanted to say a word about restoration and renewal and how governance should be.

Baroness Royall: Yes. I agree with Lord Laming. I think a Joint Committee is a very good idea, but I also think there is huge scope for the Commission and the House Committee to work much more closely together, especially in relation to restoration and renewal.

Q475 Valerie Vaz: I will of course come on to that, but I would be grateful if both of you—you are both members of the House Committee—described how that works and your relationship with the Management Board. What is the difference? Can you describe the work of your Committee and the Management Board? Who produces the reports? How do you make decisions?

Baroness Royall: Interesting. That is one area where I think we do need improved working and more transparency. It is chaired by the Lord Speaker. It has a relatively small membership: leaders of the groups plus two Back Benchers from each of the groups. The

agenda is in the hands of the Lord Speaker, although sometimes individual members of the Committee ask for items to be on the agenda. For example, I have suggested that, on the next agenda, many of the issues being raised by this Committee should be discussed by the House Committee. The Clerk of the Parliaments is there and he informs us of the deliberations of the Management Board and its views. If, for example, we are discussing something in relation to finances, the director of finances is there. When decisions have been taken, the report is drawn up and presented to the House as a whole, and so decisions are decisions of the whole House.

Lord Laming: I agree absolutely with Baroness Royall's statement on that. The House Committee is there primarily to look at the overall bigger picture of the House and the direction of travel and priorities, be it the priorities in finance or priorities in other aspects of the work of the House. They are advised by the relevant Officers. The Clerk of the Parliaments is there all the time, at all the meetings, and is the link between the House Committee and the Management Board. As Baroness Royall said, we have the other specialists like the director of facilities, who will come along and talk about the capital programme or whatever it may be. It might also be the director of finance on the budget, or Black Rod on matters to do with security procedures. That is the way it works. If you are asking whether it works wonderfully well and is the shining example of what I have described, I would have to say that its performance is a little patchy. It is worth emphasising the point that Baroness Royall made: mechanisms need to be put in place to improve the communication and the working relationship between the Commission and the House Committee. We sometimes find ourselves in a position where something has already been approved by the Commission. It comes to the House Committee and in effect, we are told that that has already been agreed down the other end.

Q476 Chair: That was part of the problem with the education centre.

Lord Laming: If I may say so, Chairman, I think that is a very good example that is worth examining in some detail.

Q477 Valerie Vaz: Do you follow that or do you assert yourself?

Lord Laming: We agonise—we positively do agonise. On the education centre, I don't know how to put this in diplomatic language—

Chair: We know the story; it's okay.

Lord Laming: That is an example of the extent of our agony.

Q478 Valerie Vaz: In terms of working together, how often do you meet and do you see that as something you can do more of in the future?

Baroness Royall: How often do we meet? I suppose at the moment, we are meeting every month, but usually, it is probably about every other month. Could we meet more often? Yes, we could, but it is interesting that you ask about the House Committee, which I suppose

is the kind of *primus inter pares*, but I think the whole governance structure of the House of Lords needs looking at—or that would be the view of my group, but obviously, this is a matter for the House of Lords. I do not mean to be rude, but what is really important about whatever decisions are taken by this Committee, when you report to the House of Commons in January, is that by default, as it were, you are not taking decisions that have implications for us. That is not to say that we would not agree with what you are saying, but it is quite a delicate issue.

Chair: I think I speak on the behalf of the whole Committee in saying we understand that.

Valerie Vaz: Our terms of reference are clear and set down by the House.

Q479 Chair: We are not proposing that there should be legislation that prescribes new governance structures for your end, which we then ram through with Parliament Acts.

Baroness Royall: I understand that, but if, for example, you were to suggest that there should be a chief executive officer, and perhaps—

Chair: We are very sensitive to this.

Q480 Valerie Vaz: In terms of chasing up the issues that arise before the Committee, you say that you get the reports, and then you agree them and the Officers then come before you. Who chases up the progress on that?

Lord Laming: As Baroness Royall said earlier, the reports of the Committee have to go to the full House. They are discussed in the Chamber and it depends on what the issue is, but clearly, we have section heads who are responsible. They would take those matters forward and then we would get feedback reports on what they have done, but I would just like to say one other thing in answer to your question. There is a tension, and I suspect it might be a tension that is not unique to the House Committee. I am a great believer, as you may have picked up, in defined levels of accountability and holding people to account—really holding them to account. Therefore, I do not think the level of accountability should be compromised by other people seeking to take over. The House Committee is an example where sometimes, Members are slightly tempted to get involved in areas of detail that would be better left to people who are accountable for delivering a service, rather than—I do not believe in day-by-day management by Committee.

