



House of Commons
Public Administration
and Constitutional Affairs
Committee

**Governing England:
Follow up to the
Government's response
to the Committee's
Third Report of Session
2022–23**

Fifth Report of Session 2022–23

*Report, together with formal minutes relating
to the report*

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Public Administration and Constitutional Affairs Committee

The Public Administration and Constitutional Affairs Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, which are laid before this House, and matters in connection therewith; to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service; and to consider constitutional affairs.

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[Beth Winter MP](#) (*Labour, Cynon Valley*)

[Jackie Doyle-Price MP](#), [Rachel Hopkins MP](#), and [David Mundell MP](#) were also Members of the Committee during this inquiry.

Powers

The committee is a select committee, the powers of which are set out in House of Commons Standing Orders, principally in SO No 146. These are available on the internet via www.parliament.uk.

Publication

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Committee staff

The current staff of the Committee are Gavin Blake (Clerk), Richard Douglas (Committee Specialist), Iwona Hankin (Committee Operations Officer), Gabrielle Hill (Committee Operations Manager), Vanessa Holden (Committee Specialist), Dr Philip Larkin (Committee Specialist), Susanna Smith (Second Clerk), Dr Patrick Thomas (Committee Specialist), Hennie Ward (Select Committee Media Officer), and Gina Degtyareva (Senior Select Committee Media Officer).

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You can follow the Committee on Twitter using [@CommonsPACAC](https://twitter.com/CommonsPACAC).

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Governing England: Follow up to the Government's response to PACAC's Third Report

1. The Public Administration and Constitutional Affairs Committee published its Third Report of the Session 2022–23, *Governing England* (HC 463) on 31 October 2022. The Government's response was received on 3 February 2023 and is appended below.
2. The Committee is very disappointed by the quality of the Government's response and the clear lack of attention paid to and engagement with both the specific content of the Report and the serious issue at hand. We remain concerned that rather than seeking a long-term, cross-party solution to the increasing issues with the governance of England, the matter will remain a political football, with the result that long overdue and meaningful comprehensive reforms will fall by the wayside. The Committee expects the Secretary of State to make himself available to the Committee in the coming weeks to account for the Government's response, at the very latest before the Easter Recess, given the pre-election period ahead of the forthcoming May 2023 local elections.
3. The Committee is also disappointed that the Official Opposition and other opposition parties declined to engage with our Report, and the recommendation made to them on approaching this issue on a cross-party basis. The Committee has written to the leaders of opposition parties in Westminster to urge them to reconsider substantive engagement with this matter.

Appendix: Government response

A healthy democracy with strong and accountable governance is essential for the success of our country and the wellbeing of all its people. It is key for our achieving our priorities for the British people, building a better future for our children and grandchildren. We are committed to delivering the best possible outcomes for citizens in every part of the UK. The Government therefore is grateful for the Committee's continued focus on the country's democratic governance and our responses to the Committee's recommendations on governing England are set out below.

The Levelling Up White Paper acknowledges that the current administrative landscape in England is a complex one and sets out our mission to have offered by 2030 a devolution deal to every part of England that wants one with powers at or approaching the highest level of devolution and a simplified, long-term funding settlement. We are already demonstrating strong progress towards achieving this 2030 local leadership mission. 52.5% of England's population is now covered by an announced devolution deal, delivering new funding and long-term investments into local priorities that drive growth and levelling up, totalling over £4 billion over 30 years.

The Government is also taking a range of other steps to strengthen democratic governance across England, recognising the centrality of local democratic leadership for delivering our ambitions for levelling up opportunity and prosperity across the whole of the UK. Councils are independent, democratic bodies which should have the freedom and flexibility to substantially manage their own affairs, which are accountable to their local electorates and have in addition an accountability to the democratically elected Government.

We are improving the broader Local Government Accountability Framework for England to be supplemented shortly by a Devolution Accountability Framework which will set out the processes by which mayors, leaders and institutions with devolved powers should be held to account. These reforms are in turn being supported by the establishment of the Office for Local Government (Oflog), which will provide an authoritative source of information about how local government is performing and delivering. In addition, from 4 May 2023, all elections of English mayors and English and Welsh police and crime commissioners will be undertaken on the first past the post system, meaning easier voting and clearer, quicker results.

