



HOUSE OF LORDS COMMISSION

Minutes

Tuesday 10 November 2020

Attendance

- Lord Speaker (Chairman)
- Lord McFall of Alcluith (Deputy Chairman)
- Baroness Doocey
- Mathew Duncan (external member)
- Baroness Evans of Bowes Park
- Liz Hewitt (external member)
- Lord Judge
- Lord Laming
- Baroness McIntosh of Hudnall
- Lord Newby
- Baroness Smith of Basildon
- Lord Wakeham

Ed Ollard, Clerk of the Parliaments, was in attendance. The meeting was held via Microsoft Teams. Keith Leslie, the External Reviewer, and Liz Mohr, the Deputy External Reviewer, were also in attendance.

I. Minutes and Matters Arising

The Commission agreed the record of discussion of the meeting of the House of Lords Commission of 6 October.

The Lord Speaker raised the issue of the installation of a pass reader at Peers' Entrance. Lord McFall of Alcluith said that he and Lord Laming, the Chairman of the Services Committee, had been consulted on options for the new pass reader. After discussion, the Commission **agreed** a new free-standing pass reader should be installed at Peers' Entrance.

The Lord Speaker spoke about Lord Kilclooney's recent tweet about the US Vice-President Elect, Kamala Harris. All Commission members formally disassociated themselves from Lord Kilclooney's comments. After discussion, the Commission **agreed** that after any preliminary assessment, should the Commissioner for Standards not consider complaints about Lord Kilclooney's comments to be within her remit, the Lord Speaker should write to Lord Mance, Chairman of the Conduct Committee, inviting the Committee to examine the application of the Code of Conduct with particular regard to Members' use of social media and the desirability of extending the Code to include provision relating to bringing the House into disrepute.

The Lord Speaker thanked Commission members for agreeing the paper on *Refusing Access to the Parliamentary Estate* (Monday 12 October) and the Commission report *Rules relating to Members' staff passes* (Tuesday 3 November) by correspondence. He said that the report would be moved in the chamber by Lord McFall of Alcluith the following day.

2. **House of Lords External Management Review: Emerging Findings**

Cover note from Baroness Evans of Bowes Park, Leader of the House of Lords, and Paper from Keith Leslie, External Reviewer, and Liz Mohr, Deputy External Reviewer C/19-21/69 HIGHLY RESTRICTED

The Lord Speaker invited Mr Leslie and Ms Mohr to present their paper. Mr Leslie reminded Commission members of the agreed terms of reference and summarised his work to date.

Commission members discussed the role and recent performance of the Commission in providing the strategic direction for, and oversight of, the Administration. They also discussed the question of whether external experience and a proven ability to lead and deliver change should be a pre-requisite for the role of Clerk of the Parliaments. Some members of the Commission asked about the proposal for a Chief Operating Officer and said that the next Clerk of the Parliaments should be involved in their recruitment and the shaping of their role.

Mr Leslie highlighted the important role played by the culture of an organisation and said that structural change alone would never deliver lasting change.

Mr Leslie and Ms Mohr summarised the emerging findings and direction of travel as follows:

- The role of Clerk of the Parliaments should remain at the head of the House of Lords Administration and Chief Executive as well as the principal source of procedural and constitutional advice to the House;
- A new role of 'Chief Operating Officer' should be established to provide the strategic and day-to-day direction of the non-procedural areas of the organisation and to have oversight of major change initiatives and programmes;
- radical improvements are needed to organisational effectiveness across governance, management, people and systems; and
- In the future, all senior roles need to be filled by individuals able to fully embrace change and new ways of working, including a willingness to learn from other organisations' experiences, but external experience should not be a mandatory requirement for these roles.

After discussion, on the External Management Review the Commission:

- **endorsed** the emerging findings and direction of travel as set out above;
- **agreed** that Mr Leslie and Ms Mohr should continue to consult among Members and staff throughout November, sharing the content of the paper in appropriate contexts, to develop the proposals and to build support for the successful implementation of the work; and

- **agreed** to participate in the discussion of the leadership challenge involved with implementing a number of concurrent programmes of change, namely organisational and digital models, and R&R.

The Leader of the House then spoke to her paper on the forthcoming recruitment of the next Clerk of the Parliaments.