Q481 Chair: In terms of collaboration between the two Houses, so we are clear, if we were to suggest that there should be, not frequent but regular, diaried joint meetings between the Commission and the House Committee—

Baroness Royall: Fantastic.

Chair: That's your viewpoint?

Lord Laming: Yes.

Q482 Jacob Rees-Mogg: I am rather jealous of the Lords being self-governing, so I hope this report does not try and say anything that would reduce that, but it does make governance quite difficult, doesn't it? Could you give us some example or indication of how the House Committee manages to get its decisions through and overcomes the risk that what it wants to do can get unpicked on the Floor of the House, if it does something that treads on the toes of an individual peer?

Baroness Royall: From my perspective, either myself or my two colleagues who are on the Committee report back to our group. If something is coming before the Committee that is particularly politically difficult or sensitive, we might well discuss it with our colleagues beforehand. We do our utmost to ensure that the majority of our group is taking the same line before anything gets to the Floor of the House. I cannot quite recall but there must be occasions when that has not happened. In the main, by the time that something gets to the Floor of the House, people are content.

Lord Laming: A great deal of effort is put in across the groups and, indeed, in the Cross-Bench group in terms of trying to engage Members so that if they have strong views on a particular matter, those are taken into consideration. Of course, they are free to express those views in the Chamber and, if necessary, something will be put to a vote.

Q483 Jacob Rees-Mogg: I seem to remember that there was a great row over the changes to driving into the House of Lords—the car park arrangements. I remember listening to it on “Today in Parliament”.

Baroness Royall: You are sad.

Q484 Jacob Rees-Mogg: I am, I know. In terms of the overarching principle of self-regulation, we have had some evidence that it makes the administration slow, rather than inefficient. Do you agree with that?

Lord Laming: If I may say so, that is an example of how, in the great scheme of things, it seems extraordinary that so much time was spent on car parking. It seemed extraordinary that it aroused such feelings. All of those feelings were brought to the surface, were recognised and addressed, and it was up to the Chamber to approve the car park arrangements, and it did. If that took a little longer than, for myself, I would have preferred, the answer is yes, it did take a little longer. That would be something of an exception.

Baroness Royall: One of the anomalies—obviously a matter for the House of Lords—is the fact that it is the Lord Speaker who chairs the House Committee but because the Lord Speaker does not have any speaking role within the House, the Lord Chairman has to defend the reports going from the House Committee to the rest of the House, which is slightly interesting.

Q485 Jacob Rees-Mogg: Thank you. Lord Laming, in your letter to the Chairman, you said that, “The organisational structure is but the vehicle to achieve these objectives” of clarity, accountability and efficiency. Could you provide us with some more comments about what makes for effective governance?

Lord Laming: The enemy is drift. I strongly believe that in all organisations—I suspect that this is true of the House of Commons, although I cannot speak with any authority—you have to keep reminding yourself about the purpose of the operation. That determines the priorities and in my view it sets the values. It is very healthy for organisations to pause from time to time and that is why I welcome the opportunity to come to the Committee, because I think you are doing a very important job. From time to time, it is important to stand back and reflect on where we have got to and, more than that, to reflect on the changed circumstances. The circumstances for Parliament are—for the Lords, certainly, and even more for the Commons—changing enormously. We should stand back and reflect on the environment in which we are now operating, and ask what the key values are and what things really set efficiency. I strongly believe in role definition and personal accountability.

Q486 Ian Paisley: The tensions and conflict that both of you have spoken about today—is that just inevitable given the nature of the people who are involved in politics and this place? Do you have any advice to give us on how that conflict and the tension that arises should be managed?

Lord Laming: I think that we have two very distinct Houses with distinct characteristics and different roles operating within Parliament. I do not think that we should seek to lose the characteristics of either of the two Houses. Their roles are different, but they complement each other and they are very important.

Because they are different, and in many ways they work differently, it is inevitable that there will be tension. My view—you might say that this is simplistic, but, if it is simplistic, let’s live by it—is that we should try to use those tensions as creatively and positively as possible and not get into confrontation. Where we have two parallel functions, there are some times when they will be parallel, but we need to build in linkages. I hope that the work of your Committee will help improve those linkages.

Q487 Ian Paisley: Baroness Royall, what lessons should the Commons learn from previous joint projects?

Baroness Royall: I think we need to talk with each other at an early stage in the decision-making process. R&R is a big thing and I do not want to hark back to the education debacle, but if, with the education centre, we had sat down the House Committee and the Commission and discussed the problems and the way forward, it would have had a much easier trajectory.

Q488 Ian Paisley: If I could speak about the elephant in the room, have you any opinion on the merits of splitting the role of Clerk and chief executive in the House of Commons?

Baroness Royall: Well, I think it would not be appropriate for me to speak about the House of Commons, but in the House of Lords—

Ian Paisley: We would welcome your advice.