The Levelling Up White Paper outlined the importance of delivering a more transparent, simple and accountable approach to local government funding and while the Government accepts that there is more to do, steps have been taken to address this complexity in the funding landscape. We are prioritising investment and support for local areas to deliver quality services for people. In recognition of the core pressures local authorities are currently facing, at the Autumn Statement the Government made extra funding totalling approximately £6.5 billion available for English local government to deliver core services in 2023/24 and 2024/25. This is in addition to the substantial resources for local government which were agreed at the 2021 Spending Review.

In short, whilst there are no quick fixes, each step we take means that more of the decisions which matter to people will be taken by locally elected, democratically accountable leaders rooted in their place and empowered to level up.

Government's response to the recommendations

The Government should make a clear commitment to put an end to the ubiquitous system of bidding for pots of money that appear to us to be wasteful of resources that could be deployed more effectively at all levels. In addition, the Government should provide the Committee with the information that the Secretary of State committed to provide to us in March of this year.

As set out in the Levelling Up White Paper, the local leadership mission is explicitly focused on agreeing simplified, long-term funding settlements as part of the devolution programme, and local government is crucial to this mission. Initial steps have been taken to address complexity in the funding landscape—for example, the UK Shared Prosperity Fund (UKSPF) provides £2.6 billion of investment and uses an allocative model to distribute funding to places across the UK. The UKSPF design also enables places to use the fund to complement other funding, such as the Levelling Up Fund, to simplify delivery and maximise the impact of interventions at the local level.

This Government has already invested significantly in local government in recent years, particularly in areas of higher deprivation. The Local Government Finance Settlement for 2022/23 makes available up to £54.1 billion for local government in England, an increase of up to £3.7 billion on 2021/22. Through this settlement, the most relatively deprived areas of England (the upper decile of the Index of Multiple Deprivation) are receiving 14% more per dwelling in available resource than the least deprived areas. This £54.1 billion includes additional resources announced at the Autumn Statement for local government to deliver core services; these additional resources total £6.5 billion over 2023/24 and 2024/25.

We remain committed to improving the local government finance landscape in the next Parliament. The UK Government will also continue to engage with local government and key stakeholders in central government on the simplification of the local growth funding landscape. We intend for local authorities to benefit from a streamlined, easy-to-navigate set of funds with fewer small competitions. Where competitive funds do exist, we will look to streamline bidding and support greater alignment between revenue and capital sources. We will set out a plan for simplifying the local growth funding landscape shortly.

There is an urgent and pressing need for significant reform of the governance arrangements of England, so that they not only work effectively, but can be seen to work effectively, in order to strengthen and restore the public trust in the functioning of our democracy at all levels.

This Government agrees that governance arrangements in England need to be improved. As the Levelling Up White Paper states, local government reorganisation can help to simplify the patchwork of local government structures, creating institutions with strong and accountable leadership over an optimal geography for delivering high quality public services.

Locally led changes to the structure of local government, whether in the form of unitarisation or council mergers, can strengthen local leadership at both strategic and community level, be an appropriate means of improving local service delivery, saving taxpayers' money and improving local accountability. These reforms can also increase the sustainability and resilience of local government. We are clear that any reform of an area's

local government is most effectively achieved through locally led proposals put forward by those who best know the area, the very essence of localism to which the Government remains committed.

Parliament approved last year legislation establishing four new unitary councils in Cumbria, North Yorkshire and Somerset. Implementing these locally led proposals and establishing these new unitary authorities is a significant step towards ensuring the 1.68 million people and the businesses in those areas can in future have the sustainable high-quality local services they deserve. The new unitary councils have been established in transitional form, with elections in May 2022 for the shadow authorities in Cumbria and to the new councils for North Yorkshire and Somerset. The new unitary councils will take on all the local government functions in their areas from 1 April 2023 when the existing councils will be abolished. With new unitary authorities in the areas of Somerset, North Yorkshire and Cumbria, 37.3 million people in England will live in unitary areas, which is 66.01% of the population of England.

