



Chloe Smith MP
Minister of State
Cabinet Office 70 Whitehall London SW1A 2AS

William Wragg MP
Chair, Public Administration and Constitutional
Affairs Committee
House Of Commons
London
SW1A 0AA

Our reference: MC2020/10431

6 October 2020

Dear William,

Thank you for your letter of 4 August on Common Frameworks following my appearance in front of the Committee on 21 July.

As I set out in my previous letter, the Common Frameworks programme is coordinated by the Cabinet Office, with individual frameworks developed by relevant UK Government departments together with devolved administration counterparts. This collaboration between the UK Government, the Scottish and Welsh Governments and the Northern Ireland Executive on the Common Frameworks programme represents positive intergovernmental working and provides an example of productive and collaborative policy development for the benefit of the whole UK.

I recognise your interest in the programme as a whole, and as such, Cabinet Office officials will request that departments share the framework summary and provisional framework with PACAC at the appropriate time. My officials have also recommended to departments that they engage with committee officials at the earliest opportunity to allow for pre-scrutiny preparatory conversations. I would expect this initial contact to take place prior to the framework summary being shared, and that it would allow all officials to discuss the administrative steps required, including whether a Ministerial letter will be shared alongside the summary.

As you are aware, COVID-19 has placed significant pressures on officials, and so individual framework development has progressed at differing rates. Despite our ongoing commitment to the programme, all frameworks will not be fully implemented by the end of the transition period, and so the programme will extend into 2021, while ensuring that provisional frameworks are in place for the end of the transition period. We also have strong intergovernmental relations

structures in place between the UK Government and the devolved administrations which will contribute to maintaining coherent policy making across the UK. These are being further developed through the Intergovernmental Relations Review. The UK Government remains committed to ensuring that we and the devolved administrations work together effectively on behalf of citizens, in a way that respects the devolution settlements and the UK Government's role as the Government for the whole United Kingdom.

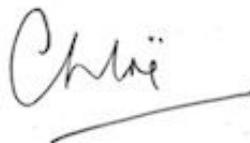
A provisional framework refers to a framework that has undergone most of its policy development, and that has received provisional agreement from UK Government and devolved administration portfolio Ministers, and provisional agreement from JMC(EN) Ministers. Upon reaching provisional framework status, each framework will continue through the delivery steps, including any parliamentary scrutiny ultimately to become a full framework. Once a framework reaches provisional framework status, UK Government departments will lay it in the UK Parliament, and share it with committees for scrutiny. It is our intention for every framework to follow this process, no matter when it reaches the provisional framework stage. We expect devolved administrations will follow a parallel process. There is no plan for additional parliamentary scrutiny to take place at an earlier stage.

Departments have been asked to share a summary of each framework with committees a minimum of a month prior to scrutiny commencing. All programme delivery timings were agreed jointly with devolved administration counterparts, to ensure reasonable time was given to each element of delivery. Where possible, an element of flexibility has been included. For example, should a committee determine that 21 sitting days is not sufficient to allow for scrutiny of a longer or more complex framework, they will be able to request a longer period be given during the earlier preparatory conversations.

You asked about the frameworks which have passed the point at which the summary should be shared - my officials have worked closely with departments to ensure consistency of approach across all frameworks and as such all summaries will be shared a minimum of a month prior to scrutiny as set out.

I thank the committee for its interest in UK Common Frameworks and look forward to working with you over the duration of the programme.

Yours ever,

A handwritten signature in cursive script, appearing to read 'Chloe', with a horizontal line underneath it.

Chloe Smith MP



PACAC (Public Administration and Constitutional Affairs Committee)

House of Commons · London SW1A 0AA

Tel 020 7219 3268 Email pacac@parliament.uk Website www.parliament.uk/pacac

Chloe Smith
Minister of State
Cabinet Office
By email

4th August 2020

Dear Chloe,

Thank you for coming before the Public Administration and Constitutional Affairs Committee (PACAC) on Tuesday 21 July. Following this session and your letter of 1 June regarding Parliamentary scrutiny of common frameworks, it would be helpful if you could clarify and reassure the Committee on number of issues. First, let me thank you for sending through these proposed arrangements for common frameworks. The Government's recognition of the importance of Parliamentary scrutiny of these frameworks is welcomed.

