



House of Commons Governance Committee

Oral evidence: House of Commons Governance, HC 692

Tuesday 2 December 2014

Ordered by the House of Commons to be published on 2 December 2014.

Written evidence from witnesses:

- [Sir Malcolm Jack KCB, Sir William McKay KCB, Sir Roger Sands KCB](#)
- [Mr Andrew Tyrie MP](#)

[Watch the meeting](#)

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

Questions 661-733

Witnesses: **Sir Malcolm Jack**, **Sir William McKay** and **Sir Roger Sands**, former Clerks of the House and Chief Executives, gave evidence.

Q661 Rt Hon Jack Straw MP (Chair): Sir William, Sir Roger and Sir Malcolm—in order of seniority—welcome. Thank you very much for your evidence and for what I think we are about to hear. As you will know from looking at the evidence, we are considering quite a weight of evidence that there should be a split in the role between Chief Executive and Clerk. Some of the evidence—by no means all of it—has suggested that the Chief Executive should be the senior of the two. We are aware of the law at the moment. Putting that and the organisational benefits, or disbenefits, aside, do you think that there could be some constitutional problems in having a Chief Executive above the Clerk?

Sir William McKay: Chairman, in a way it is quite like Chopin and the piano. He said that when he did not practice for a day, he knew it, and when he did not practise for a week, his public knew it. If something goes wrong with the services which are delivered to Members, individually or collectively, that is serious and something has to be done about it. But if the process of the House goes wrong in a general way, that is much more serious.

The US Congress is perhaps an example. It is a legislative body which is very unpopular for a whole number of reasons, one of them being some of their procedural arrangements at the moment—the way that Bills can simply be railroaded through by one vote. It is that sort of relative importance which I think ought to be echoed in the relative importance of the two posts. I do not for one minute want to downplay the practical services delivered to Members; they must be delivered to the highest possible standard. But the other should not be neglected.

Sir Roger Sands: My view about the idea of having a Chief Executive above the Clerk, which I understood was what you were asking about—

Chair: Yes.

Sir Roger Sands: That would only work if the Speaker were also removed from the line of control. If you have a Speaker who combines a procedural and administrative role, you need a senior officer working with him who does the same. I have limited experience of other Parliaments, but one that has two quite separate secretaries-general is, or used to be when I knew about it, the French National Assembly. They had two quite different streams of accountability. The secretary-general for the Assembly—I think that is what he was called—reported to the President and the secretary-general for administration reported to something called a board of questeurs, which was, as I understood it—I may not have understood it properly—a sort of unholy cross between the usual channels and the Finance and Services Committee. At any rate, the two things were quite separate. Obviously, if you went in the direction—you will probably come on to this later—of more shared services with the Lords, with perhaps even a shared services department, that would achieve your separation: you would have the two channels separated. But, short of one of those two methods of organisation, I think the Chief Executive above the Clerk would be a disaster, for reasons which a number of your witnesses have given.

Sir Malcolm Jack: Could I perhaps focus on the evidence you have had and interpret it up to a point? It strikes me as being very interesting. The evidence for maintaining the duality comes from almost all your outside professional witnesses from the private sector, starting with Lord Browne, the Comptroller and Auditor General and external members of the present Management Board and, I think significantly, from the majority of Members of the House who have been involved in administration: former Leaders of the House, John Thurso, the Chair of the Admin Committee, and so on, on the one hand, and all the previous inquiries, right up to Tebbit.

On the other side, I think almost all your evidence for splitting the job has come—I say this with great sympathy—from Members who are disgruntled over particular issues: the delays in getting visitors to come into this place, the various services that do not work properly, and so on and so forth. And they come from a certain number of disgruntled staff, which, I am afraid, you will get in any organisation. On that matter, I think you have had about 20 written submissions and I remind the Committee that 2,000 people work in this building. That is a tiny proportion.

Q662 Chair: Can we try to separate the merits of splitting from the question I asked? If you do split the role, are there constitutional objections to having the Clerk subordinate to the Chief Executive? Your two colleagues have said that there are.

Sir Malcolm Jack: On that issue, the thing that comes up is the matter of independence: is the Clerk's procedural and constitutional advice somehow protected? In systems where there is a split somehow or other, that has to be—

Chair: That could be done.

Sir Malcolm Jack: Yes, that is what I am saying. So I think that is the answer.

Q663Chair: On the merits of splitting, your summary of the evidence is accurate, although I think that the balance of the evidence that we have received—my colleagues' views may differ—puts it pretty evenly. The other point, which weighs heavily with me, is that it cannot follow that, because we have done something the past, we have to do it in the future.

Sir Malcolm Jack: Of course.

Chair: Although this is still the same place that I joined 35 years ago—you chaps joined even before that—it has changed in its operation and complexity. All sorts of things have contributed to that, and the demands on Members are much greater than in those halcyon days when probably half the Back Benchers had second jobs—that was common when I first became a Member—and, leaving aside Public Bill Committees, the only focus was the Chamber. All that has changed.

Quite a case has been made for splitting the roles. That is based both on the difficulties that arose in the recruitment of a successor to Sir Robert Rogers—he is sitting behind you, by the way—

Sir Malcolm Jack: We have eyes in the back of our heads.

Chair: I cannot speak for the appointing board, but it appeared that it had an intellectual difficulty about whether they could find somebody who was qualified for one part of the job, but not for the other part, which suggested that it might be two jobs. What is your view about that?

Sir Malcolm Jack: We say in the memorandum that we think there is a way out. Recognising the immense growth in complexity of a Member's job over the past 40 years, there has to be somebody who is a progress chaser and a kicker-around. That is incontestable.

Sir Roger Sands: I agree with that. What our memorandum seeks to sketch out is that the process of change here and the three reviews that have preceded this one have been a process of evolution. None of those reviews started out as ground-zero or year-zero operations. They all set out to review very carefully what was there and how it was working to identify the bits that were not working very well and seek to make recommendations to change that. The one review built on the other. The three reviewers were from quite different backgrounds. Robin Ibbs was a private sector man who had also worked in government as an adviser to Margaret Thatcher on organisational efficiency in the public service.

Chair: “The Next Steps”, as I recall.

Sir Roger Sands: Michael Braithwaite was a freelance management consultant, although I think he had been in Deloitte, and Kevin Tebbit was a former permanent secretary who had done some significant reorganisation in the Ministry of Defence. They all built on the other and so it has been a process of evolution. The House Service has never been in the position of having to be torn up by the roots. What we are suggesting is a further step in that

evolution. Some of your witnesses in favour of this recognise that the process of either a co-equal Chief Executive or one on top of the Clerk would be something of a revolution. One of the things I learnt about when I was preparing to be Clerk was the whole business of risk management and how, when you embark on a new project, you draw up a list—a risk register—of all the things that could go wrong. My view is that the risk register for a separate and co-equal Chief Executive would be quite lengthy.

Q664 Sir Oliver Heald: Perhaps I will start with you, Sir Roger, if I may. The Chief Executive or Chief Operating Officer role could be configured below the Clerk. If you had a model like that and there was a division of responsibility, what would you do about the situation a little lower than that? You have got the Clerk Assistant at the moment running the Department of Chamber and Committee Services. Would you keep him in position, so that you would have Clerk, Chief Operating Officer and Clerk Assistant, or would you make the Clerk, given that he would have less of an executive role, the role of Clerk Assistant as well?

