



House of Commons
Public Administration
and Constitutional Affairs
Committee

**Appointment of
Lord Bew as Chair
of the House of
Lords Appointments
Commission**

Ninth Report of Session 2017–19



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

*Ordered by the House of Commons
to be printed 6 September 2018*

Public Administration and Constitutional Affairs

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.

Current membership

[Sir Bernard Jenkin MP](#) (*Conservative, Harwich and North Essex*) (Chair)

[Ronnie Cowan MP](#) (*Scottish National Party, Inverclyde*)

[Paul Flynn MP](#) (*Labour, Newport West*)

[Mr Marcus Fysh MP](#) (*Conservative, Yeovil*)

[Dame Cheryl Gillan MP](#) (*Conservative, Chesham and Amersham*)

[Kelvin Hopkins MP](#) (*Independent, Luton North*)

[Dr Rupa Huq MP](#) (*Labour, Ealing Central and Acton*)

[Mr David Jones MP](#) (*Conservative, Clwyd West*)

[Sandy Martin MP](#) (*Labour, Ipswich*)

[David Morris MP](#) (*Conservative, Morecambe and Lunesdale*)

[Tulip Siddiq MP](#) (*Labour, Hampstead and Kilburn*)

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

Committee reports are published on the Committee's website at www.parliament.uk/pacac and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Libby Kurien (Clerk), Sarah Thatcher (Clerk), Ian Bradshaw (Second Clerk), Dr Patrick Thomas (Committee Specialist), Dr Philip Larkin (Committee Specialist), Makka Habre (Committee Specialist), Gabrielle Hill (Senior Committee Assistant), Iwona Hankin (Committee Assistant), and Mr Alex Paterson (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Public Administration and Constitutional Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3268; the Committee's email address is pacac@parliament.uk.

Contents

1	House of Lords Appointment Commission	3
	Remit	3
	Previous Chairs of HOLAC	3
2	Appointing a new Chair	4
	Recruitment	4
	Application Process	4
	The Candidate	5
	The pre-appointment Hearing	5
	Appendix 1: Letter from the Minister for Implementation Oliver Dowden MP to Sir Bernard Jenkin	7
	Formal minutes	10
	Witnesses	11
	Published written evidence	11
	List of Reports from the Committee during the current Parliament	12

1 House of Lords Appointment Commission

Remit

1. The House of Lords Appointment Commission (HOLAC) is an independent, advisory, non-departmental public body sponsored and funded by the Cabinet Office. It was established by the then Prime Minister, Rt Hon Tony Blair, in May 2000.
2. The Commission has seven members of which three are appointed to represent the three largest political parties represented in the House of Lords and to ensure expert knowledge of the Lords. The others, including the Chair, are independent of Government and the political parties. They are appointed after an open recruitment competition run according to procedures set down by the Commissioner for Public Appointments.
3. The Commission has two main functions:
 - to recommend individuals for appointment as non-party-political (crossbench) life peers; and
 - to vet nominations for life peers, including those nominated by the UK political parties, to ensure the highest standards of propriety.

Previous Chairs of HOLAC

4. The previous chairs of HOLAC were:
 - Lord Stevenson of Coddensham (2001–2008)
 - Lord Jay of Ewelme (2008–2013)
 - Lord Kakkar (2013–2018)

2 Appointing a new Chair

Recruitment

5. The Cabinet Office job advert described the role of the HOLAC chair:

The Chair leads the Commission in recommending and vetting appointments to the House of Lords. The successful candidate will need to demonstrate integrity and independence of the highest order. Candidates for the role of Chair will be able to operate across a wide range of issues and reach sound judgements.¹

6. The skills and experience listed were:

- Strong leadership and interpersonal skills, with an ability to command respect and credibility with Parliament, Ministers, Commissioners and key stakeholders, and a personal style that demonstrates authority and inspires trust and confidence;
- Ability to operate effectively and comfortably in the media spot light as the public face of the Commission;
- An understanding of, and commitment to, the need to maintain the highest standards of public life in line with the seven principles of public life; and
- Familiarity with the workings of the House of Lords.

7. The post was advertised for a five-year, non-renewable term. It is expected to require 1–2 days a month. The salary is £8,000 a year.²

Application Process

8. The post was advertised on the Cabinet Office Public Appointments website from 4 May to 25 May 2018.

9. The panel was:

- Mark Addison—Independent panel member and Chair. NHS Trust Chair and former Senior Civil Servant.
- Richard Heaton—Permanent Secretary, MoJ.
- Helen MacNamara—Director General of Propriety and Ethics, Cabinet Office.