Baroness Royall: Thank you very much indeed. We have a facilities manager in the House of Lords and that works remarkably well. But I do think, as I said earlier, that to have a chief executive officer or a chief operating officer for Parliament as a whole would be a very sensible way forward.

The public see us as Parliament, and for Parliament to be managed as a whole would be very sensible. But that should not impinge on the role of the Clerks in their constitutional duties: advice to whatever is happening in the Chamber. That is my personal view.

Lord Laming: Allow me to give a personal example. When I was the chief inspector of social care services, I had two very distinct functions. One was to manage the inspection programme of 150 local authorities and other bodies. The other one was to advise Government on policy and social care practice—I spent a lot of time with Ministers on that—and to ensure that the results of the inspection programme were implemented on the ground.

I came to the conclusion that these were two very distinct functions and I did not want the people doing the inspections to be compromised in any way: they should have been learning expertise only about inspection and, without fear or favour, doing inspection, because that was their job. I never changed one word of an inspection report; all I would ever do was say, when I saw reports in draft, “I don’t understand this section here.” But in terms of the findings, they were accountable for what they found as inspectors, the implementation section and the advice to Ministers. But that was because I was the chief inspector and I was accountable overall.

You can split these functions within an organisation—as I did, with me being accountable—or you can have two parallel functions. The important thing from my point of view is not so much the structure—I am sure that either can be made to work—but the role definition and accountability.

In Parliament, it is a bit more difficult than it was for me because of the role of the accounting officer and what that means. Forgive this—I can only put this in personal terms—but if I was the accounting officer and I was going to be accountable, I would want clearly defined what I was and was not accountable for. So you can do it either way, but you must ensure that the accountability is well and truly defined and that there is no ambiguity and no shifting the buck here, there and everywhere.

Chair: Thank you very much. I apologise for the fact that my alarm went off.

Valerie Vaz: Your pacemaker.

Chair: Thank you, yes; pacing the Committee. I think that brings us to a musical conclusion. Thank you very much, Baroness Royall and Lord Laming, for very interesting evidence.

Lord Laming: Thank you. I am sure we both stand ready, Chairman, should you or any other member of your Committee like any further help. That is not meant in a presumptuous way; it is meant in the spirit of friendship.

Chair: Thank you very much—in an avuncular way.

Examination of Witnesses

Witnesses: **Rt Hon Sir Alan Duncan, Mr Barry Sheerman and Rt Hon Keith Vaz** gave evidence.

Chair: Mr Vaz, Mr Sheerman, Sir Alan, we are very grateful to you for coming, and for the written evidence which each of you has submitted. I will ask Mr Watts to start.

Q489 Mr Watts: Sir Alan, can I ask you about the issue of the possible split role between the chief executive and the Clerk? Depending on how you do that, how would you stop one interfering with the role of the other?

Sir Alan Duncan: Oh, I want one to interfere with the role of the other, and to have the power to do so. We are only here today because the Commission made a complete mess of the last recruitment process and did not work through the criteria of who was supreme. We are a Parliament first and a building second. Through a completely ill-conceived recruitment process, they ended up appointing, or considering appointing, someone who had no qualification to be Clerk, yet it is the Clerk who should be supreme, because we are a Parliament first. So this was completely cack-handed.

If you want to have a split, whatever this word means, what it essentially means is that there are distinctive roles. The role of the Clerk is to make this a working Parliament for the House services. The role of a chief operating officer or someone in charge of the estate and its facilities is to make sure that the plumbing, the electricity, the catering, the lights and everything else work well and that the building doesn't fall down. These are distinctive, and in that sense, therefore, they are split, but one—the facilities side—will invariably have a bearing on the working of the Parliament as a functioning legislature, and house for the Executive and everything else.

In my view, if you are to put the Parliament first, that person has to be at the pinnacle of authority. If you need to beef up the calibre, quality and ability of those who have to look after an increasingly complicated building, with its fabric and its Victorian plumbing, then beef it up. But to try ever to think that such a person should have power over the Clerk and the House, and us as a Parliament, is nonsensical.

Q490 Mr Watts: Mr Sheerman and Mr Vaz, do you concur with Sir Alan's view?

Mr Sheerman: I disagree with most of that. I have been here 35 years, and I think this place is poorly managed. I have never known a Speaker who knew much about management; I don't think I have met a Clerk who was a manager. From 10 years as a Select Committee Chair, I have the highest esteem for Clerks—they are a great profession, and we attract great, talented people—but they are not managers. They do a fantastic job, and they very rapidly get promoted from managing small numbers of people—usually Clerks, people who support Committees and so on—to this powerful position in which they are charged with doing something that they really have no training for.