Sir Roger Sands: I don't think any of us had envisaged that. I think we had envisaged that the Chief Operating Officer would work across the different directorates, so that all the directors would report through him to the Clerk of the House. It would in effect be a big beefing up of the role of the Office of the Chief Executive. Certainly when I did the job, that office was just called the Office of the Clerk. The head of that was my eyes and ears. I would have a daily meeting with him, whatever else happened, and he and my private secretary would tell me what was going on. I think I can envisage the same thing happening, but at a higher level, where the person who was doing that actually had executive authority, which would strengthen it.

Q665 Sir Oliver Heald: And in this model, one of the things that has been said to us is that the person at the very top—the Clerk—would perhaps take a more strategic look at the way forward and have a stronger leadership role. I just wondered what your thoughts were on that, Sir Malcolm.

Sir Malcolm Jack: Can I give an example of this? I became the Clerk in 2006 and, somewhat inspired by visiting the Canadian House of Commons—by their ICT arrangements—I decided that this was the top priority. This was the way we had to go, and if we didn't, by the time this Parliament started it would be a mess. Frankly, as we all know, demands have grown, ICT has developed a great deal, and so on. So I was able to get hold of that issue.

We had, post-Tebbit, a streamlined Management Board. The Management Board were extremely supportive; they agreed with this, and the thing was pushed through. We found the right person who, by the way, was an outside appointment, who I think has just left the House—Joan Miller. I immediately trusted her. I felt this was someone who knew what she was talking about—she had very good experience in local government and in the private sector—and we just steamed ahead. That is what the Clerk—Chief Executive—has to do. He or she has got to look ahead and say, “What are the big issues coming up?” I think Lord Browne, your witness, used the phrase “the bigger picture”. What is the bigger picture? That, at that time, was the big picture. I hope that answers.

Sir William McKay: It goes back to an issue that we have touched on. Some of the witnesses who gave evidence had in their minds, I am sure, the kind of constructive conflict that you would get in a plc at the very top. Well, constructive conflict is one thing, but in my experience the Management Board was not full of conflict. It was an exchange of views. Suggestions got finessed, changed or sometimes just thrown back. So there is a predisposition—I imagine there still is—to agree, rather than conflict. So that will give you a basis on which to bring forward this kind of relationship.

Sir Oliver Heald: Thank you.

Q666 Jesse Norman: You argue in your written evidence, gentlemen, that now might be the right time to introduce a Deputy Corporate Officer. Is that what others would refer to as a Chief Operating Officer?

Sir Malcolm Jack: Yes, I think it is.

Sir William McKay: I think it is.

Q667 Jesse Norman: Could you talk a little bit more about exactly how that role would work and what its function would be? Is that really a kind of enforcement job, to make sure that things get done and are driven through the organisation? If this is true, why should it be necessary?

Sir William McKay: I speak as one who hasn't been responsible for 12 years, but in the world that I inhabited, this individual would be a progress chaser: "Whatever happened to?", "Where are we now?", plus with the authority to say, "Well, get on with it." As Malcolm was saying, in constant collaboration and contact with the Clerk of the House.

Q668 Jesse Norman: That is your shared view, is it?

Sir Malcolm Jack: Oh yes. And of course this person would be a senior member of the Management Board, with the same grading and status as all the other directors.

Q669 Jesse Norman: Would he or she be running the Management Board in that sense?

Sir William McKay: No.

Sir Malcolm Jack: No.

Sir Roger Sands: No, I don't think so. The other role I would envisage—this was particularly important for me in the time that I was there—is to ensure senior management visibility across the Departments. We were still in the position of trying to bring the different Departments together into one unified House Service, so I spent a lot of my time just visiting bits of the operation that, in some cases, had never seen the Clerk before.

Q670 Jesse Norman: The Clerk's eyes and ears across the operational parts of the organisation?

Sir Roger Sands: Yes, and also feeding downwards. It is not just feeding upwards from the grassroots to the Chief Executive or Clerk; it is feeding downwards so that staff at every level see somebody from senior management and feel they have a way into the Management Board other than just through their head of Department. That can be important.

Q671 Jesse Norman: Is it part of the picture you are describing that the chair of DCCS—who would perhaps be the Clerk Assistant, as separated now—will continue in that function on the Management Board?

Sir Malcolm Jack: Yes.

Sir William McKay: Yes.

Sir Roger Sands: Yes, I think that is necessary because so much of that directorate is made up of services related directly to the Chamber. They are the sorts of things that Clerks have been doing throughout their career.

Q672 Jesse Norman: And is part of that function also to stop worthwhile initiatives from being upended because one Member or the democratic process has intruded not merely at the beginning but all the way through the process in a way that perhaps makes it hard to implement?

Sir Roger Sands: Yes, I think that is what one means by progress.

Q673 Jesse Norman: That is helpful and interesting. Thank you. Concern has been expressed to the Committee that the Management Board, although it has made a lot of progress, is not quite fully discharging its function. Do you think this deputy corporate officer, or chief operating officer, is a substantive enough and strong enough function to be able to discharge that requirement?

Sir Malcolm Jack: I don't think that is the problem of the Management Board. There are very competent and able people on the Management Board who work extremely effectively. The problem is in the Management Board's relations with the Commission and the extent to which the Commission wishes to remain in control of the process. That is one of the key matters.

Chair: We will come on to that in a bit more detail.

Q674 Jesse Norman: I perfectly understand. With your permission, Chairman, and without undermining the theme, I will ask for a little more detail on that so that we understand the nature of the problem that colleagues will ask about later.

Sir Malcolm Jack: What I am saying is that this additional person will obviously strengthen the Management Board by being there, but if there is a perceived weakness of the Management Board, it is not because of the lack of personnel.

Q675 Jesse Norman: So part of this person's function would be to provide a bit more interrogation, direction and strength in dealing with the Commission?

Sir Malcolm Jack: Yes.

Sir William McKay: It would not, however, leave the Clerk as some kind of distant figure. I am thinking of issues that are now some time in the past, such as the fenestration of Portcullis House, which went adrift and we were sued. That cost us an awful lot of money, and it is the kind of thing on which, even if you had a Chief Operating Officer, the Clerk has to get his or her hands.

Q676 Jesse Norman: Because the Clerk's ultimate responsibility is not merely procedural, it is the total provision of services?

Sir William McKay: Yes, and if it is important enough, such as if you have a couple of silks sitting there, it would be ridiculous for the Clerk to sit anonymously and say, "It is not my business."

Q677 Jesse Norman: And is that your view of the Clerk's function, too? I mean that collectively.

Sir Malcolm Jack: Yes.

Sir William McKay: Yes.

Sir Roger Sands: Yes.

Q678 Jesse Norman: I mean a wider world than the purely procedural.

Sir Malcolm Jack: Absolutely.

Q679 Jacob Rees-Mogg: As heads of the House Service, how much priority were you able to give to staff development across the whole House Service? How important do you think it is that there should be a single, united House Service?

Sir Malcolm Jack: I'm sure you know, Mr Rees-Mogg, that that was one of the main planks of the Tebbit reforms. The unified service was extremely important and has led to, if I may say so, a place that is much better to work in—I know that is rather loose terminology—for the staff. There has been a great deal more mobility and there are plenty of people who

have moved across different departments of the House, so I am a great believer in the unified service, as was Tebbit.