The Levelling Up White Paper's local leadership mission is explicitly focused on agreeing simplified, long-term funding settlements for areas in England as part of the devolution programme. The Evaluation of Devolved Institutions report (2021) found that nearly three quarters of respondents (72%) across all combined authority areas reported they were aware of who the mayor for their area was. Although the data shows that there is strong recognition locally of who mayors are, there remains a lack of understanding of what their role is.

To help rectify this, last year the Government published its first Devolution Framework which sets out a clear menu of options for places in England that wish to unlock the benefits of devolution. The Devolution Framework is designed to be a dynamic one that can evolve and be informed by devolution deal discussions over the coming years. This framework has been the central starting point for the six devolution deals we announced in 2022 with York and North Yorkshire, the East Midlands, Norfolk, Suffolk, Cornwall and the North-East and will continue to be the key tool from which future deals are formed.

Government is also deepening devolution. We are working to agree by early 2023 two trailblazing, deeper devolution deals with Greater Manchester Combined Authority (GMCA) and West Midlands Combined Authority (WMCA). As part of these negotiations, the Government will explore the potential to provide single departmental-style settlements at the next Spending Review. This could give local partners more flexibility and accountability over key economic growth funds, moving away from competitive bidding processes.

As local leaders take on greater responsibility, Government is committed to enabling greater accountability for decisions taken. As well as improving the understanding of what local leaders are responsible for, we need to ensure there are clear processes by which we hold them to account on how well they are delivering those responsibilities. The Government has made its commitment to this clear by announcing it will publish an English Devolution Accountability Framework. This will be part of the broader Local Government Accountability Framework and will set out the specific accountability processes that apply to all English institutions with devolved powers. Devolution requires transparent and accountable local leaders and institutions that work closely with local

businesses, seek the best value for taxpayer's money and maintain strong ethical standards. The English Devolution Accountability Framework will set out how to make sure this is the case.

Having access to meaningful and quality data is important to local people, local authorities, and central government. The new Office for Local Government (Oflog) will use data to increase transparency, foster accountability, and help support the improvement of local government performance. By providing an authoritative source of information about the performance of local government, it will: empower citizens with information about their local authority, enabling them to hold local leaders to account; building on local leaders' knowledge of their services, enabling them to innovate and drive self-improvement. This will allow for better central government understanding of the sector's performance, which will help identify the support that is required, and the actions that can be taken, to help support local authorities as they improve performance.

The Department for Levelling Up, Housing and Communities (DLUHC) will also continue to support and help strengthen the local government sector, funding a programme for workforce development activity, a programme of peer challenge, a national graduate development programme, and political and officer leadership training. The sector support programme also provides local areas with governance and finance support. This includes dedicated support for councils experiencing financial challenges, post-local election support for councils with a change of control and levelling up and devolution support.

In addition, DLUHC has implemented a programme to strengthen the sector's commercial delivery through extending centrally designed training, piloted improvements in contract management capability through the contract management pioneer programme and piloted hands-on sourcing support to four councils. The department has also provided digital agile training for digital declaration signatories, as well as technical support and knowledge sharing through the cyber support programme. Furthermore, DLUHC's Local Digital Fund has allocated £14 million to projects that improve the efficiency, productivity and capability of local digital services and systems.

The Government welcomes the Committee's recognition of the Levelling Up White Paper's success in promoting geographical inequalities to the top of the national agenda. The Levelling Up White Paper sets out plans to level up across the UK, in both urban and rural areas. For example, UK Shared Prosperity Fund allocations were developed with the needs of rural communities in mind, with a negative weighting for population density included in the Government's methodology—recognising the challenges that the geographical spread of rural communities can create. We know that moving a focus from metropolitan areas to rural and coastal communities is not the whole answer and the Levelling Up White Paper sets out that geographical disparities across the UK are hyper-local. The UK's economic geography does not conform to simple spatial stereotypes, such as urban or rural, or North or South. Typically, differences within UK regions or cities are larger than differences between regions on most performance metrics.

The Government should set out its policy for how a Minister should manage a conflict of interests between their role as a UK Minister and a Minister for England. This should be included in the updated version of the Cabinet Manual and supplied in draft to us in response to this report.