I am very keen on management—I have done a lot of management training in my life and managed people in different organisations—and I don't believe that you pick up management at Nelly's knee. You are trained to it. You have to have a real background in management training and management experience. I think that there are two aspects of the House and I do not see why the two cannot sit alongside each other: one absolutely working to the Speaker on all the parliamentary stuff and the other running an organisation that is not just the pipes, the fittings, the heating and all that.

I have always thought—in fact, Lord Laming said this: what is the purpose of this organisation? I think that people should walk into the door and see something that says, “This House exists to serve the people of this country and the people who represent them”—absolutely. Very often, we lose that. Both these dual tasks can fall under that heading: one ensuring that the parliamentary process is organised brilliantly, the other ensuring that this place with a large number of other functions is well managed.

Sir Alan Duncan: We don't disagree as much as you imply.

Mr Sheerman: No.

Keith Vaz: First, thank you to the Committee for inviting me to give evidence. This is a very important inquiry. It is a once in a generation opportunity to get the management of the House right. I agree with Sir Alan to this extent: the process ought to have been handled better. Now that we are here, let us move forward to see what we can do in order to make the process even better. I agree with Barry Sheerman that we have probably the best Clerks in the world. I have had the pleasure and the privilege of working with them as Chair of the Home Affairs Select Committee for seven years. They are outstanding individuals and they are very, very clever—probably cleverer than the average Member of Parliament—

Mr Sheerman: Easily.

Keith Vaz: And they understand the process in a way that we could never understand it. They are able to deal with difficult constitutional questions from yourself, Mr Chairman, or from Mr Rees-Mogg, or whenever Members get up in the Chamber and ask these points, but it is a different job from that of being chief executive of the building, as Mr Sheerman says. I think that there are two distinct jobs. It is absolutely right that one should not hold sway over the other, and both should be answerable to the Speaker and to Members of this House—after all, this place exists for us. We are the elected representatives of the people and so these two roles should both be accountable to Members, whether through the Commission, a reformed Administration Committee, the Speaker and the Deputy Speakers. There are two completely distinct roles. The chief executive should not tell the chief Clerk what to do and

the chief Clerk should not tell the chief executive what to do—they should both be answerable to Parliament.

Q491 Mr Watts: And how would you achieve that?

Keith Vaz: Very easily: both roles should be accountable to Mr Speaker. It works at the moment in the sense that everyone who is under the Clerk reports to the Clerk. The Clerk cannot be an expert in the kinds of things Mr Sheerman discussed—the £3 billion refurbishment of this building and all the other issues that Sir Alan raised as well.

At the end of the day, this is a House for Members. We should look at the governance and structure, in the sense of asking what the Commission does. I sit on the Administration Committee; we have a lot of papers from very highly paid senior officers. You also sit on the Administration Committee, Mr Watts, so I will not regurgitate what we did on Monday, but it is a bit like groundhog day when we come back every Monday—it is the same reports that come back. At the end of the day, these two individuals should be accountable to Parliament through the Speaker and the Speaker’s team. The bit above that is, I’m afraid, above my pay grade. I do not know how it operates; it is a mystery to me. But I think that the roles should be of equal standing.

Q492 Valerie Vaz: You have kind of answered the question—both of you have submitted written evidence about splitting the roles. Is there anything about that that you want to expand upon? Who would they be accountable to, for example?

Mr Sheerman: Personally, I think that the way in which the House of Commons Commission works needs to be looked at. I said in my written evidence that I think that we should consider Deputy Speakers having a more specialised role than they currently have—that is a possibility. There is currently a tremendous load on the Speaker, so perhaps we could consider choosing Deputy Speakers in a rather different way. That is one way. We should probably also look at doing something about how the House of Commons Commission is constituted.

I do not want to get away from the fact that, although I said that I want a logo saying, “This House exists to serve the people of this country and the people who represent them,” it is also about the people who work here. I really think that this place is limping along in terms of how the people who work here feel about the job and the management. That is bad management. Why can’t we be as good as the people who work at John Lewis? Why can’t the staff be fully engaged in how this place runs? Why can’t we give them some surety of employment over time? Talk to Terry, the head chef, who says, “I started here at 14, man and boy I’ve worked my way up, but there’s no security now, Mr Sheerman. This young man here’s on a temporary contract, and she’s from an agency”, and so on. We have to have a well managed system at the top, but we must look at why we are not managing the staff properly—the last figure I saw was 2,000. They will give of their best; they are wonderful, many of them, but they are not always given the opportunity to give of their best.

Q493 Valerie Vaz: I will come on to that. Sir Alan, you have a slightly different model, yet you also think that the roles should be split. Will each of you say what you would put in each of the roles?