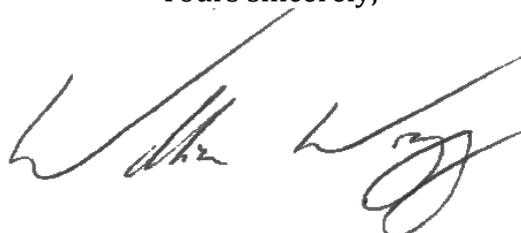
As you will be aware, PACAC will be responsible for scrutinising two frameworks, but as you acknowledge in your letter, PACAC also has remit over the functioning of the system of common frameworks as a whole. As such, it would be helpful if the Cabinet Office could ensure that all summary frameworks and provisional frameworks are copied to PACAC at the same time they are shared with the relevant departmental committee.

We were encouraged by the commitment in your letter to share not only the provisional frameworks, but also the framework summaries. This is an important step as it will allow Committee Members and officials to become acquainted with the issues, and better prepare for scrutiny of the full provisional framework. It would be helpful to clarify a few points in the arrangements and timing around these summary frameworks. Your letter says that "the summary of the framework will be sent by the department responsible for the framework in each administration to their respective legislature for their information". Can you assure the Committee that this means the summary of the framework will be formally sent accompanied by a letter from the relevant Minister? The letter also makes the offer of technical briefings and says that Members may choose to write to the policy minister in regards to the summary of the framework ahead of the JMC[EN] meeting. Both of these are very welcome and important. To ensure that committees are able to properly consider the issues at this point it will be necessary that these summaries are given to committees an appropriate amount of time before the JMC [EN] meeting; I would suggest this should be at least one month, but the department concerned should agree these timescales with the relevant select committee. Please could you also set out the arrangements for the scrutiny of those common frameworks where the point at which the sharing of summary frameworks has already passed?

The Committee is also pleased that the Government recognises that Committees will “need sufficient time” to conduct their scrutiny. In turn, the Committee is cognisant of the delivery timeline for frameworks being met. You have suggested 21 sitting days as the period for scrutiny. The Committee would appreciate if the Government could explain how 21 days has been arrived at as the appropriate timeframe for scrutiny of frameworks? Given the importance of putting in place these frameworks, I am confident that committees will do their best to scrutinise frameworks as speedily as possible, but this will be dependent on the subject matter, notice and timing of when provisional frameworks are presented for scrutiny. The more notice that can be given about the timetable, the better-placed committees will be to schedule framework scrutiny into their work programme. I am unconvinced that 21 sitting days will be sufficient for committees to analyse, take evidence and report on frameworks, and at the very least risks constraining committee’s in their ability to provide full and necessary scrutiny.

During the evidence session on 21 July you were asked about whether all the frameworks would be able to undergo the scrutiny process and be agreed by the end of 2020. You indicated with reference to a letter that you had sent the Chair of the House of Lords Liaison Committee (Lord McFall), that the common frameworks work has been impacted by Covid-19. This is an understandable delay due to the necessary diversion of resources to deal with the pandemic, in the UK and devolved Governments. This does, however, raise further questions about what will be put in place for those areas where common frameworks, both legislative and non-legislative, have not been through the agreement process by the end of 2020. In the session you indicated that “provisional frameworks and essentially non-legislative ways of managing the potential diversions” would be put in place. Could you please set out the status and agreement process for these interim “provisional frameworks”? Can you assure the Committee that all frameworks will have reached the summary phase and so committees will have seen this document in good time to comment before any interim “provisional framework” is agreed? The Committee would also like to be informed of what mechanisms for scrutiny there will be for these interim “provisional frameworks”? Can you confirm that it is the Government’s intention for the scrutiny of all frameworks that have not been through the full processes by the end of 2020, to follow the scrutiny process set out in your letter of 1 June, even if that framework is identical to the interim “provisional Framework”? Finally, please could you clarify what arrangements will be put in place in the event that an interim provisional framework cannot be agreed between the UK and devolved Governments?

Yours sincerely,

A handwritten signature in black ink, appearing to read 'William Wragg', written in a cursive style.

William Wragg MP
Chair, Public Administration and Constitutional Affairs Committee