Ministers in government are ministers for the UK as a whole, rather than representing the interests of one nation in particular. As such, they do not each have a role as a Minister for England specifically. The Government is focussed on delivering the best possible outcomes for people across all parts of the UK, and this includes ensuring the needs of all parts of the UK are considered at the highest levels of government. The Prime Minister chairs the 'Domestic and Economic Affairs (Union)' Cabinet Committee, which focuses directly on this area. The Committee is also attended by Chancellor of the Duchy of Lancaster - who is responsible for driving the delivery of Government's priorities in all parts of the UK - and the Secretary of State for Levelling Up, Housing and Communities - who is also Minister for Intergovernmental Relations. Given that the Committee also includes the Secretaries of State for Scotland, Wales and Northern Ireland, as well as a Treasury minister, the Committee represents all parts of the UK and enables ministers to consider the interests of England alongside the overarching responsibilities as UK ministers.

The Government has also recently published a 'Review of Intergovernmental Relations,' which sets out the structures and ways of working between the UK Government and the devolved administrations. The system is built on the principles of mutual respect and trust, respecting the reserved powers of the UK Government and Parliament and the competences of the devolved administrations and legislatures. Through this system, ministers can consider and balance the interests of all four nations of the UK, including England, with the interests of the UK as a whole. For example, within the structure established by the review:

- (1) The Prime Minister chairs the 'Prime Minister and Heads of Devolved Governments' Council', which is designed to consider policy issues of strategic importance to the whole of the UK and reach decisions on strategic direction by consensus. This means that the needs of England and the UK are considered at the highest levels of government.
- (2) An Inter-ministerial Standing Committee has been set up, which is attended by ministers within the UK Government and devolved administrations, and which is designed to consider cross-cutting and strategic issues. It is also the forum that has oversight of department-led intergovernmental relations on specific portfolio matters. This ensures that England's interests on specific policy areas are considered alongside the interests of Scotland, Wales and Northern Ireland.
- (3) In addition to the structures set out in the review, many departments also have their own agreements with devolved administrations, dealing with areas of shared interest and setting out a framework for co-operation and managed divergence. This allows departments and ministers to consider the interests of England, Scotland, Wales and Northern Ireland in policy specific areas, and the interests of the UK as a whole, when setting policy directions and making decisions.

The Cabinet Manual sets out the UK Government's place in our parliamentary democracy from the view of the Executive, and the second edition will continue to present that perspective accordingly. The UK Government is in the process of updating the Cabinet Manual and will provide the Committee with details on the planned engagement. The Government will ensure that the updates include a summary of the structures of

intergovernmental relations to reflect changes over the last decade, particularly in the context of the Intergovernmental Relations Review. Given that UK Ministers do not have specific roles as 'Ministers for England', this will not be reflected in the Cabinet Manual.

We recommend that the Government bring forward proposals for how the distinct interests of England can be represented effectively both within the legislative process and within Government and Civil Service structures.

The UK Government is committed to delivering the best possible outcomes for citizens in every part of the UK. In 2021, the House of Commons reaffirmed that principle and simplified the legislative process by agreeing to rescind the English Votes for English Laws Standing Orders (EVEL). The Committee acknowledges that the English Votes procedure did not serve our Parliament well. It added complexity and delay to the legislative process and the veto procedure introduced by English Votes was never used. The abolition of the EVEL procedure does not change the fact that English MPs have a strong voice and role in the UK Parliament, and MPs who represent constituencies across the UK all have an important role to play. Alternative procedural innovations to provide a voice for England, such as the creation of an English Affairs Select Committee or an English Grand Committee, are a matter for the House.

Our twelve levelling up missions set our ambitions for the whole of the country. Evidence tells us that the drivers for reducing disparities span devolved and reserved levers, and all of these levers need to be engaged and deployed for a place to reach its full potential. The announcement of six new devolution deals in England will see more directly elected leaders and mayors of devolution deal areas. These leaders, alongside those from existing mayoral combined authority areas, will provide an effective voice for over half of England's population on decisions that directly affect them.