Sir Alan Duncan: I think they should be split in the sense that there are clearly distinctive skills and tasks for those holding the job. The question is, who sits in ultimate authority, and would a co-equals split work? I refer you to Sir Robert Rogers's letter to me of 26 August which explains why a co-equals split would cause difficulties. I agree with what he said in that letter. Your Committee might also look, not just at whether you think that the Clerk is a suitable person to administer so many of these things, but at whether it is appropriate for the Speaker to do so. This, in my view, is the greater of the two problems. The Speaker is now being asked to do far too much and may, indeed, have changed the nature of the speakership, without the authority of the House, to do things in the way he chooses. This may or may not be a good thing, but it is happening bit by bit and has not been fully discussed by the House.

I agree with Barry Sheerman about the way we should treat people; to employ people and give them a career path and not just have them on temporary contracts. However, that is not an issue of structure. It is an issue of human resources management that the non-Clerk capability in the House of Commons management should look after. You need a good HR person, a good buildings person, someone who knows what it is to engage in a big building contract. Years ago, this led to the downfall of the Serjeant at Arms over the Cromwell Green entrance—he was deemed not to have handled it well. If we need these sorts of skills, then let us have them, but it doesn't mean we need to subsume or trump the authority of the Clerk to make sure that this, primarily, is what it should be, which is a working Parliament.

Q494 Valerie Vaz: Accountable to whom? To Members?

Sir Alan Duncan: To Members, I think.

Valerie Vaz: Right. So why should it not be to the Speaker?

Sir Alan Duncan: The Commission does seem to be a little bit of a secret society. I sat on it once. It takes decisions in a little gang at its weekly meetings and doesn't communicate them very well. Big things such as the visitor centre are decided; we read about them in the newspapers. We don't really know what's going on in our own Parliament until we pick up a copy of *The Daily Telegraph*, which will no doubt be complaining about the cost. It is too insular an organisation and I would supplement it, on the buildings side and the facilities side, with non-executive skills.

Q495 Valerie Vaz: Mr Sheerman, accountable to whom?

Mr Sheerman: Sir Alan and I will disagree, I think. One of the problems the House has had, in my experience, is a higher-than-average-intelligence Speaker who has been questioning a lot of the stuff that goes on.

Q496 Valerie Vaz: Accountable to whom? Members?

Mr Sheerman: Well, he's accountable, of course, to the House. I am happy with that, but what I am not happy about is that he should be involved in the management of the House. I can't see why, at the end of the day, the Speaker can't be as responsible for the management, with somebody reporting to him, as he is the behaviour of the Clerk. The former Clerk was a deeply conservative person, with a small C, and I disagree with the judgment he made that informed his letter to Sir Alan. I don't think, as I have said, that any of the Clerks had any management skills at all. I don't think it is impossible to keep what we have and what we cherish; the Speaker, the Deputy Speaker and a reformed Commission. Sir Alan and I agree on a reformed Commission.

Sir Alan Duncan: We have found common ground. Marvellous.

Mr Sheerman: But I cannot see why we cannot blend into that the need for highly qualified managers.

Keith Vaz: Ms Vaz, as you know, I think it is very important that everybody should be treated equally in these regards. Who they are accountable to—obviously, the Speaker and the House—is a separate matter, but the chief executive should not tell the chief Clerk what to do. We have got an interim chief Clerk in David Natzler, and he is a class act. He is brilliant at his job, but I am not sure that he would want to run an organisation with £3 billion of work to be done; it is a different skill set. That person, therefore, should get on and do their job, but they should be accountable to the House in whatever structure this Committee thinks is appropriate.

Q497 Sir Oliver Heald: I just want to ask a question about the independence and authority of the Clerk. At the moment, we go to great lengths, by appointing by letters patent, to ensure that the Clerk is genuinely independent and authoritative. My concern would be that if you put a chief executive over the Clerk, you would lose some of that. Do you agree?

Keith Vaz: I agree entirely with what you have said, Mr Heald. Nobody should be put above the Clerk in terms of the working of the House. That is why I suggest that there should be a co-equal approach and the splitting of the roles, because nobody should tell the Clerk what to do. If you watch the Speaker in the Chamber—I agree with you; I think he is an exceptional Speaker—even he takes advice from the desk in front of him. I have seen David Natzler and others always give him the advice that he seeks. I think that the roles should be separate, but they should not be over each other. That would be wrong.

Mr Sheerman: I think we agree on that, don't we?