Sorry, what was the other part of your question?

Q680 Jacob Rees-Mogg: It was really how important you thought it was, but I think the answer is that you do think it is very important. I wonder, Sir William and Sir Roger, if you broadly concur with that?

Sir Roger Sands: Yes. Things have obviously moved on since my time, but even during my time the two people who served as head of the Office of the Clerk came from the Library. People were starting to move hither and thither.

Sir Malcolm Jack: Yes.

Sir William McKay: Yes.

Sir Roger Sands: We introduced a senior management development programme during my time, which was run by an outside provider. I had my reservations about the quality of it, but the intent was there and I am sure my successors built on it.

Staff moving up now—let's take the DCCS—realise that their long-term career progression is going to depend, to some extent, on their getting wider management experience. That is not to downplay the management that was always involved in being a Clerk. Some of the criticism that I think you have had of the present situation is based on a sort of cartoon caricature of what a Clerk is, as though people look at the three people sitting at the Table of the House with their wigs and gowns on and think, "Those people couldn't manage their way out of a paper bag." That is just absurd.

Chair: We have had no evidence to that effect.

Q681 Jacob Rees-Mogg: Unless you would like to add anything to that, Sir William, I have a follow-up. If the Clerk is the head of the House Service, should the post then be open to everybody within the House service who can demonstrate an understanding of parliamentary procedure?

Sir Malcolm Jack: Yes.

Q682 Jacob Rees-Mogg: How good an understanding of procedure is essential? Sir Malcolm, you obviously edited "Erskine May"—is it essential that the Clerks should be capable of editing "Erskine May" or is that something that is nice to have, but is not essential?

Sir Malcolm Jack: I don't think it is essential that the Clerk should edit "Erskine May", but I think any Clerk of the House should know it reasonably well.

Sir William McKay: I think that's right. The best service that is given to a Member who comes to the Table with a problem might sometimes be a little tweak of procedure that hasn't happened since 1932—"Why don't you try this?" That is not to block off from promotion to Clerk of the House someone who hasn't got that strange recall. I would just say it is an important part of being Clerk of the House.

Sir Malcolm Jack: Could I just give one more example, which the Chairman will be very familiar with? When the Parliamentary Standards Bill was introduced into the House—

Q683 Chair: Ah, yes. And you defeated me.

Sir Malcolm Jack: One of the functions that I had to perform was really to advise Members of the House—particularly the Justice Committee, which became very interested in this very quickly—on the extremely serious implications of the Bill for parliamentary privilege. The Chairman is nodding and grinning. The Government very graciously understood that position and altered the Bill. I am not saying that no one who has not read "Erskine May" could have come to that view, but it was a very complex matter of privilege and it was vital at that moment. The Clerk was the impartial adviser to all Members of the House.

Jacob Rees-Mogg: Crucially, you use the word "impartial" because Members can read "Erskine May" but they are not seen as being impartial by a Government seeking to push a Bill through, so their views may not be very much appreciated, whereas the Clerk has that strength of impartiality. Is that fair, Chairman?

Q684 Chair: Yes.

It is very nice of you to say that we graciously conceded. We graciously conceded the matter after the Government had been defeated, I think by eight votes, as I recall. As you know, Sir Malcolm, the view of senior Parliamentary Counsel and the view of the Clerk of the House were different, but anyway, once we had been defeated, yes, we graciously conceded to the inevitable.

You have mentioned knowing "Erskine May" well. One of the problems about anybody else knowing "Erskine May" well is that it costs £300. Mr Rees-Mogg has purchased our copy, but, amazingly, we have discovered that it is published not by the House but by Butterworths, a private company, and for reasons which have been explained to me but I don't comprehend, it is not even available on the intranet.

Sir William McKay: It began as an attempt by the eponymous author to make a quick buck.

Sir Malcolm Jack: Erskine May.

Sir William McKay: In the days of the railway boom. Since then—I think it was in his will—he bequeathed the ownership to the Department and that is why it has always been edited whenever necessary by serving Clerks, or nearly serving Clerks, so it has always been

at one remove from the House. Of course, when Erskine May wrote the thing, he wasn't a Clerk.

Q685 Chair: Okay. Would you agree that in the modern age, it would be quite helpful if it were available on the intranet?

Sir Malcolm Jack: Yes.

Sir William McKay: Yes.

Sir Malcolm Jack: Can I just bring you up to date on this? I think that the last time we produced "Erskine May", we did certainly explore an amount going on the internet. I think the reason why we didn't in the end was that the publisher was keen on restricting access on the internet. In other words, you would have to subscribe as a customer. We didn't think that that was really fair. If it was going on the internet, it should be available to the citizens. The other thing, Mr Chairman, is that there is the short guide on the intranet. The short guide is only 100 pages. It is extremely good.

Q686 Chair: Did you write it?

Sir Malcolm Jack: No, Dorian Gerhold did.

Sir William McKay: There used to be another document called the Manual of Procedure. Its throat was mercifully cut in the 1990s because even Clerks couldn't use it. There are difficulties.

Q687 Valerie Vaz: Can I start by thanking you all for being here? I only know Sir Malcolm, who swore me in as a new Member, but between the three of you, you must have seen a huge number of changes. There are more women, more people from different backgrounds, and certainly those of us in the 2010 intake haven't all come through the political process. We have done other things outside. You probably typed your memorandum on a computer, whereas before you would have used something else.

Sir Malcolm Jack: Yes.

Sir William McKay: Yes.

Q688 Valerie Vaz: So there have been huge changes. What I am heading to is whether you accept that the House has to move on and the role of the Clerk has to change? Is that right?

Sir William McKay: Yes, surely. It can't stand still.

Q689 Valerie Vaz: We've had the three reviews and you have said that there should be incremental changes. One of the things that I suppose the Clerks Department has had to live with is the election of the Select Committee Chairs and, perhaps, an expanded Clerks Department, with the Clerks coming through the process. Is that right? Is that what you see?

Sir Roger Sands: The election of Select Committee Chairs postdates me, but you are absolutely right. There has been huge change and it is accelerating change. One of the paradoxes that I have found, listening to the proceedings of the Committee, is that for the first 20 years of my career, Members had absolutely deplorable conditions. They mostly did not have offices and so on, there was very little support, and their pay was poor. However, relations between Members and staff generally used to be cordial. There was an atmosphere of mutual respect. The more conditions have improved, the edgier the relations between Members and staff seem to have become, which is something that I regret.

Q690 Chair: Isn't it partly because there was no internet? Everybody was just crammed into this building.

Sir Malcolm Jack: Yes.

Chair: So you had to get on with people.

Sir Malcolm Jack: It is interesting to note that the period that we are all talking about in general—when the House took on its own management in the '80s, '90s and so on—coincides with a communications revolution. Those two things need to be seen together. I am absolutely sure that you are right. One of the themes of Tebbit, of course—something that Tebbit taught or reminded us—was that there was no single fixed change. That is why we have the Office of the Chief Executive. The head of this office would be constantly looking out for areas where there had to be change; change is continuous.

Q691 Valerie Vaz: And in your role, while each of you were Clerk, was there someone else who was Member-facing or did you see yourself as Member-facing?

Sir William McKay: I think all of us would have seen ourselves as Member-facing.

Q692 Valerie Vaz: In all aspects of Members' work, or just for procedure?