The Government has also committed to increase the geographic spread of civil servants across the whole of the UK, helping to deliver a Civil Service that better reflects the country it serves, with a wider range of voices from beyond Westminster involved in policy and decision-making. The Places for Growth commitment increases opportunities for people from a wider range of places and closing the distance between national and local decision-makers. Under the Places for Growth programme, we will move 22,000 civil service roles out of London to places around the UK by 2030. This will provide an economic boost in cities and towns across the UK, but just as importantly help to ensure that a broader range of voices are involved in national policymaking and that the Civil Service is more representative of the communities it serves.

If any reform is to take place it must address all of these issues, otherwise it is likely only to be another short term and partial measure. For a reform of the governance systems to successfully be implemented and invested in, a vision of where England will end up needs to be clearly articulated, on a cross-party basis and at all levels, to get sufficient political acceptance from the people necessary for its implementation to guarantee long-term delivery.

We believe that the levelling up missions, particularly the mission to extend, deepen and simplify devolution across England, deliver a clear long-term vision; a moral, social and economic programme for the whole of government. We agree that levelling up can only succeed as a shared national project. This Government recognises that for devolution

deals to be successful, local agreement and support is essential and that previous attempts at devolution have fallen short, in part, because they did not capture local identity. All devolution deals that have been agreed by this Government have required significant cross-party consultation and collaboration and we continue to encourage this when negotiating a deal.

As already set out in this response, the Government is taking clear steps to improve our understanding of local performance and service delivery overall through the establishment of the Office for Local Government (Oflog). Oflog will have three key audiences of central government, local leaders, and residents and we are working with the sector to ensure the data included is relevant and useful for them. In turn, this will help Government to further understand local need.

The Government is also committed to making it easier for local people and community groups to come together and shape the decisions that matter to their local areas. This includes powers which support local people to develop a shared vision for the future of their areas. We are taking forward the Levelling Up and Regeneration Bill, which will place local communities at the heart of planning; by increasing and enhancing the opportunities for participation. The Bill includes several measures to give residents a more effective voice, such as more accessible and locally relevant development plans, mandatory design codes for every area, new powers to conduct “street votes” and digital powers which will transform the way that information can be accessed. The Levelling up and Regeneration Bill will introduce Neighbourhood Priorities Statements, which will act as a simpler and more accessible way to participate in neighbourhood planning. Neighbourhood Priorities statements will be used as a formal input to the local plan process and could also be a stepping-stone to preparing a full neighbourhood plan, a design code or pursuing other community initiatives.

We have previously supported innovative approaches to boost public participation locally. For example, the Innovation in Democracy Programme trialled innovative models of deliberative democracy to involve citizens in local decision making. Following the completion of the pilot, the Government published a publicly available handbook to provide best-practice guidance for local authority officers and councillors interested in running a citizens' assembly in their local area, as well as case studies of such assemblies.

The Government should bring forward, and opposition parties should support, a Bill to establish a cross-party Commission on the governance of England. This Commission should be funded through and responsible to Parliament. The remit of the Commission should be to draw up proposals for reforms to the governance arrangements for England and for addressing the questions of England's place in the Union. The Commission should also draft legislation to implement these proposals, to be presented to both Houses for approval. It is imperative that this Commission has the support of all major parties, regardless of future General Election results, as given the significance of these reforms is it likely that the Commission may undertake its work over the course of one or more Parliaments. The Government should take the steps to begin the establishment of such a Commission before the end of this Parliament.

The Government does not agree that would be proportionate or desirable to take steps towards to a cross-party parliamentary commission on the governance of England. This is because we believe the right course now is to focus on levelling up opportunity and

prosperity across the country, pursuing reforms that are locally led and centred on places and local communities. We want to be led by the ambition of local areas, which is why we will continue to deliver 'trailblazer' devolution deals that break new ground on the autonomy given to local areas.

The Committee highlights that English local government, including devolution, has been asymmetric and the Government recognises this. The Levelling Up White Paper itself has cited the need to widen, deepen and simplify devolution, empowering local leaders to deliver better local outcomes and supporting communities to have the power to shape their local area and to work together to improve their neighbourhoods. Alongside the significant steps this Government is taking on devolution, we are also strengthening the Local Government Accountability Framework through steps such as the establishment of Oflog and the development of the Devolution Accountability Framework for England.

