



HOUSE OF LORDS COMMISSION

Minutes

Wednesday 8 February 2023, 10.00am-11.30am

Attendance

- Lord Speaker (Chair)
- Lord Gardiner of Kimble (Deputy Chair)
- Mathew Duncan (external member) (virtually)
- Lord German
- Lord Hill of Oareford
- Lord Judge
- Baroness McIntosh of Hudnall
- Lord Newby
- Baroness Smith of Basildon
- Lord True
- Lord Vaux of Harrowden

Apologies were received from Nora Senior.

Simon Burton, Clerk of the Parliaments, Andy Helliwell, Chief Operating Officer, Chloe Mawson, Clerk Assistant, and Sarah Brader, Head of Business Improvement and Change, were also in attendance.

For Decision

1. Minutes of Previous Meeting

The Commission agreed the record of discussions of the previous meeting of the House of Lords Commission on 14 December 2022, with no amendments or redactions.

2. Recording Members' Attendance

Chloe Mawson, Clerk Assistant, House of Lords
C/22-23/17; [HIGHLY RESTRICTED]

Chloe Mawson introduced the paper.

In discussion the following points were raised or noted:

- That any return to the pre-COVID pandemic system should be given time to bed in before any further changes were considered, if at all.
- That the pre-pandemic system did not produce many errors in recording attendance. Errors tended to be picked up when Members reported them.

- That the requirement to recognise each Member by sight could be onerous for clerks and doorkeepers.
- The possible cost of using passreaders to record attendance was discussed. Because there were multiple entrances to the Chamber it was suggested that installation there might cost more than installing passreaders in the division lobbies had done.

The Commission noted the difficulty of recording accurately Members' attendance in the Prince's Chamber and Peers' Lobby.

The Commission agreed to cease the recording of Members' attendances in Prince's Chamber and Peers' Lobby from Monday 20 February 2023.

3. **Restricting Access to the Parliamentary Estate**

Simon Burton, Clerk of the Parliaments, Chloe Mawson, Clerk Assistant, and Sarah Brader, Head of Business Improvement and Change
C/22-23/18; [HIGHLY RESTRICTED]

Chloe Mawson and Sarah Brader introduced the paper.

In discussion the following points were raised or noted:

- That any sanction needed to be different from suspension of Members under the House of Lords (Expulsion and Suspension) Act 2015, which requires a motion on the floor of the House.
- There was a question about whether excluded Members would be able to participate in online elections for the Lord Speaker and excepted hereditary peer by-elections. Further information would be provided on this point.
- That excluded Members would continue to be able to submit written questions because to prevent them from doing so would bring their status closer to suspension under the 2015 Act.

The Commission considered and endorsed the revised scope of offences and activities available to excluded Members.

- The revised scope agreed was as follows:
 - The scope should encompass criminal offences which, upon conviction, may carry a custodial sentence of two years or more. Upon receiving information from the Clerk of the Parliaments that a member had been charged with an offence, the Leave of Absence Sub-Committee would meet to review the sentencing guidelines for the relevant offence and decide whether to trigger the exclusion standing order.

The Commission considered and agreed next steps to engage Members.

Papers to Note

4. Audit and Risk Assurance Committee Update: July 2022 to December 2022

C/22-23/19

Mathew Duncan, Chair, House of Lords Audit and Risk Assurance Committee, presented the paper.

In discussion the following points were raised or noted:

- That the Committee had taken a ‘deep dive’ with Parliamentary Digital Services on cyber security, which Members had found useful.
- That the National Audit Office had audited the Lords’ Annual reports and accounts, and had drawn attention to no major issues.
- That the Committee had organised joint audit committee meetings with the Commons where they had discussed R&R and the Morse review.
- That the Committee would continue to review audit control of the new R&R structures as the R&R governance framework continued to bed in.

The Commission noted the update on recent Audit and Risk Assurance Committee activity.

5. Finance Committee Update

C/22-23/20

Lord Vaux of Harrowden, Chair, House of Lords Finance Committee, presented the paper.

In discussion the following points were raised or noted:

- That the Zero-Based Budget Review pilot had been launched, and was going well. The Morse report had welcomed this initiative. The Finance Committee and Commission wished to record their thanks to Fehintola Akinlose, Director of Finance, for leading the review.
- That the Committee had held useful joint meetings with the Commons Finance Committee.
- That there was an ongoing problem with staff vacancies and difficulties in recruiting, especially in the Parliamentary Digital Service and procurement function. The role of pay and incentives needed to be considered.

The Commission noted the update on recent Finance Committee activity.

6. Services Committee Update

C/22-23/21

Baroness McIntosh of Hudnall, Chair, House of Lords Services Committee, presented the paper.

In discussion the following points were raised or noted:

- That the approach to providing services in the House should consider the overall picture of whether the services provided enabled the House and its Members to do their work effectively.
- That it was for the Commission and other governance bodies to set the strategic parameters within which operational decisions about the provision of services had to be taken.

The Commission noted the update on recent Services Committee activity.

Oral Updates

- **Update from the Clerk of the Parliaments**

Clerk of the Parliaments' update paper [RESTRICTED]

Simon Burton, Clerk of the Parliaments, updated the Commission.

In discussion the following points were raised or noted:

- That the Clerk of the Parliaments had appeared before the Commons Public Accounts Committee and the Public Works Estimates Committee to discuss R&R.
- That the Administration was focussing on implementing relevant recommendations of the Morse report, especially those pertaining to the Commercial Department.
- That the Management Board had launched a 'Good ideas scheme' – a staff suggestion scheme for improvements.
- That a 'shadow management board', consisting of staff, had been launched.

Any Other Business and Next Meeting

- The Commission agreed that meetings of the R&R Programme Board were qualifying attendances for the Lords Members' Finance Scheme and should be added to the list at 3.1.1 in the Guide to the Members' Finance Scheme.
- The next meeting will take place at 10.00am on Wednesday 15 March 2023.

Tristan Stubbs
Secretary to the Commission
020 7219 0455
stubbst@parliament.uk