10. Five applications were received, three from men and two from women. Four candidates were interviewed, two of each of gender. Two candidates, including Lord Bew, were deemed appointable by the panel. The Minister selected Lord Bew.

1 [Job Advert for Chair of HOLAC](#), Cabinet Office

2 [Job Advert for Chair of HOLAC](#), Cabinet Office

The Candidate

11. The Minister for Implementation, Oliver Dowden MP, wrote to the Chair of PACAC on 29 August 2018 notifying the Committee that the preferred candidate for the post of Chair of HOLAC was Lord Bew. The letter is included as Appendix 1.

12. Paul Bew became Baron Bew of Donegore in the County of Antrim, a Crossbench Member of the House of Lords, on 26 March 2007 on the recommendation of HOLAC. He served as Chair of the Committee on Standards in Public Life 2013–2018 and was also a Member of the Joint Committee on Parliamentary Privilege 2012–2013.³

13. Lord Bew is a distinguished academic whose work has focused on Irish and Northern Irish Politics. He was Professor of Irish Politics at Queens University Belfast (QUB) from 1991–2014. He is currently an Emeritus professor at QUB and a visiting professor at Kings College London. He served as Historical Advisor to the Bloody Sunday inquiry 1998–2001.

The pre-appointment Hearing

14. The pre-appointment hearing with Lord Bew was conducted on 6 September 2018. Lord Bew also answered written questions in advance of the hearing.⁴ We questioned Lord Bew on the following points:

- how his previous experience qualified him for the position;
- how he intends to maintain the independence and ethical standards of HOLAC;
- his priorities as Chair of HOLAC; and
- his views on the future of HOLAC.

15. **We are satisfied that Lord Bew has the professional competence and personal independence required for the post of Chair of the House of Lords Appointments Commission. We also welcome Lord Bew’s professed commitment to making brave, rather than safe, appointments to the House of Lords. We therefore support his nomination and wish him every success in the future.**

16. **While we support the nomination of Lord Bew as an eminently qualified candidate, we note that he will be the fourth consecutive Lord appointed to this post. We welcome his obvious commitment to the principle that the membership of the House of Lords should better reflect the nation and his commitment to ensuring diversity in appointments. However, that all the holders of this post have been male does not reflect the Government’s commitments to gender diversity.**

17. **While there is no requirement for the Chair of HOLAC to be a member of the House of Lords, all holders of this position have been peers. A suitably qualified and experienced non-peer may bring a different perspective to this position with its key role in regulating appointments to the Lords.**

3 Lord Bew appeared before our Predecessor Committee for a pre-appointment hearing for the position of Chair of the Committee on Standards in Public Life. Fifth Report of the Public Administration Select Committee 2013–14, [Appointment of the Chair of the Committee on Standards in Public Life](#): Volume I, HC516-I

4 Lord Bew ([HLA0001](#))

18. We also note that only five applications were received for this position. We question whether the Government could have sought a greater number and range of applicants.

19. The diversity of senior public appointments made by Cabinet Office Ministers is an issue the Committee will keep under review. We expect Ministers to demonstrate that they are actively seeking to make appointments from the widest possible pool of candidates and increasing the diversity of the people appointed to senior public positions.

20. One of the reasons we support Lord Bew's appointment is his commitment to the independence of HOLAC, but he told us that this independence relies on the maintenance of current funding levels, which are already tight. We emphasise the importance of maintaining current funding levels to assure HOLAC's independence.

Appendix 1: Letter from the Minister for Implementation Oliver Dowden MP to Sir Bernard Jenkin

Sir Bernard Jenkin MP
Chair, Public Administration and
Constitutional Affairs Committee
House of Commons
London SW1A 0AA

29 August 2018

As you will be aware, we have been working to identify and appoint a successor for Lord Kakkar to undertake the role of Chair of the House of Lords Appointments Commission (HOLAC).

I am now pleased to put forward the Government's preferred candidate, Lord Bew, for pre-appointment scrutiny following a fair and open competition that was conducted in line with the Governance Code on Public Appointments.

Lord Bew is currently Chair of the Committee on Standards in Public Life (CSPL) and a crossbench peer. He has an excellent understanding of the challenges facing the Commission, a real sense of the wider picture of public life and is a person of great integrity.

All candidates were informed prior to the appointment that the position is subject to scrutiny by the Public Administration and Constitutional Affairs Committee.

Relevant information relating to the recruitment process is set out in the attached Annex. I will also arrange for Lord Bew's CV to be forwarded.