Sir Alan Duncan: We largely agree, except where there is the danger of a collision, where in the mind of the Clerk, and Members, perhaps, there is an aspect of the decision of the chief operating officer that affects the working of Parliament in a detrimental way. You could, for instance—let us pick a petty one—close all the restaurants at breakfast time. That interrupts and changes the nature of the community of politics which is Parliament, and yet it could be thought to be simply a question whether bacon and eggs are too expensive and should only start at 10 o'clock. There are issues, therefore, which affect the working of

Parliament which go beyond what you might think of as being simple catering matters or something like that, so it does matter.

I do not know whether you are going to discuss appointment in a minute, but you touched on it. Do you want to treat that separately, or shall I make a comment?

Chair: We will do it separately, thanks. We have got to make some progress.

Keith Vaz: With respect to Sir Alan, that could never happen, because several papers would be taken over several years to the Administration Committee, to the Finance Committee and to the House of Commons Commission. It would go backwards and forwards, and then it would be decided by Members. It could never be decided by the chief executive.

Q498 Chair: All three of you have chaired Select Committees, so you will know that we have to make progress because we are aiming to finish at 6. Two of you have said that you think it is possible to have these two posts running in parallel, reporting to the Speaker. We understand the argument for separation, and we are wrestling with the relationship between the two. Since, Mr Sheerman, you mentioned John Lewis as a paradigm, can you name any organisation where there are two joint chief executives reporting to a non-executive chairman, and where that paradigm works effectively?

Mr Sheerman: Not off the top of my head.

Chair: It certainly is not John Lewis.

Mr Sheerman: Obviously, the recommendation in most public companies is that you have a chairman and chief executive. You do not roll those two into one office, because that is a very dangerous road to take. No one is denying that this is a unique organisation, but that does not mean to say that it cannot be well managed.

Chair: That is our task.

Jacob Rees-Mogg: May I just ask one question before I come on to my questions?

Chair: Yes.

Q499 Jacob Rees-Mogg: Mr Vaz, you made the very interesting point that it would take for ever to decide over bacon and eggs. We have had evidence that says that the new system for booking Committee rooms means that Committees of the House no longer take priority, so legislation Committees have suddenly found themselves not getting the room that they expect. If you don't have the clear authority of a person who is primarily a parliamentarian—someone who is interested in Parliament—you risk undermining the main function of the House. I put the earlier question back to you. Are Sir Alan's concerns very serious?

Keith Vaz: That decision would have been taken by Members. It would not have been taken by the Clerk. I was part of the Administration Committee, and we took the decision—I

think wrongly—to allow that to happen. I think it was the wrong decision to allow outside bodies to book our catering rooms. I think we ought to have priority when the House is sitting and when the House is not sitting. I have tried to book a room and could not do so because Shell, or some other company, had booked it. They can pay the prices that we currently charge, but the decision was not even taken by a Clerk; it was actually taken by Members. If Members had thought differently about it, it would have been a different decision. As far as catering in this building is concerned, it was all about trying to generate more income, but that would not be a decision for the Clerk, anyway. It would be a decision entirely for Members.

Mr Sheerman: I agree with Keith Vaz. I think it was an appalling decision, and it was made because this place is badly managed. The focus on the primacy of the parliamentarian serving his constituents has gone. I had a row with a former Clerk because I had the temerity to raise the issue of security in the House. In a letter from the Clerk I was told that I was irresponsible for even mentioning it. I was told by the Speaker that it is a convention that security is not mentioned, but if we do not mention security, we do not mention the fact that, in the present world environment, we have very important and very real security challenges in this place.

Yes, we want people to have access. When I was Chair of the Education Committee, I had a hand in improving the educational offering for children and others who come here. That is right, but if there is so much traffic, with so many external people coming to this place at the same time as we are churning the people who work here because many of them are part-time or agency staff, and so on, there is instability in the management of this place, which is going to lead to serious problems, and I think you have put your finger on it.

Q500 Jacob Rees-Mogg: Sir Alan, you made two points in your evidence to us. First, the Commission does not communicate its decisions to Members—you mentioned that earlier, too. Secondly, decisions are made as *faits accomplis* and the House does not know about them until they are in the newspapers. How can the Commission communicate more effectively? How do you think Members could give approval to the myriad decisions that the Commission needs to take?

Sir Alan Duncan: I think more decisions of significance that might get up Members' noses should probably be put to Members, rather than just delivered to them. There are always things such as getting rid of a policeman and replacing them with an outside security company, where, from my point of view, it is not the image of a national Parliament. It should be the state at its very best. The visitor centre may be a very good thing, but I don't know anything about it beyond the fact that it is digging a bloody great big hole in the middle of where I go training every morning. It may be an excellent thing, but we haven't really been told anything about it beyond what we read in the newspapers. Big executive decisions are simply not being communicated, and the Commission needs to work out how it does that. I do not think it is at the moment, so most of us are in the dark most of the time.