Sir William McKay: Well, you sit at the Table and Members come and ask you all sorts of questions.

Q693 Valerie Vaz: Is that just procedural?

Sir Malcolm Jack: No.

Sir William McKay: No, not at all. The office of the Clerk is pretty reachable; certainly, the Clerk's assistants are even more reachable. You never knew when the door

opened how difficult the question you were going to be asked would be, or, indeed, what it was going to be about.

Sir Malcolm Jack: I instructed my secretary that should any Member of the House come to the Office, they should be admitted immediately. That was standard practice.

Chair: I only discovered where the Clerks' office was when I became Foreign Secretary because my office was near the door. It is tucked away.

Q694 Valerie Vaz: One thing I want to work out—we are not quite a Tebbit review but we may make certain recommendations—is how someone, whoever it was, grasped Tebbit and changed the structure.

Sir Malcolm Jack: I am afraid it was me.

Q695 Valerie Vaz: So did you necessarily go for his recommendations, or did you talk to people or make up your own?

Sir Malcolm Jack: We had an enormous programme of telling staff what was going on. I went to numerous semi-public meetings. When I say it fell to me—as you will probably know, the Tebbit reorganisation concentrated on making the Management Board a more streamlined and functional body, but it left the old departments of what we called the “federal House” in place.

When I read the Tebbit report, I concluded that these two things could not work and to get the benefits of the Tebbit reform we would have to change the whole structure of the organisation. I talked intensely to colleagues around me—commissioners, the Speaker, members of the Commission and other domestic Committees—to see whether they were willing to support that quite considerable change, which the Chair will remember very well. The modern DCCS was the amalgamation of three former departments. That, I knew, was going to be resisted by staff in those departments and I could understand that. A change of that sort—of name and loyalty—is frightening. We had to take care of all that. My position as Chief Executive enabled me to just do that, ultimately. That is what a leader has to do, provided that he or she has consulted properly, taken technical advice and so on. That is an example.

Q696 Valerie Vaz: You mentioned the relationship with the Commission. Could each of you expand on that? Did you have a Commission in your time?

Sir Roger Sands: May I start, because I think my experience was a bit untypical? The description given by John Thurso in evidence to you—that the Board of Management proposes and the Commission disposes—exactly describes the relationship that I experienced.

In my time the Commission showed no great appetite to get into the interstices of management. That was largely because a good 50% of their time at meetings was taken with the single issue of freedom of information in relation to Members' allowances. That literally occupied as much of their time as all other subjects put together. Things like the corporate plan and the business programme for the year we would put before them and, by and large, they would agree.

Sir William McKay: I preceded Roger and the phrase that occurs to me is Gilbert's: "Did nothing in particular. And did it very well."

Valerie Vaz: Right, okay.

Chair: Are you talking about the Commission or the Clerk?

Q697 Valerie Vaz: The Commission. Sir Malcolm, and then I have one more question.

Sir Malcolm Jack: I think things have changed. At the beginning of this Parliament, because as you know I was here for the first year and a bit, we the Management Board made a distinct effort to try—if I use the phrase, you won't misunderstand it—to relax relations with the Commission. There were several round table, almost dining, meetings between the two bodies, and they worked very well. John Thurso will know all about that, as he was one of the instigators. I am a little surprised to learn somewhere in the evidence that this has apparently died down again, because I think it is absolutely essential.

The other thing that I would like to put on the record is that one has to be realistic. You are all extremely busy people. Commissioners are very busy people. There is the Leader of the House and the shadow Leader. The amount of time that they can dedicate is limited. I found somewhere in evidence in Canada that the Canadian Board of Internal Management, I think it is called, meets every two weeks for hours. Our Commissioners simply have not got that time.

Q698 Valerie Vaz: And yet they managed to shoot someone down in record time, so that was quite good.

Sir William McKay: The Commission was asked in my time to mastermind the really difficult decisions at Portcullis house. They took that on.

Q699 Valerie Vaz: The Commission took that on?

Sir William McKay: Yes.

Q700 Valerie Vaz: So the Commission was to blame for the debacle?

Sir William McKay: No. The Commission was doing things such as I mentioned before, the action brought against us for damages. That needed an awful lot of tactical decision-taking by the Commission. One felt that, although nothing much seemed to be going on, in fact there was a lot going on under the surface. In the end we lost, but it took up so much of the Commission's time, one felt for Members who had other things to do.

Sir Malcolm Jack: Yes, absolutely.

Q701 Valerie Vaz: There are some Members who do not rise up the greasy pole and are just Back Benchers who may have the time. Do you think that is a possibility, to have Members who are dedicated to the Commission?

Sir Roger Sands: I am very much in two minds about this. During my time there were four Leaders of the House who came and went.

Chair: Mr Reid, famously, for three months.

Sir Roger Sands: And Robin Cook, Geoff Hoon, Peter Hain and the Chair there—

Chair: You went when I was there.

Sir Roger Sands: Yes, you survived me.

Obviously that was not ideal, but at the same time, when I heard William Hague giving evidence to you and talking about the importance of the Leader of the House and the shadow Leader of the House being there to give political cover, I thought, "That is exactly right." That is what you do need. It would be very difficult to dispense with that.

Sir Malcolm Jack: Yes, I agree.

Valerie Vaz: Thank you very much.

Q702 Mr Heath: As I said to Sir Roger, during my period in the House five Clerks have come and gone—four of whom, the extant ones, are in the room at the moment, which is very pleasing.

To continue the theme of the interface with senior Members and the Commission, do you see the role of Members as a tier of management or as, in effect, a consumer council?

Sir Malcolm Jack: You have anticipated something that I did want to say and that the Committee has to address, which is: how much do Members want to get involved in administration? There are Parliaments where involvement is minimal. I was told by the Clerk of the Knesset that by law the administration is protected from the Members of the House—

Q703 Mr Heath: Would you welcome that?

Sir Malcolm Jack: It is quite extraordinary. I am not suggesting that. As the consumer and those to whom the services are delivered, of course Members must have a voice and there must be proper channels for that. How far the Commission wants to continue detailed management is a question that needs to be addressed.

Sir Roger Sands: I think that the Commission and the Finance and Services Committee, as things are established now, are definitely part of the organisational structure of the House. They are an organic part of it. The Administration Committee I feel rather differently about, partly because it was set up originally partly to punish me and Andrew Walker for a paper that we had been bold enough to submit to the Senior Salaries Review Body, the 2004 review of allowances. The Committee did not set out to be helpful, and it was not helpful. Kevin Tebbit criticised its approach to the role quite severely in his report, as you may have seen. It has moved on since then, and I think that Malcolm had a more positive experience of it, but none the less I have been quite alarmed to hear some of the initiatives that I understand it has been responsible for, such as Committees no longer necessarily having priority in the use of Committee Rooms or refreshment department facilities open to the highest bidder. That may lie behind some of the comments that I have read in your written evidence, in particular on fuzziness about strategic priorities and objectives.

Q704 Mr Heath: So when Sir William said, to adapt a Gilbert and Sullivan phrase, about doing nothing in particular and doing it very well, should Members have been doing more? Should they be involving themselves more in what happens in the management of the House, or should they be doing less and worrying less about the price of cups of tea and more about their own business?

Sir William McKay: The Commission surely should be worried about the strategy and not the cups of tea.