Oliver Dowden CBE MP

Chair of the House of Lords Appointments Commission

The name of the Government's preferred candidate is Lord Bew. His CV is attached.

Role and background

The House of Lords Appointments Commission is an independent, advisory, non-departmental public body, established by the Prime Minister in May 2000. The Commission has two main functions:

- to recommend individuals for appointment as non-party-political life peers; and
- to vet nominations for life peers, including those nominated by the UK political parties, to ensure the highest standards of propriety.

Recruitment process

The post was advertised in the normal way on the Cabinet Office's Centre for Public Appointments website from 4 May 2018 to 25 May 2018, with remuneration of £8,000 per annum on a commitment of one to two days a month on average, and for a five-year non-renewable term of office.

The panel members were:

Mark Addison—Senior Independent Panel Member and Chair

Richard Heaton—Permanent Secretary, Ministry of Justice

Helen MacNamara—Director General, Propriety and Ethics, Cabinet Office

Candidates were asked to submit their CV and supporting letter setting out how they met the candidate profile:

- *Strong leadership and interpersonal skills, with an ability to command respect and credibility with Parliament, Ministers, Commissioners and key stakeholders and a personal style that demonstrates authority and inspires trust and confidence;*
- *Ability to operate effectively and comfortably in the media spot light as the public face of the Commission;*
- *An understanding of, and commitment to, the need to maintain the highest standards of public life in line with the seven principles of public life; and*
- *Familiarity with the workings of the House of Lords.*

Sifting of applications

In total, five applications were received, of which two were female and three were male; none recorded as BAME. The position requires independence and impartiality and crossbenchers were therefore encouraged to apply. Three of the applicants were crossbench peers: two were not peers.

The panel agreed that four candidates (two male; two female) presented strong evidence against the full range of select criteria and were invited to interview.

Final interviews

Panel interviews were held on 6 and 12 July 2018.

Taking account of the performance at interview, together with all the other evidence that had been obtained, the panel found that two candidates interviewed for the role, including Lord Bew, were suitable for appointment.

Formal minutes

Thursday 6 September 2018

Sir Bernard Jenkin, in the Chair

Kelvin Hopkins

Sandy Martin

Mr David Jones

Draft Report (*Appointment of Lord Bew as Chair of the House of Lords Appointments Commission*), proposed by the Chair, brought up and read.

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

Paragraph 1 to 20 read, and agreed to.

Letter from Oliver Dowden MP dated 29 August was appended to the report as Appendix 1.

Resolved, That the Report be the Ninth 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 (Standing Order No. 134).

[Adjourned till Tuesday 11 September at 09.30am

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Thursday 6 September 2018

Question number

Lord Bew

[Q1-34](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

1 Lord Bew ([HLA0001](#))

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. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

First Report	Devolution and Exiting the EU and Clause 11 of the European Union (Withdrawal) Bill: Issues for Consideration	HC 484
Second Report	Parliamentary Boundary Reviews: What Next?	HC 559 (HC 1072)
Third Report	PHSO Annual Scrutiny 2016–17	HC 492 (HC 1479)
Fourth Report	Ensuring Proper Process for Key Government Decisions: Lessons Still to be Learned from the Chilcot Report	HC 854
Fifth Report	The Minister and the Official: The Fulcrum of Whitehall Effectiveness	HC 497
Sixth Report	Accounting for Democracy Revisited: The Government Response and Proposed Review	HC 1197
Seventh Report	After Carillion: Public sector outsourcing and contracting	HC 748
Eighth Report	Devolution and Exiting the EU: reconciling differences and building strong relationships	HC 1485
First Special Report	Will the NHS never learn? Follow-up to PHSO report 'Learning from Mistakes' on the NHS in England: Government Response to the Committee's Seventh Report of Session 2016–17	HC 441
Second Special Report	The Future of the Union, part two: Inter-institutional relations in the UK: Government Response to the Sixth Report from the Committee, Session 2016–17	HC 442
Third Special Report	Lessons still to be learned from the Chilcot inquiry: Government Response to the Committee's Tenth Report of Session 2016–17	HC 708
Fourth Special Report	Government Response to the Committee's Thirteenth Report of Session 2016–7: Managing Ministers' and officials' conflicts of interest: time for clearer values, principles and action	HC 731
Fifth Special Report	Parliamentary Boundary Reviews: What Next?: Government Response to the Committee's Second Report	HC 1072
Sixth Special Report	PHSO Annual Scrutiny 2016–17: Government and PHSO Response to the Committee's Third Report	HC 1479