Q501 Ian Paisley: Mr Sheerman, in your paper you indicated to us that a whole lot of people are managing a very large, complex organisation with no on-the-job training and with

no preparation for that task. Could that be solved by on-the-job training and a proper career path development structure? Should we try to direct some of our efforts towards delivering that?

Mr Sheerman: I know that there is some mandatory training, but it is not good enough. If we had good management at the top, it would be absolutely the prime responsibility to manage your work force, promote good people and constantly upgrade their skills. That is what a high-quality organisation like John Lewis does; any good company does that.

Sorry I got on to security just now, but a well-managed organisation encompasses the whole; it holistically runs this place. And I have got to say again that security is very important, especially in a place like this, given what happened in Canada and elsewhere. Management of security is part of that; it is not separate. Some people say to me, “Leave the security to the police.”

Q502 Ian Paisley: You will be pleased to know we have looked at that.

Mr Sheerman: I have to tell you that in my experience the quality of management must encompass that, and the management of everyone in this building is very important to that security.

Q503 Ian Paisley: Thank you. Mr Vaz, in your submission you made it clear that it was important for the House to represent the United Kingdom in all its diversity and its multicultural society, and to pursue best practice in human resources and operations. Obviously, that is important for me, coming from a region of the UK with its own distinct identity, as well. How would you see that being progressed in a modern House?

Keith Vaz: This is a real challenge, but I think we have made very little progress in the 27 years that I have been here. It has taken them a long time to get a woman Clerk, and women Clerks of Committees. I can’t think of a single ethnic minority Clerk of a Committee—I may be wrong, but I haven’t seen any—whereas the Serjeant at Arms has just appointed the first black Associate Serjeant at Arms, who sits in the Serjeant at Arms’ chair, in 750 years. We should reflect the whole of the UK and we are not doing that at the moment. That is a challenge, and that is why the Chief Clerk has a lot on his plate in order to ensure that that happens.

For example, I think the staff of a Select Committee should have experience and expertise in dealing with the press. The Chairman will know from his time as Secretary of State that his private office had experience of dealing with the press. Someone like Gus Macdonald started off as a press officer before he became the Cabinet Secretary, and yet the press and media functions have been taken away from Select Committees and given to former press officers. So there is a lot that can be done and I think we should be a Parliament that the whole world looks at and thinks, “That’s how we should do it.” And we have got people of huge talent. I mentioned David Natzler; I mentioned my own Clerk on my Committee, Tom Healey; and even your Clerk here, Joanna Dodd, who worked on Home Affairs. There are lots and lots of fantastic people.

Chair: We endorse that.

Keith Vaz: And we are not developing their skills. That is what I would like to see the Chief Clerk doing—developing the skills of the fantastic people who work here.

Q504 Ian Paisley: Thank you. Sir Alan, what are your views on the desirability or feasibility of greater integration of services between the two Houses?

Sir Alan Duncan: I don't think you need a Clerk with press experience when you've got Keith Vaz as Chairman; it all happens brilliantly.

Ian Paisley: We should appoint Keith, as a sinecure.

Sir Alan Duncan: On shared services, it depends what you mean by that. However, there are certain services that are joint services. If you go down to the basement, all the plumbing, the wires, the gas, the internet and all these things go from that end of the building to the other beneath both Houses of Parliament.

Keith Vaz: No!

Sir Alan Duncan: It sounds very much like Guy Fawkes, but it is true.

Q505 Jacob Rees-Mogg: When they built it, they tried to bring in two different systems. There were huge rows about that.

Sir Alan Duncan: From what I can recall from when I sat on the Commission, the real problem is that you cannot, as it were, cut off the House of Commons from the House of Lords, restore one and then the other, because you have shared services. It is like industrial archaeology down there—from the gas pipes to the fibre optics, going from back to front—and you can't maintain one without ripping out all the others.

Q506 Ian Paisley: I was thinking of something above the plumbing, to be perfectly honest with you.

Sir Alan Duncan: If you're looking at catering, I don't know what the distinction is at the moment between one end of the House and the other. I can't see this as a particularly big issue, but I bet you the Members on the red Benches will have a view about how they want their restaurants to look—even if they have just turned the Barry Room into a Pizza Hut—and so will we. So there will be distinctive wishes, if you like, but in terms of employees, I guess they're shared, and common, and can move between the two. So, it depends exactly what you mean by "shared services" before one can give a really coherent answer.

Q507 Ian Paisley: What would you mean by it? What would you like to see?

Sir Alan Duncan: I don't know how catering services works between the Lords and the Commons, how much overlap there is between the two and how much mobility there is between the two for staff. If they are 10 short at the Lords end on a Monday, can they pinch a couple from the Commons end? I don't know, but I would have thought that if you want to set the sort of management standards that Barry Sheerman wants, there should be that kind of integrated single approach that looks at the entire institution.