Q705 Ian Paisley: It is a bit like interviewing masters of the dark arts, or secret arts at least, so thank you. I have one question, which is about the relationship with the House of Lords, the other place. Will you tell us something about how that relationship worked in practice? We have obviously spoken to the Clerk of the Parliaments about the current situation, but is there a trick in getting that right, given that we want to focus on some shared services as well?

Sir Malcolm Jack: If I can start, then I think Sir Roger will come in on this. At the official level, relations are very good indeed, and I think they always have been.

Sir William McKay: Yes.

Sir Malcolm Jack: I think that David Beamish told you that in his evidence.

Q706 Ian Paisley: Yes, that's right. It's underneath that formal relationship.

Sir Malcolm Jack: Oh yes, underneath the formal relationship, yes. The only thing that I would say is that joint services must be a good idea, and of course they already exist in

ICT and the running of the estate. Nevertheless, there are historical differences between the Houses. There was an argument that lasted for 20 years about the Pugin Room—

Sir William McKay: Fifty.

Sir Malcolm Jack: Yes, 50.

Ian Paisley: Just 50?

Sir Malcolm Jack: It was about which House owned the Pugin Room. I was involved at one stage. The person in charge of catering came with proposals to provide a joint catering service, and it was eventually thrown out in the House of Lords because the Lords feared that the quality of champagne would not be as good if they chose a joint service.

Q707 Chair: Did you make that up? Is that true?

Sir Malcolm Jack: Yes, it is true.

Ian Paisley: I dare not comment.

Sir William McKay: But it should not be beyond the wit of man, Chair, to brigade the services together and deliver them differently.

Q708 Mr Heath: You can never underestimate the capacity for self-parody in this place.

Sir Roger Sands: I find myself in agreement with the evidence given by Andrew Lansley on this topic. Obviously he looked at this when he was Leader of the House and has thought about it since. It is the logical direction of travel, there is no doubt about that. We share the same building; there are so many things that cannot sensibly be managed separately.

A joint services department along the Australian lines is a logical end point, but it is going to take some time to get there. I do not minimise the difficulties that arise from that. The main difficulty is: to whom is such a department and its chief executive going to be accountable? I did not find the evidence that you heard from David Elder, the Australian Clerk, very clear, but I think that the Australian department answers simply to the two presiding officers. That is all right if they are seeing eye to eye, but if they are not, then it is a recipe for some difficulties, which has sometimes been the case. There are problems in building a pyramid of accountability above such a department, but I think that it is the logical direction in which to go.

I agree with the suggestion that has been made by some of your witnesses that the restoration and renewal project could well form a sort of archetype that could subsequently be built on if it worked.

Q709 Ian Paisley: I feel compelled to ask: were they right about the champagne?

Sir Malcolm Jack: I don't think they were; we were very careful in our selection.

Q710 Chair: Thank you very much. Your explanation of the row about the Pugin Room has explained to me why it is in the House of Commons but has a red carpet.

Sir Malcolm Jack: Yes.

Sir William McKay: We took it away from the Lords in 1905, when they were not looking.

Q711 Chair: Would any of you like to add anything?

Sir Malcolm Jack: Yes, I would like to say two things. First, this is a cliché, but whatever structures are created, personalities are going to be very important. You have heard that from many of your witnesses. If important relationships break down, there are consequences in all organisations. You need to think about that.

The second thing is the question of scale. Undoubtedly, this is a place with very complex needs and arrangements, as we have been discussing, but by public service standards, it is very small: 2,000 people are a lot of people, but the Ministry of Justice employs 80,000.

Chair: 80,000, yes.

Sir Malcolm Jack: The budget of the House, at £200 million, is chickenfeed in terms of major Government Departments, so one can exaggerate the role of running this place. It is sizeable, but it is not in the Tebbit realm.

Chair: On that happy note, thank you very much. We are very grateful to you.

Examination of Witnesses

Witnesses: **Rt Hon Dame Margaret Beckett MP** and **Mr Andrew Tyrie MP** gave evidence.

Q712 Chair: Dame Margaret and Mr Tyrie, thank you for coming along. May I ask each of you whether you wanted to say anything by way of general introduction before we come on to questions? We have received a paper from Mr Tyrie already, but there may be points that you wish to make.

Margaret Beckett: There is one comment that I would like to make that I will probably keep coming back to. I have not by any means read all the extensive evidence taken by the Committee, but I have dipped into some of it, including Andrew's written evidence. One thing that strikes me forcefully and that chimes in with the important point that Malcolm Jack just made is that it is a lot of money, but in the context of the management of great institutions, this is not the biggest managerial challenge in the world.

What strikes me very strongly from quite a lot of the evidence is that, in a whole variety of ways, a lot of people seem to have lost sight of what this place is actually for. We are not here to run the most efficient IT or catering service; we are here to facilitate the operation, and scrutinise and challenge the operation, of Government. We are the legislature. We are not just some other institution about which management is the most important thing. We have a core purpose. I get the impression that many people have got so attached to the idea, with which I completely sympathise, of getting rid of some of the nonsense—you and I both. I presided over many changes here when I was Leader of the House to modernise the place, so I am by no means an opponent of modernisation, but we need to not forget what we are here for.

Mr Tyrie: I strongly agree with that, but there is a serious problem to address in the management in the House. The House is a loveable shambles. Waste is everywhere. There is an absence of clear chains of command for many of the functions that are provided. The security arrangements are quite extraordinary. There has been some quite good evidence to you on all those points, so I will not repeat it, but the House is vulnerable to criticism once it has a budget of several hundred million, which is one of the reasons why the legislature needs to pay attention to the problem. It works despite, not because, of its organisational and management structure. It works because people are so deeply committed to making it work and to ensuring that the legislature functions.

The second point that I would like to make is that the role of the Clerk is absolutely crucial. Their contribution has been enormous as a group and still is. They are a brilliant set of advisers. It is extremely important to maintain their collegiality, their sense of togetherness and also the collective memory that was referred to in the evidence we just heard. But the role of Chief Executive is a very recent one. It has only been created in the last 30 to 40 years. Over that time the House has transformed the way that it runs itself. It has increased the staff for which it is responsible by about tenfold since 1950. It is a dramatic transformation. I do not think that the way Clerks are recruited or the formation they have while they are here and their experience makes them well placed to handle that management responsibility. In that sense, we are probably wasting talent rather than using it to best effect. So there is quite a big job for you to handle, Chairman.

There is one further point that I would like to make. We have been with these problems for a very long time, and all of a sudden you are now being asked to solve them by Christmas. I think that that is too big an ask, frankly. You might want to pose detailed questions about some of the difficult challenges you are faced with and hand them to others to try to take forward.

Chair: Thank you.

Q713 Jesse Norman: Margaret Beckett, if I may, do you have a specific view about how the administration of this House ought to be run?

Margaret Beckett: I do not have a detailed blueprint or anything like that. My main concern is that it should be run efficiently and well, in a way that provides services to Members and allows them to do properly and well the jobs that they do for their constituents. That is my primary concern. I am always very conscious of the fact that this is not a place

like others and that the role of a Member of Parliament is not the same as others. One of the things that concerns me about some of the advice and evidence that you are getting—look at this place, look at that place and so on. I tend to find that when people start comparing how this place is run and administered or how Members of Parliament do their jobs, they say, “Look at other professional jobs. Look at other professional people. They don’t do this, so why do Members of Parliament do it?” That almost invariably leads people into entirely the wrong channel.