On the recruitment of the next Clerk of the Parliaments, at the Leader's suggestion the Commission **agreed** that the process should begin as soon as possible and that:

- The Clerk of the Parliaments should remain head of the House of Lords Administration, act as the Accounting Officer for the Administration, and retain the statutory responsibilities assigned to the post by the Parliamentary Corporate Bodies Act 1992 and the Clerk of the Parliaments Act 1824;
- Notwithstanding the above, the corporate and operational capacity of the Administration require strengthening to ensure the House and Administration can meet the challenges of the coming years. *[Restricted Access – More Information]*; and
- That external experience should not be a pre-requisite requirement for the post of Clerk of Parliaments.

The Lord Speaker explained that draft communications had been prepared and that Commission members would be asked to approve them after the meeting. He said that an email to all Members and staff with the key highlights would be sent with a link to an intranet article with further information, including the areas for further consultation.

3. **Quarterly Report: R&R Programme Q2 2020/21**

Sarah Johnson, Chief Executive of the R&R Sponsor Body
C/19-21/70 HIGHLY RESTRICTED

The Lord Speaker explained that Sarah Johnson was unable to attend and suggested that formal consideration of the Quarterly Report be deferred until the following meeting.

[Restricted Access – More Information].

The Commission **agreed** to defer the formal consideration of the Quarterly Report until the following meeting.

4. **Members Finance Scheme: Changes to the Allowance Guidance**

Jonathan Smith, Head of Finance
C/19-21/71 HIGHLY RESTRICTED

Jonathan Smith, Head of Finance, presented the paper.

After discussion, the Commission **agreed** to amend the Allowance Guidance to state that “any Special Inquiry Committee or other investigative or legislative scrutiny Committee appointed by the House for the duration of that Committee’s appointment” may give rise to eligibility for the Chairs’ Supplementary Allowance, and that future changes to the committee structure can be made without the need to

regularly revise the Guidance. The Commission also **agreed** that Lords Members of the Sponsor Board should be eligible for the Supplementary Allowance on the same basis as a Committee Chairs set out in paragraph 8(b) of the Resolution of the House of 22 July 2020.

5. **Members Finance Scheme: Additional Financial Support for Disabled Members**

Jonathan Smith, Head of Finance
C/19-21/72 HIGHLY RESTRICTED

Jonathan Smith, Head of Finance, presented the paper. He invited the Commission to confirm that the current framework for approving additional financial support for disabled members remained appropriate. Baroness Doocey suggested that the Clerk of the Parliaments write to Members with a reminder, setting out what support is available.

After discussion, the Commission **agreed** that the framework for approving additional financial support for disabled members remained appropriate. *[Restricted Access – More Information]*.

6. **Service Restrictions and Alterations: Draft Guidance**

Duncan Sagar, former Organisational Culture Lead
C/19-21/73 HIGHLY RESTRICTED

Duncan Sagar, former Organisational Culture Lead, presented the paper and said that the House of Commons Commission had agreed to endorse the draft guidance the previous day. He explained that the guidance would support managers in the House of Commons Service, the House of Lords Administration, and the Parliamentary Digital Service, to exercise their professional judgement and to deal with behaviour by passholders using their services, including members of either House, which they judge to:

- Pose a real, immediate and/or ongoing risk to the safety or wellbeing of a member of staff, the team, the wider Parliamentary community or visitors to Parliament; and/or
- Significantly inhibit the team's ability to deliver an effective service.

He said that this may lead to the short-term restriction to or adaption of the service offered.

The Commission **endorsed** the draft guidance for managers which had been included as an annex the paper, *Restricting or altering services to passholders – Guidance for managers on exercising their duty of care*.

7. **Update on the Administration**

Ed Ollard, Clerk of the Parliaments
C/19-21/74 HIGHLY RESTRICTED

The Clerk of the Parliaments spoke about the broadcasting infrastructure upgrade and invited the Commission to note the timetable for the transfer of the broadcasting infrastructure to new facilities and the measures which had been put in place to bolster resilience during the process. He also drew the Commissions' attention to

the statistics in the paper on the recent activity of the House and undertook to continue to circulate weekly updates about the COVID-19 situation in Parliament.

The Commission **noted** the Update.

8. Next meeting

The Lord Speaker informed Commission members that the next meeting would take place via Microsoft Teams on Monday 30 November at 4pm.

Tuesday 10 November 2020

Patrick Milner
Secretary to the Commission
020 7219 6644
milnerp@parliament.uk