Mr Sheerman: We always think about catering, don't we? It is very important to us. Quite honestly, I don't mind that it is competitive and we say, "That is better at that end."

On structure, I have just had a meeting with the chief executive of Crossrail. We are halfway through building the most complicated railway, which will go from east to west London. It has amazing technology and tunnelling and all of that. I know that there was a programme saying that it will cost £3 billion to put the Houses of Parliament right. Of course there should be a separate entity for the major structural challenges that the place faces, and that should be well managed, but it is not as daunting as it was. Having talked to the people that did all that drilling and all that work, with good management across both Houses, it can be sorted.

I have been a member of a Select Committee and spent 10 years on the Liaison Committee, and one of the problems that has not come up yet—I hope we can get into it before we finish this brief session—is the increasing pressure on this place, not from within, but from the Treasury. Increasingly, there is a kind of genetic strain in the Treasury that says, "We have got to get the Houses of Parliament. We have got to pare it down. We have got to teach them a lesson." The work of Select Committees and the work of this place are increasingly decided by how much money our friends in the Treasury will allow this place to have. This place will not flourish independently unless we have some more freedom from the grip of the Treasury.

Chair: Mr Sheerman, I am sorry to disappoint you, but we are not taking evidence on the Government's public spending policies, if you don't mind.

Mr Sheerman: That's the context.

Q508 Chair: I want to come to the final question to each of you, if I may, which is on the future process of recruitment for the senior post or senior posts. What do each of you think would be the best process to follow, obviously reflecting on what has happened in the recent past?

Sir Alan Duncan: I think I have already expressed my view about the mistakes that have been made. I think that there was a very muddled concept of who should sit in what seat, but I know what you are getting at. Put it this way: the appointment of the Clerk caused embarrassment all round and potentially put the Prime Minister and, ultimately, the Queen in a very embarrassing position, because there was no process of questioning the recommendation before it went that far. There could be a way of doing it where we copied the way you appoint, say, the Comptroller and Auditor General, who is appointed by the Queen but only after an address from the House of Commons, so the person goes through the filter of parliamentary approval before they are appointed by Her Majesty. That, I think,

would be much better. Indeed, if we had had that process this time round, we probably would not be sitting here today.

Mr Sheerman: Yes, let's have an intelligent process that everybody understands. Going back to the Treasury, I raised that with the Chancellor when we had to get a Governor of the Bank of England from Canada. We have the largest financial services sector in the world practically, and we had to go to Canada to find a Governor of the Bank of England. I was a little surprised when we could not find someone from this country to be a chief executive or Clerk here, but the context is that there are special units in some of our red tops that absolutely specialise in tracking the Speaker and trying to embarrass the Speaker. They have taken against the Speaker. You know, Chair, and we all know that that happens, so everything that happens is blown out of proportion. This was blown out of proportion, I think, by a number of journalists. I was phoned and asked to be outraged and so on. I was not outraged and refused to be outraged, but certain colleagues were. We have to put things in context: everything our present Speaker does has a group of journalists working day and night to find out if there is a problem with it.

Keith Vaz: We have an interim Clerk of Parliaments. Therefore, whoever appoints the next Clerk—I don't know whether it is the Speaker or the Deputy Speakers—should be allowed to do so in the normal way. I think David Natzler is a superb choice who would make an excellent Clerk.

On the chief executive's post, which I want to see equal but separate—sorry to use those terms—I would want to see it advertised. The person who was offered the original job obviously may not want a job that is of a different nature—she would not be the person running our Parliament, the chief Clerk. It would need to be advertised, and I hope we will be able to draw from a wide pool of people who apply. I hope people are not put off by the fact that we have had this controversy.

I am also concerned about other posts. For example, I think the Serjeant at Arms post is very important, and I am concerned about the idea that security can somehow be taken out of the Serjeant's hands and put in the hands of some expert from elsewhere. You have a huge role play as a Governance Committee. Perhaps you cannot do all this by 7 May, but you should lay the foundation for a further Committee to look at issues of diversity, security and other matters of that kind.

Chair: On what you said at the end, Mr Vaz, because of the time scale—we have been ordered by the Commons to report by 12 January—there is a limit to the breadth of our recommendations. I have to say on behalf of my colleagues that we have been having three or four sessions each week and we will continue to do that until the Christmas recess. There are limits to what we can do. Speaking personally, I entirely accept what you say about the issue of diversity. Subject to my colleagues, I wish to see it flagged up in the report as a recommendation for the future.

I thank each of you very much indeed for coming. If you have any further thoughts that you wish to commit to paper, we would be very pleased to see them.

All witnesses: Thank you.