I will give you a specific and concrete example of the kind of thing I mean, which does not directly answer your question but is germane to the whole issue. I think we probably all know that IPSA has ended the kind of severance pay for MPs which means that if you lose your seat, you do not necessarily get a payment. Fine; that is IPSA’s decision; they have made it. However, in the undergrowth, entirely separate groups of people are concerned about what might be seen as potentially improper links between Members of Parliament and lobbyists. So a whole lot of other people are saying that Members of Parliament—not just former Ministers, but ordinary Back-Bench Members—should not be allowed for two years after they leave this place, voluntarily or otherwise, to take a job that in any way relates to the fact that they were Members of Parliament.

IPSA is depriving MPs of the payment because they are saying, “Other people don’t get a payment like this. Other professionals don’t. MPs aren’t any different from anyone else.” In the meantime, other people are depriving MPs of a way of earning a living that relates in any way to them having been MPs. Having been part of a cohort of MPs that were decanted from this place in 1979, of which only two—of whom I was, mercifully, one—got a job in six months, I think that this is a matter of concern. But that is what happens when people stray into other areas. I do not have a fixed view about the administration of the House, other than that it should be efficient. I do not even have a fixed view—I could live with either keeping the relationship of the Clerk and the executive role as it is now or, indeed, changing it, as long as I was comfortable with the kind of change that was being proposed.

Q714 Jesse Norman: Just to be clear, you are neutral as between the Clerk and Chief Executive being one person, their being split and the Chief Executive being first, or their being split and the Clerk being first.

Margaret Beckett: No, I’m not neutral between the three of them. I am very strongly of the view that the Clerk must be the senior. I know that is not Andrew’s view, but I say that because it goes back to the point I was making to you about how most people who are not related to the House—those who are not Clerks, other staff or the Members—don’t really understand how this place works or what the role of a Member of Parliament is. That means that you end up with all kinds of difficulties.

Perhaps I put this not very gracefully when I spoke briefly in the House about the issue. The Clerks are bad enough; it’s sometimes difficult to get the Clerks to understand what the problem with a particular issue is for Members. The notion of having to try to convince someone who doesn’t even understand as much as the Clerks do—

Q715 Jesse Norman: Sorry, I did not mean to cut you off; we are a little short of time. So if there is a unified service, you want the Clerk to be on top.

Margaret Beckett: Absolutely.

Jesse Norman: But you do not object to the possibility of splitting the roles and having two heads?

Margaret Beckett: I am not convinced that two heads would work. I am perfectly comfortable with some other means—a Chief Operating Officer is being proposed, for example. I am comfortable with other solutions that allow further support in a different structure from what we have now to take on some of the executive responsibilities, but only—to my mind—if the Clerk is in overall charge.

Q716 Jesse Norman: Perfect. Mr Tyrie, welcome to the Committee. It is a joy to serve alongside you on the Treasury Committee. You have said very clearly in your submission that you think the role should be split and the chief executive should be in charge. First of all, can you briefly explain why? Secondly, is there a danger that that is in conflict with the two things we have heard today, one the importance of the parliamentary side being pre-eminent—a view with which you said you agree—and the other the thought that the Clerk's role goes well beyond the purely procedural, and that the Clerk is ultimately responsible, as presently conducted, for the full spectrum of services across the House.

Mr Tyrie: I will not rehearse all the arguments I set out in the paper, which I hope are reasonably succinct, but I support that view with one big proviso, which is that the role of Clerk be very heavily ring-fenced and fully protected—that is, the classic role of Clerk that they were doing until this distraction of trying to run the building appeared about 20 years ago, as a result of the increase in other activity in the 20 years before that, and as the staff began to grow. It all derives from a series of decisions in the late '60s and then the late '70s. Actually, I was checking one of these points before this meeting. I think it was in the late '70s that the Treasury finally lost control of the budget of this place, which meant that the House had to start running itself and thinking about its own budget. In any case, even after that, for some time I think the House was still dependent on the Department of the Environment to run the fabric of the building, so even then the responsibilities of the Clerk in this field were very limited.

Q717 Jesse Norman: And that ring-fencing could be accomplished even though, in your view, the Chief Executive would be senior and would control the pay and rations of the Clerk, in the way that they would control the pay and rations of any other member of the House service?

Mr Tyrie: He or she certainly should not. The Clerk's role should be fully protected for the purposes of delivering the essential functions of the Clerk, which the House has felt it has depended on for so much of its life, perhaps for hundreds of years, certainly for many, many decades.

We need to be very clear in our minds that this debate we are having is a very recent phenomenon; it is a consequence of very recent changes. The role of chief executive itself only really derives from Tebbit—you could say that there was a sort of semi-chief executive role being developed from Ibbs, but that's about it—and even only 20 years ago, the House staff was half the size it is now and the budget much smaller.

Q718 Chair: I think I am right in saying that when it was run by the Property Services Agency, and before that by the Minister of Public Buildings and Works, there was a Minister who answered for what happened in the House.

Mr Tyrie: Yes, and the Treasury answered for expenditure and for ensuring that the money was made available for those services.

Q719 Chair: I am going to move on but, before I call Mr Rees-Mogg, I have been reflecting on Sir Malcolm Jack's comments about the fact that this is a relatively small operation, compared with, say, the Ministry of Justice or the Department for Work and Pensions. Dame Margaret, you have extensive ministerial experience of big Departments, and you have interrogated many. Indeed, Mr Tyrie, you worked in the Treasury. From my experience, it seems dangerous to judge the complexity of an organisation simply by the size of its budget. The Ministry of Justice had a big budget and 80,000 staff, but many of the issues were simpler than those posed by running this place. Equally, although the Foreign Office's budget was much smaller—I don't know how Dame Margaret views this—the complexity of running it was much greater than running a domestic Department. Do you share that view?

Margaret Beckett: That is absolutely right. DTI, as was, had a tiny budget, but my God was it complex, not least because it had subsumed about eight other Departments by the time I got there. I agree that the money and the complexity do not necessarily link.

Mr Tyrie: In a nutshell, yes. However, if you already have a difficult and complex structure, as I think the House had even 50 years ago, although I have not studied it, the more you superimpose new functions, the more complex the already complex picture is likely to become, so size is relevant.

Q720 Jacob Rees-Mogg: Mr Tyrie, I am very glad that you are getting an electric ring fence into the House of Commons as well as into banking.

Mr Tyrie: I have some experience of ring fences.

Q721 Jacob Rees-Mogg: Absolutely. I want to follow on from Mr Norman's question on the Clerk and the Chief Operating Officer. I know that is not your preferred view, but do you think that, in an institution that tends not to change very quickly—you heard some of the evidence that the Clerk gave about the evolutionary change—having a chief operating officer is a step in the direction you would like, and that it may work with the grain of the

House of Commons rather better than the big upheaval that there would be if we put in somebody senior to the Clerk?

Mr Tyrie: I am not sure I would advise any top-class managers I know to apply for the post if they would be demonstrably subordinate to somebody who doesn't know much about management and might have a different set of priorities. I set out in more detail why in my written evidence. I note that you have taken evidence from the NAO on this issue. I had a hand, actually, in the creation of the COO role. In fact, it was after the scandal over the expenses.