This Government strongly believes that the path to sustainable change up and down the country is through the encouragement and incentivisation of areas towards locally led change. That is why we will continue to lead an arc of reform that speaks to the fundamental principles of the Levelling Up White Paper. This means keeping a focus on levelling up the United Kingdom as a whole, rather than on its component parts. It means prioritising the delivery of quality services and most importantly, empowering local leaders to take decisions to shape their areas, promoting opportunity, growth, and prosperity.

Formal minutes

Thursday 23 February

Members present

Mr William Wragg, in the Chair

Ronnie Cowan

Jo Gideon

Rt Hon John McDonnell

Tom Randall

Draft Report (*Governing England: Follow up to the Government's response to the Committee's Third Report of Session 2022-23*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 3 read and agreed to.

A Paper was appended to the Report as Appendix 1.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order 134.

Adjournment

Adjourned till Tuesday 7 March 2023 at 09.30am

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2022–23

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2nd	The Work of the Electoral Commission	HC 462
3rd	Governing England	HC 463
4th	Propriety of Governance in Light of Greensill	HC 888
1st Special	Coronavirus Act 2020 Two Years On: Government response to the Committee's Seventh Report of Session 2021–22	HC 211
2nd Special	The Cabinet Office Freedom of Information Clearing House: Government Response to the Committee's Ninth Report of Session 2021–22	HC 576
3rd Special	Parliamentary and Health Service Ombudsman Scrutiny 2020–21: PHSO and Government responses to the Committee's First Report	HC 616
4th Special	The Work of the Electoral Commission: Government Response to the Committee's Second Report	HC 1065

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4th	Appointment of William Shawcross as Commissioner for Public Appointments	HC 662
5th	The Elections Bill	HC 597
6th	The appointment of Rt Hon the Baroness Stuart of Edgbaston as First Civil Service Commissioner	HC 984
7th	Coronavirus Act 2020 Two Years On	HC 978
8th	The appointment of Sir Robert Chote as Chair of the UK Statistics Authority	HC 1162
9th	The Cabinet Office Freedom of Information Clearing House	HC 505

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1st Special	Government transparency and accountability during Covid 19: The data underpinning decisions: Government's response to the Committee's Eighth Report of Session 2019–21	HC 234
2nd Special	Covid-Status Certification: Government Response to the Committee's Second Report	HC 670
3rd Special	The role and status of the Prime Minister's Office: Government Response to the Committee's First Report	HC 710
4th Special	The Elections Bill: Government Response to the Committee's Fifth Report	HC 1133

Session 2019–21

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1st	Appointment of Rt Hon Lord Pickles as Chair of the Advisory Committee on Business Appointments	HC 168
2nd	Parliamentary and Health Service Ombudsman Scrutiny 2018–19	HC 117
3rd	Delivering the Government's infrastructure commitments through major projects	HC 125
4th	Parliamentary Scrutiny of the Government's handling of Covid-19	HC 377
5th	A Public Inquiry into the Government's response to the Covid-19 pandemic	HC 541
6th	The Fixed-term Parliaments Act 2011	HC 167
7th	Parliamentary and Health Service Ombudsman Scrutiny 2019–20	HC 843
8th	Government transparency and accountability during Covid 19: The data underpinning decisions	HC 803
1st Special	Electoral law: The Urgent Need for Review: Government Response to the Committee's First Report of Session 2019	HC 327
2nd Special	Parliamentary and Health Service Ombudsman Scrutiny 2018–19: Parliamentary and Health Service Ombudsman's response to the Committee's Second report	HC 822
3rd Special	Delivering the Government's infrastructure commitments through major projects: Government Response to the Committee's Third report	HC 853
4th Special	A Public Inquiry into the Government's response to the Covid-19 pandemic: Government's response to the Committee's Fifth report	HC 995
5th Special	Parliamentary Scrutiny of the Government's handling of Covid-19: Government Response to the Committee's Fourth Report of Session 2019–21	HC 1078
6th Special	The Fixed-term Parliaments Act 2011: Government's response to the Committee's Sixth report of Session 2019–21	HC 1082

Number	Title	Reference
7th Special	Parliamentary and Health Service Ombudsman Scrutiny 2019–20: Government's and PHSO response to the Committee's Seventh Report of Session 2019–21	HC 1348