Q722 Chair: Of John Bourn?

Mr Tyrie: Of John Bourn. A group of us on the Public Accounts Commission decided, for the first time in 150 years, to take a look at the governance of the NAO, because we discovered that the CAG signed off his own expenses and we needed to do something about that. We put in place a new structure, part of which was to create the Chief Operating Officer role.

A couple of points were not made in evidence to you—you probably didn't get round to it. First, in statute, in a schedule, or somewhere in an accompanying memorandum of understanding—I am not sure which—it is made clear that the Comptroller and Auditor General can have what he wants without limit to do his job, full stop. So he is pre-eminent. Therefore, the chief operating officer actually does not have a ring-fenced set of functions. It would be difficult to organise things here in a way that could keep the Clerk from claiming that he needed to exercise an override into a chief executive or chief operating officer type of area.

The second point to make, which is very important with respect to the NAO panel, is that the chief operating officer and the chief executive—in this case the CAAG—have exactly or virtually the same objectives or end point, so they are working very closely together. Here, that would not be the case and the priorities of the two people are likely to be somewhat different.

One of the troika you have just had in front of you—I can't remember which one, but near the end—made the point about personalities. They were absolutely right on the NAO. The personalities are working and have been since 2011—I am still on the Public Accounts Commission—but they may break down at some time, in which case, for the first time, we will discover whether this structure we have devised is any use. But it might not be.

Jacob Rees-Mogg: Thank you.

Margaret Beckett: May I just come back on that? There are two things that Andrew said that I thought were interesting. One is the issue that there could be difficulties, and of course there could. My principal concern, having read Andrew's evidence, is that management skills are hugely important and immensely valuable, and business skill and experience is important and immensely valuable, but they are not always enough on their own. Without naming any names—some have done better than others—I am extremely mindful of the fact that there is quite a long track record of people being brought in cold,

straight from the business community, because it was believed that they would be a great success as the Minister for this, that or the other. Mostly—I shall say mostly, to allow some room—that has not proved to be the case because operating in a political environment is completely different. I have worked with people who have come in in such a capacity, who were excellent people and did a great job, but who had incredible difficulty coming to terms with the difference between being in the world of politics, or even of Government, and being in the business community. It is not the same.

Chair: Campbell Adamson and Frank Cousins come to mind.

Margaret Beckett: At least. The difficulty is that it is not easy to find an example that is outside that.

Chair: No, I agree.

Q723 Mr Watts: It is important to say that it seems to us that we have not had any evidence whatever from people who want to undermine the role of the Clerks. Everyone we have heard evidence from wants to protect the Clerks if there is a change, so that they can give the constitutional advice that we all need. But there is less support for the way the rest of the House is managed. I want to pursue the split role. If we were to split the role so that we had the constitutional side, and the rest, as I know there is more to it, and then had the Chief Executive role for managing the day to day, and that role was directly responsible to the Commission in some shape or form, to put Members in charge—we think it is important that Members are in charge at the end of the day—then where should the point of accountability be? Where is the accounting officer: is he with the Clerk or with the person doing the day-to-day role of managing the House of Commons?

Mr Tyrie: There are two possible routes to that. One is to provide a ring-fenced budget to a Clerk for the purposes of delivering those services and to make him accounting officer for those, and then to provide another accounting officer for the rest. The second is to provide one accounting officer for both, which would be the Chief Executive, but to make it clear—and it would have to be embodied, in statute if necessary, but certainly in a resolution of the House—that, where the Clerk felt that a function that he considered important was now imperilled, he had recourse to the Commission or to whatever arrangement you are going to put in place, as it may be reformed, to ensure that he got a full hearing with politicians for his view before the decision was implemented.

Margaret Beckett: I confess to a degree of scepticism on whether, in the end, if the Clerk is not the superior officer, they might not find themselves in a position of some difficulty if what they felt was the right thing—I notice in some of the evidence you’ve had that people have talked about the importance of some of the other services in the House, such as the information service. They are very important, not least in trying to do better to convey to those who elect us here what on earth we think we’re doing. But the notion that the information services are of equal importance to us actually getting right our constitutional role, particularly in a country without a written constitution and with a principle within that unwritten constitution of parliamentary sovereignty—I am horrified that it is even suggested.

Q724 Mr Watts: If I may, I think it goes back to the general acceptance that Clerks provide good constitutional advice and service to Committees. There is a view, however, that perhaps they do not have the skills to manage. There does not seem to be in the process any system of actually giving them management control and developing it. I wonder whether you think that needs to be developed within the House of Commons and that people need to be given the ability to develop their management skills.

Margaret Beckett: What you just said was the conventional view at one time, but I do not think it is the case any more. I am not saying that they have got enough management skills and that one would not look for ways of strengthening the management capacity of officialdom in the House, or that everything is perfectly all right; I completely accept that things need to be improved, but my understanding is that ever since the Ibbs report—Ibbs said that you had got to start being more professional—management capacity has developed more and more. I am not saying it is adequate, but to say that it is not there does not chime with my experience or my understanding of what most people would say about the role of the Clerks now. In any contact I have ever had with any of the Clerks, they certainly do not see their role as purely procedural any more, if they ever did.

Mr Tyrie: I disagree with that. I opened by saying that I think that the management of the place is a shambles, and the evidence for that is so overwhelming that one hardly knows where to begin, but try going to the gents' lavatory on the second floor of Norman Shaw North any time in the past 12 years that I have been on the—

Chair: We have had evidence on this.

Mr Tyrie: Every few months, the urinals flood. Every year or two a team is sent in and the toilets are closed down for a week or two to be repaired. Within a few months, they are back to how they used to be. About a year ago they had a complete closure for a long period, with everything completely ripped out and everything completely new. As we speak, the urinal is blocked and all three wash basins are blocked. When I happened to mention that to my female staff, they said, "You should try going into the ladies' loo. The real problem is the smell we get from the men's loo". I am not making this up; this is going on right now. Someone very senior came into my office and said, "You know, Andrew, the management of this place is not all that bad. It all functions pretty well." He made to move to the door, and part of the door handle came off in his hand. I said, "That has been coming off every few months since I got the office, four years ago."

Sorry about this; I just think it needs to be pointed out. In most organisations, things are not like that. Could we train Clerks for the role? The point is that they do not self-select for that job. They self-select for a completely different job.

Margaret Beckett: May I say that Andrew's story, which I do not quarrel with at all, could be repeated in any Government Department and in a lot of the private sector? The notion that everywhere else these things do not happen, management works well and it is all resolved—I am sorry, but that is fantasy.

Q725 Chair: Thank you very much. We will try to elevate the discussion now.

Mr Tyrie: I apologise, Chairman, but I was being egged on by others.

Chair: No, don't. These things can be really irritating, and let me say that I questioned John Borley about the extraordinary saga of the renovation of the gym.

Q726 Valerie Vaz: But this is important because it prevents us as Members from getting on with our work. We have to make phone calls and be there when things are sorted out. But I want to move on—I never usually do this, but I am going to ask a three-headed question, only because the Chair is going to shut me up in a minute and we are running out of time. Let's turn to the Commission, and it may be that your management issues could be answered in that. Do you have any views on the current working of the Commission and on its future working? If your views are that it needs to be made better, how would you make it better?

Margaret Beckett: I will be quite frank; I haven't been paying much attention to the workings of the Commission, until they came up with the debacle that caused the Committee to be set up and which caused me some anxiety, I have to say. Do I have any views about its future? I think it is essential that the Leader and the shadow Leader are on it. I am not ill at ease with the notion that you might have other Back-Bench Members, who might be elected.

One of the worst problems that I have ever had with the Clerks, and I have had it in a whole variety of ways, is that they have a natural tendency—to my mind, at any rate, although I am sure they would be horrified to hear me say this and would hotly dispute it—to feel that politics and political parties are really rather a nuisance, and would it not be lovely, and Jacob might agree with this, if we were all gentleman amateurs again? Needless to say, that is not a view with which I concur, so I think it is important that the political parties have a representation, not just through the Leader and the shadow Leader. I recognise that in a multi-party House that is not necessarily that easy. If there is a view that we should also have some non-execs—it happens all over the place—I would not be totally opposed to that.

Q727 Valerie Vaz: And the Chair of the Commission could be—?

Margaret Beckett: The Chair? The Speaker has always been the Chair of the Commission. That ought to work, it seems to me. If you don't have the Speaker in the Chair, I am not quite sure what the relationship between the Chair and the Speaker is, or what the relationship of the Commission to the House is. I think that is a genuine difficulty. I am open to ideas, but I think it is a genuine difficulty.

Mr Tyrie: I haven't given evidence on reform of the Commission, which is a whole big challenge in itself, Chairman.

Q728 Chair: Thank you. It is a big challenge—I was saying thank you for the absence of evidence.

Mr Tyrie: In a sentence, look carefully at the idea of introducing non-execs. They will have more continuity. Politicians will come and go, but non-execs may be there for 10 years,

so paradoxically, it will be the opposite of the experience that you often get in the private sector, where it is the executives who have a better grip because the non-execs are only around occasionally. Election to posts—at least some of the posts, and more transparency over what they do, wherever possible and sensible.

May I add a couple of points on the previous question, which I did not quite get to? How can I put this? The role of this unified House service is largely, or at least partly, a myth, in the way the House is run at the moment. Go and talk to any of the clever people who are not from the Clerks, or who were not recruited through the Clerks' department, and they will tell you that they feel there is a glass ceiling, and whenever they apply for a job, there is a procedural bar—the bar being that you need knowledge of the House or “Erskine May” or some kind of procedural issue. So there isn't an integrated service at the moment and something needs to be done about it, and they perceive, whether rightly or wrongly, that the Clerks have a vested interest in protecting monopoly access to these jobs. That is another respect in which we are wasting talent.

I keep coming back to this point: we need to remember that we do not want to start trying to recruit loads of Clerks who are good at management. It strikes me as a silly thing to do. We want the best possible Clerks we can find to do the job they are doing now, because they are doing it extremely well—amazingly well—with huge dedication. I see that on the Committee Corridor. So we should meddle with that at our peril. I propose we bring focus back for Clerks to do that role, and not in any way dilute it.

Q729 Chair: Any other questions? I have some. We have heard evidence about Member Committees and the Member Committees of the House. One comment was that the Finance and Services Committee, which John Thurso chairs, is working well.

Margaret Beckett: Nobody knows what it does.

Q730 Chair: He knows what he is doing, and he is also a member of the Commission. He did not have to be, but he is. So he is directly connected with the Commission. The other one, the Administration Committee, is composed of 16 people, and I think only two or three are the same as four and a half years ago. There is a constant churn, and they are not entirely clear what they are there for. Do you have a view about the Administration Committee? I knew virtually nothing about it until I came on to this Committee.

Margaret Beckett: I don't really know much about the Administration Committee as such, but with regard to its prior Committees, from which, as I understand it, it was constituted, there have always been rows and difficulties about them and what they were doing and why they were doing it. I spoke before about making all sorts of what should have been minor reforms when I was Leader of the House—for example, allowing journalists to take a tape recorder into the Press Gallery so that they did not have to rely on their notes, which the relevant Committee had resisted staunchly, because this was a modern device that ought not to be allowed to intrude into the Press Gallery. If they were caught with a tape recorder about their person, they were censured and disciplined and threatened with losing their lobby pass. Bringing the TV point into Central Lobby and allowing Members to have

photographs taken in their offices—all the things that Members much wanted—were hotly fought by the relevant Committees.

So my feeling is that there has always been criticism and that they do not really represent the views of Members. I cannot honestly say whether they have improved out of all recognition and it is no longer true, but I can certainly say that historically it has been a problem.

Q731 Chair: That surely argues, in the case of the Administration Committee, for it to be smaller and more genuinely representative, because at the moment a lot of the people who go on the Administration Committee are junior Whips, and they churn. I remember some of these arguments and not being allowed to take a photograph in your own room.

Margaret Beckett: Exactly.

Chair: And it was enforced.

Margaret Beckett: Yes; vigorously.

Q732 Valerie Vaz: And what happened if you took two photographs?

Mr Tyrie: You went before the Privileges Committee.

Q733 Chair: I thank you both very much indeed.

Margaret Beckett: May I add one thing? We have not touched on this for understandable reasons, but one of the reasons for the points of view that I have expressed is that I think the challenges before us in the future are going to be enormous. There is the EU referendum and all the aftermath of that. There is all this thing about English votes for English laws. As you and I both know, Chair, there is no such thing as an English law. Whatever comes out of that, and if we move towards a more federal structure, there will be enormous implications in the House. An outsider from the world of business trying to deal with these things is a concern.

The other thing that nobody seems to talk about is the strong desire in the political world, which I do not at all share, for an elected upper House. I do not mind not having an upper House, but I will never vote for an elected upper House, no matter what my Whips tell me.

Chair: I am aware of your views.

Margaret Beckett: However, the minute you have an upper House with any form of election—you will remember, because you and I were in Cabinet when this came up and there was talk about it before—immediately you will have the very vexed question of whether or not the Lords is precluded from dealing with finance and the Budget, and if it cannot any longer be precluded, because it is in some way elected, how does that relationship work?

When people talk about the relationship with the Lords, and whether it matters if it is Clerk—because there is a Clerk in the Lords, and so on—they talk about things like what happens to the rooms, and so on. Never mind the rooms, although God knows that has been enough trouble over the years. The big problem is going to be on the relationships, the links, the powers between the two Houses, if ever we have two Houses with anything remotely like parity. The notion of somebody with managerial and executive responsibility from the world outside politics dealing with those issues frightens me stiff.

Mr Tyrie: Three points. First, solve the problems of our House first, worry about our relations with the Lords afterwards: so difficult. Secondly, don't work out what to do in a steady state for the management of this place on the basis of the one-off problems that will come with the project of completely refurbishing and rebuilding this place. Project managers build hotels; they almost certainly make terrible hotel managers. Third point: I cannot do better than commend to you the evidence of a Clerk who has been put in this position in a very similar jurisdiction—the one that I proposed, from New Zealand—who gave you quite an extraordinarily clear view on the whole subject: “We were able to develop procedural and substantive advisory services to support the House and its committees without the distraction of having to worry about matters such as the administration of...services and the maintenance of a historic building. This was a great advantage in building a strong and resilient Clerk's Office.” And so it goes on. The evidence is extremely powerful. They were very nervous about what they did, and they are very glad they did it.

Chair: Thank you very much. On that happy note, order.